AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, providing for retail store closure during declaration of disaster emergency AND FOR CONTACTLESS AND CURBSIDE BUSINESS OPERATIONS DURING DECLARATION OF DISASTER EMERGENCY.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 35 of the Pennsylvania Consolidated Statutes is amended by adding section SECTIONS to read:

§ 7309. Retail store closure during declaration of disaster emergency.

Notwithstanding the provisions of this chapter or any other provision of law to the contrary, the Governor may not close a retail store during a declaration of disaster emergency under section 7301 (relating to general authority of Governor) if the retail store:

(1) restricts access during a declaration of disaster emergency to one customer in the retail store facility at a
time; and
(2) restricts store operations to one employee in the retail store facility at a time.

SECTION 7310. CONTACTLESS AND CURBSIDE BUSINESS OPERATIONS DURING DECLARATION OF DISASTER EMERGENCY.

(A) GENERAL RULE.--A CORPORATION FOR PROFIT AND A CORPORATION NOT-FOR-PROFIT SHALL BE PERMITTED, UNDER A DECLARATION BY THE GOVERNOR OF DISASTER EMERGENCY UNDER § 7301(C) (RELATING TO GENERAL AUTHORITY OF GOVERNOR) ON OR BEFORE MARCH 6, 2020, TO TRANSITION TO CONTACTLESS AND CURBSIDE BUSINESS OPERATIONS FOR THE DURATION OF THE DECLARATION OF DISASTER EMERGENCY. THE FOLLOWING SHALL APPLY:

(1) A CORPORATION FOR PROFIT AND CORPORATION NOT-FOR-PROFIT SHALL:

(I) COMPLY WITH THE CENTERS FOR DISEASE CONTROL AND PREVENTION'S INTERIM GUIDANCE FOR BUSINESSES AND EMPLOYERS TO PLAN AND RESPOND TO CORONAVIRUS DISEASE 2019 (COVID-19), PROMULGATED UNDER THE FEDERAL PUBLIC HEALTH EMERGENCY DECLARED ON JANUARY 31, 2020, UNDER SECTION 319 OF THE PUBLIC HEALTH SERVICE ACT (58 STAT. 682, 42 U.S.C. § 201 ET SEQ. 247D) IN RELATION TO SOCIAL DISTANCING AND SANITATION PROTOCOLS.

(II) MAINTAIN EMPLOYEES NECESSARY TO SUPPORT TAKING OF ORDERS THROUGH ONLINE, TELEPHONE OR OTHER MEANS WHEN PERSONAL INTERACTION IS LIMITED DURING A TRANSACTION IF EMPLOYEES ADHERE TO SOCIAL DISTANCING AND APPROPRIATE SANITATION PROTOCOLS.

(III) PROVIDE CONTACTLESS LOCAL DELIVERY AND CURBSIDE PICK-UP SERVICE OF ONLINE OR TELEPHONE ORDERS.

(IV) PROHIBIT CASH PAYMENTS FOR TRANSACTIONS.
(2) Any violation of paragraph (1) shall result in the immediate suspension of business operations.

(B) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Corporation for profit." as defined in 15 Pa.C.S. § 102 (relating to definitions).


Section 2. All regulations and parts of regulations are abrogated to the extent of any inconsistency with the provisions of this act.

Section 3. This act shall take effect immediately.