



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2388

PRINTERS NO. 3719 PRIME SPONSOR: Mihalek

COST / (SAVINGS)

FUND	FY 2019/20	FY 2020/21
Commonwealth Funds	See "Fiscal Impact"	See "Fiscal Impact"

SUMMARY: Amends the Administrative Code of 1929 to add a new Article relating to Emergency COVID-19 provisions relating to waiver of the Governor's Business Closure Order for lawn and garden centers; cosmetology salons and barber shops; messenger service and agent service activities; animal grooming services; and manufacturing operations. This legislation would take effect immediately.

ANALYSIS: This legislation amends the Administrative Code of 1929 (Code) to add a new Article relating to Emergency COVID-19 provisions which would require the Secretary of DCED to immediately issue a waiver for certain types of businesses.

Vehicle Dealers: Includes all dealers or other vehicle-related businesses that can adhere to the social distancing practices and other mitigation measures defined by the Centers for Disease Control and the order issued by the Secretary of Health directing public health safety measures for businesses permitted to maintain in-person operations.

Lawn and Garden Centers: Includes all lawn and garden equipment and supplies stores that can adhere to the social distancing practices and other mitigation measures defined by the Centers for Disease Control and the order issued by the Secretary of Health directing public health safety measures for businesses permitted to maintain in-person operations.

Cosmetology Salon and Barber Shops: Includes all activities by licensed barbers as defined under section 2.1 of the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law; and all activities pertaining to the embellishment, cleanliness and beautification of the human hair by licensed cosmetologists as defined under section 1 of the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law.

In order to receive a waiver, businesses must do the following to protect workers and customers from and mitigate the spread of COVID-19:

- Comply with applicable mitigation measures defined by the Occupational Health and Safety Administration and the Department of Health and additional measures prescribed by the State Board of Barber Examiners and the State Board of Cosmetology;
- Require that employees wear masks and gloves at all times;
- Serve customers by appointment only to ensure the lowest possible amount of customers and employees at a time in order to comply with social distancing guidelines;
- Require customers to either wash hands with soap and water or hand sanitizer upon entering unless wearing gloves;
- Ensure that customers wear masks at all times and maintain at least six feet of distance between other customers;
- Remove all reading and other materials from waiting areas beside seating for customers;
- Prohibit individuals on the premises without an appointment unless accompanying a customer under the age of 18; and
- Wipe down chairs, surfaces and other equipment used on a customer with acceptable cleaning materials after every customer.

Messenger Services: Includes all messenger service and agent service activities that can adhere to the social distancing practices and other mitigation measures defined by the Centers for Disease Control and the order issued by the Secretary of Health directing public health safety measures for businesses permitted to maintain in-person operations.

Animal Grooming Services: Includes all animal grooming services that can adhere to the social distancing practices and other mitigation measures defined by the Centers for Disease Control and the order issued by the Secretary of Health directing public health safety measures for businesses permitted to maintain in-person operations.

Manufacturing Operations: Includes all manufacturing operations that can adhere to the social distancing practices and other mitigation measures defined by the Centers for Disease Control and the order issued by the Secretary of Health directing public health safety measures for businesses permitted to maintain in-person operations. Defines “manufacturing operations” to include the performance as a business of an integrated series of operations which places personal property in a form, composition or character different from that in which it was acquired whether for sale or use by the manufacturer beginning with the first production operation and ending with the packaging of the product for the ultimate consumer.

Waivers granted will remain valid notwithstanding any order issued pursuant to the declaration of disaster emergency issued by the Governor on March 6, 2020, or any renewal unless the order removes any of the restrictions or otherwise grants greater permissions for operations than what are outlined in this legislation.

FISCAL IMPACT: This legislation would permit businesses that are currently shut-down to reopen and operate under the proclamation of a disaster emergency. To the extent these additional businesses can begin to operate and generate revenue and income, the Commonwealth would realize additional revenues.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: May 14, 2020

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.