AMENDMENTS TO HOUSE BILL NO. 2388

Sponsor: SENATOR KILLION

Printer's No. 3592

Amend Bill, page 2, lines 3 through 30; page 3, lines 1 through 12; by striking out all of said lines on said pages and inserting

ARTICLE I-A
EMERGENCY COVID-19 PROVISIONS

Section 101-A. Definitions.
The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:
"Secretary." The Secretary of Community and Economic Development of the Commonwealth.

Section 102-A. Vehicle dealer waiver provisions.
(a) Waiver.--The secretary shall immediately issue a waiver to the order to all dealers or other vehicle-related businesses that comply with section 108-A.
(b) Definitions.--As used in this section, the term "dealer" shall have the same meaning as provided in 75 Pa.C.S. § 102 (relating to definitions).

Section 103-A. Lawn and garden centers waiver provisions.
The secretary shall immediately issue a waiver to the order to all lawn and garden equipment and supplies stores that comply with section 108-A.

Section 104-A. Cosmetology salon and barber shop waiver provisions.
(a) Waiver.--The secretary shall immediately issue a waiver to the order to allow:
(1) all activities by licensed barbers as defined under section 2.1 of the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law; and
(2) all activities pertaining to the embellishment, cleanliness and beautification of the human hair by licensed cosmetologists as defined under section 1 of the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law.
(b) Mitigation measures.--Waivers under subsection (a) shall only be issued to business activities that can do all of the
following to protect workers and customers from and mitigate the spread of COVID-19:

(1) comply with applicable mitigation measures defined by the Occupational Health and Safety Administration and the Department of Health and additional measures prescribed by the State Board of Barber Examiners and the State Board of Cosmetology;

(2) require that employees wear masks and gloves at all times;

(3) serve customers by appointment only to ensure the lowest possible amount of customers and employees at a time in order to comply with social distancing guidelines;

(4) require customers to either wash hands with soap and water or hand sanitizer upon entering unless wearing gloves;

(5) ensure that customers wear masks at all times and maintain at least six feet of distance between other customers;

(6) remove all reading and other materials from waiting areas beside seating for customers;

(7) prohibit individuals on the premises without an appointment unless accompanying a customer under the age of 18; and,

(8) wipe down chairs, surfaces and other equipment used on a customer with acceptable cleaning materials after every customer.

Section 105-A. Messenger service and agent service activities waiver provisions.

(a) Waiver.--The secretary shall immediately issue a waiver to order to messenger service and agent service activities that comply with section 108-A.

(b) Definitions.--As used in this section, the terms "messenger service" and "agent service" shall have the same meaning as provided in 75 Pa.C.S. § 102 (relating to definitions).

Section 106-A. Animal grooming services waiver provisions.

The secretary shall immediately issue a waiver to the order to animal grooming services that comply with section 108-A.

Section 107-A. Manufacturing operations waiver provisions.

(a) Waiver.--The secretary shall immediately issue a waiver to the order to all manufacturing operations that comply with section 108-A.

(b) Definition.--As used in this section, the term "manufacturing operations" shall include the performance as a business of an integrated series of operations which places personal property in a form, composition or character different from that in which it was acquired whether for sale or use by the manufacturer beginning with the first production operation and ending with the packaging of the product for the ultimate consumer.

Section 108-A. Compliance.

A business shall adhere to social distancing practices and
other mitigation measures defined by the Centers for Disease Control and Prevention to protect workers and to mitigate the spread of the COVID-19 virus and the order of the Secretary of Health directing public health safety measures for businesses permitted to maintain in-person operations.

Section 109-A. Effect of subsequent orders.

A waiver granted under this article shall remain valid notwithstanding any order issued pursuant to the declaration of disaster emergency issued by the Governor on March 6, 2020, published in 50 Pa.B. 1644 (March 21, 2020), or any renewal of the declaration of disaster emergency, unless the order removes any of the restrictions or otherwise grants greater permissions for operations than are provided under this article.