

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1490 Session of  
2008

INTRODUCED BY COSTA, ORIE, FONTANA, FERLO, LOGAN AND PIPPY,  
JUNE 16, 2008

REFERRED TO PUBLIC HEALTH AND WELFARE, JUNE 16, 2008

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,  
2 as amended, "An act relating to counties of the second class  
3 and second class A; amending, revising, consolidating and  
4 changing the laws relating thereto," prohibiting preemption  
5 of ordinances.

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

8 Section 1. Section 508 of the act of July 28, 1953 (P.L.723,  
9 No.230), known as the Second Class County Code, is amended by  
10 adding a subsection to read:

11 Section 508. Ordinances and Resolutions.--\* \* \*

12 (d) Notwithstanding any other provision of law, a county of  
13 the second class shall be authorized to enforce any ordinance or  
14 regulation related to smoking enacted by the county before, on  
15 or after the effective date of this subsection. Any ordinance or  
16 regulation related to smoking determined by a court to be  
17 preempted by an act of the General Assembly prior to June 1,  
18 2008, is deemed valid and lawfully enacted.

19 Section 2. This act shall take effect immediately.