INTRODUCED BY MILLARD, COOK, KNOWLES, ROWE, KULIK, PEIFER, CAUSER, POLINCHOCK, MACKENZIE, SCHMITT, METCALFE, JAMES, DUNBAR, ROTHMAN, GLEIM, PICKETT, EVERETT, WHEELAND, STAATS, SAYLOR, MENTZER, BERNSTINE AND KORTZ, SEPTEMBER 23, 2020

REFERRED TO COMMITTEE ON LIQUOR CONTROL, SEPTEMBER 23, 2020

AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in COVID-19 disaster emergency, providing for certain restrictions prohibited.

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 a section to read:

§ 5702. Certain restrictions prohibited.

(a) General rule.--Notwithstanding the provisions of section 7301 (relating to general authority of Governor) or any other law to the contrary, during the COVID-19 disaster emergency, neither the Commonwealth nor any municipality may restrict or impose a limitation through an executive order, proclamation, regulation, resolution or ordinance or other official action on the number of individuals who may lawfully gather or assemble in a restaurant or other eating place in this Commonwealth or the time periods for the sale or service of alcohol for a licensee.
licensed under the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

(b) Nonapplicability.--Subsection (a) shall not apply to occupancy permits in this Commonwealth or liquor license restrictions under the Liquor Code or other law issued prior to March 6, 2020, insofar as the occupancy permits place a maximum limitation of the number of individuals permitted to occupy a premises under subsection (a) or a license under the Liquor Code imposes restrictions on the duration or time of sale of alcohol.

Section 2. This act shall take effect immediately.