

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2513 Session of 2020

INTRODUCED BY EVERETT, IRVIN, TOPPER, SCHLEGEL CULVER, TOBASH, BERNSTINE, PICKETT, DRISCOLL, WHEELAND, RYAN, MIHALEK, KAUFFMAN, CAUSER, HAHN, STRUZZI, BARRAR, SCHMITT, JAMES, GROVE AND MASSER, MAY 13, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 13, 2020

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
 2 "An act providing for and reorganizing the conduct of the
 3 executive and administrative work of the Commonwealth by the
 4 Executive Department thereof and the administrative
 5 departments, boards, commissions, and officers thereof,
 6 including the boards of trustees of State Normal Schools, or
 7 Teachers Colleges; abolishing, creating, reorganizing or
 8 authorizing the reorganization of certain administrative
 9 departments, boards, and commissions; defining the powers and
 10 duties of the Governor and other executive and administrative
 11 officers, and of the several administrative departments,
 12 boards, commissions, and officers; fixing the salaries of the
 13 Governor, Lieutenant Governor, and certain other executive
 14 and administrative officers; providing for the appointment of
 15 certain administrative officers, and of all deputies and
 16 other assistants and employes in certain departments, boards,
 17 and commissions; providing for judicial administration; and
 18 prescribing the manner in which the number and compensation
 19 of the deputies and all other assistants and employes of
 20 certain departments, boards and commissions shall be
 21 determined," providing for establishment indoor space
 22 operation.

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

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

1 ARTICLE I-A

2 ESTABLISHMENT INDOOR SPACE OPERATION

3 Section 101-A. Definitions.

4 The following words and phrases when used in this article
5 shall have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

7 "Establishment." As follows:

8 (1) A restaurant, bar or private club which serves food
9 and beverages.

10 (2) The term shall not include a night club, music or
11 entertainment venue.

12 Section 102-A. Operation.

13 An establishment with inside seating in existence on the
14 effective date of this section may, beginning on the effective
15 date of this section, begin operation on the inside seating
16 portion of the establishment.

17 Section 103-A. Requirements.

18 (a) Applicability.--This section shall apply to an
19 establishment operating under section 102-A.

20 (b) Guidelines.--

21 (1) Except as provided under paragraph (2), an
22 establishment shall follow guidelines issued by the Centers
23 for Disease Control and Prevention and the Commonwealth
24 regarding business and building operations.

25 (2) An establishment may, consistent with guidelines
26 issued by the Centers for Disease Control and Prevention and
27 the Commonwealth regarding business and building operations,
28 use suitable barriers in addition to social distancing
29 requirements.

30 (c) Applicable practices.--An establishment shall, to the

1 extent possible, follow applicable practices of the:

2 (1) National Restaurant Association's guidance to help
3 restaurants restart operations; and

4 (2) United States Food and Drug Administration's Best
5 Practices for Retail Food Stores, Restaurants, and Food Pick-
6 Up/Delivery Services During the COVID-19 Pandemic.

7 (d) Limitation.--An establishment may not use more than 50%
8 of the establishment's seating capacity during operation.

9 Section 104-A. Expiration.

10 This article shall expire upon termination or expiration of
11 the declaration of disaster emergency issued by the Governor on
12 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

13 Section 2. This act shall take effect immediately.