AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in COVID-19 disaster emergency, providing for social distancing and public health measures.

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

Section 1. Chapter 57 of Title 35 of the Pennsylvania Consolidated Statutes is amended by adding a subchapter to read:

SUBCHAPTER F

SOCIAL DISTANCING AND PUBLIC HEALTH MEASURES

Sec. 5751. Compliance with social distancing guidelines and limitations on seating capacity by liquor licensees.

§ 5751. Compliance with social distancing guidelines and limitations on seating capacity by liquor licensees.

(a) General rule.--Notwithstanding any other provision of this title or other law to the contrary, during the COVID-19 disaster emergency, a social distancing guideline or seating capacity limitation imposed by law or official action and applicable to a liquor licensee below 50% of seating capacity
shall be void and unenforceable.

(b) Prohibited conduct.--A liquor licensee that is subject, during the COVID-19 disaster emergency, to a social distancing guideline or limitation of 50% or greater seating capacity imposed by law or official action may not knowingly violate the guideline or limitation.

(c) Penalties.--A liquor licensee that violates subsection (b) shall, in addition to any other penalty provided by law, be subject to the following:

(1) A written warning, for a first violation.

(2) A fine of $1,000, for a second violation.

(3) A 30-day suspension of the license, for a third or subsequent violation.

(d) Enforcement.--The Pennsylvania Liquor Control Board shall enforce the provisions of this section in accordance with the provisions of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

(e) Definition.--As used in this section, the term "liquor licensee" means a person that holds a license to sell and serve liquor or malt or brewed beverages to patrons under the Liquor Code.

Section 2. This act shall take effect in 60 days.