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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2278** Session of  
2003

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INTRODUCED BY J. TAYLOR AND LEDERER, DECEMBER 19, 2003

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REFERRED TO COMMITTEE ON URBAN AFFAIRS, DECEMBER 19, 2003

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AN ACT

1 Prohibiting large retail establishments in certain locations in  
2 cities of the first class; abrogating certain home rule  
3 charter provisions; and making related repeals.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Retail  
8 Establishment Limitation Act.

9 Section 2. Large retail establishments prohibited in certain  
10 locations.

11 (a) General rule.--In cities of the first class,  
12 notwithstanding any other provisions of law to the contrary, a  
13 retail establishment of 100,000 square feet or larger shall not  
14 be established or operated within 1,200 feet of a hospital  
15 established prior to the retail establishment.

16 (b) Applicability.--The provisions of this section shall  
17 apply whether or not an occupancy permit or certificate of use  
18 has been issued to the owner or operator of the retail

1 establishment prior to the effective date of this section.

2 (c) Exception.--This section shall not apply to a retail  
3 establishment operating prior to December 15, 2003.

4 (d) Definition.--As used in this section, the term  
5 "hospital" shall mean a community hospital licensed by the  
6 Department of Health which has no more than 250 beds.

7 Section 3. Abrogation.

8 All home rule charter provisions are abrogated to the extent  
9 that they are inconsistent with the provisions of this act.

10 Section 4. Repeals.

11 The following acts and parts of acts are repealed insofar as  
12 they are inconsistent with this act:

13 Act of June 25, 1919 (P.L.581, No.274), referred to as the  
14 First Class City Government Law.

15 Act of April 21, 1949 (P.L.665, No.155), known as the First  
16 Class City Home Rule Act.

17 Section 5. Effective date.

18 This act shall take effect immediately.