THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2459 Session of 2020

INTRODUCED BY MIZGORSKI, BERNSTINE, CAUSER, SCHLEGEL CULVER, ECKER, JAMES, JONES, JOZWIAK, KAUFFMAN, MIHALEK, MILLARD, ROTHMAN, RYAN, SCHMITT, SIMMONS AND TURZAI, APRIL 28, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 28, 2020

AN ACT

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; providing for judicial administration; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," providing for emergency COVID-19 provisions.

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

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding an article to read:

ARTICLE I-A
Section 101-A. Extension of waiver provisions.

(a) General rule.--The Secretary of Community and Economic Development shall, upon request of a cosmetology salon or barber shop, immediately issue a waiver to the Governor's 20200319 TW COVID-19 Business Closure Order to the cosmetology salon or barber shop to provide hair services. Waivers shall only be issued to cosmetology salons and barber shops that can adhere to the 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 COVID-19.

(b) Protections.--Cosmetology salons and barber shops that receive a waiver and operate under this section shall also provide, at a minimum, the following protections:

(1) Appropriate personal protective equipment, including, but not limited to, a mask, at the start of every shift for employees.

(2) A work environment, including, but not limited to, social distancing practices, that maximizes the safety of employees and clients.

(3) Providing hair services on an appointment basis only.

(4) Cleaning areas with adequate soap and water and breaks to frequently engage in hand washing.

(c) Violation.--A cosmetology salon or barber shop operating in this Commonwealth under a waiver issued under subsection (a) that fails to comply with the requirements of this section shall be immediately closed and may not be permitted to reopen until it is in compliance.

(d) Construction.--Nothing in this section shall affect or
limit the provisions of the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law, or the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, and regulations promulgated under those acts, relating to sanitation and infectious disease.

(e) Applicability.--This section shall apply until the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency, is terminated or expires under 35 Pa.C.S. § 7301(c) (relating to general authority of Governor).

(f) 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:

"Barber shop." A barber shop licensed under the Barbers' License Law.

"Cosmetology salon." A cosmetology salon licensed under the Cosmetology Law.

Section 2. This act shall take effect immediately.