

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2818 Session of 2020

INTRODUCED BY JONES, MURT, ROTHMAN, GLEIM, ECKER, DAVANZO, ROAE, KNOWLES, JAMES, STAATS, SNYDER, SCHMITT, BERNSTINE, OWLETT, REESE, MILLARD, DUNBAR, KAUFFMAN, HEFFLEY, KEEFER, DOWLING, READSHAW, SAYLOR, KORTZ AND ZIMMERMAN, AUGUST 25, 2020

REFERRED TO COMMITTEE ON COMMERCE, AUGUST 25, 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 "Designated county." A county designated by executive order  
8 in the green phase of reopening.

9 "Establishment." An eating or drinking place within a  
10 designated county.

11 Section 102-A. Operation.

12 An establishment may operate at a capacity subject only to  
13 the limitations of this section.

14 Section 103-A. Requirements.

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

17 (b) Guidelines.--The following shall apply:

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

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

27 (c) Applicable practices.--An establishment shall, to the  
28 extent possible, follow applicable practices of the:

29 (1) National Restaurant Association's Guide for the  
30 Restaurant Industry, titled "COVID-19 Reopening Guidance,"

1 published April 22, 2020; and

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

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

7 Section 104-A. Expiration.

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

11 Section 2. This act shall take effect immediately.