

AN ACT

1 Prohibiting the requirement of vaccinations by certain public
2 and private entities, protecting freedom of worship,
3 maintaining the openness of the Pennsylvania State Capitol
4 Building and legislative meetings and proceedings, protecting
5 the operation of private businesses and prohibiting stay-at-
6 home orders and curfews.

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

9 Section 1. Short title.

10 This act shall be known and may be cited as the COVID Freedom
11 Act.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Business entity." As follows:

17 (1) A person that performs or engages in an activity,
18 enterprise, profession or occupation for gain, benefit,
19 advantage or livelihood, whether for profit or not for

1 profit.

2 (2) The term includes any of the following:

3 (i) A self-employed individual, business entity
4 filing articles of incorporation, partnership, limited
5 partnership, limited liability company, foreign
6 corporation, foreign limited partnership, foreign limited
7 liability company authorized to transact business in this
8 Commonwealth, business trust or business entity that
9 registers with the Secretary of the Commonwealth.

10 (ii) A business entity that:

11 (A) possesses a business license, permit,
12 certificate, approval, registration, charter or
13 similar form of authorization issued by this
14 Commonwealth;

15 (B) is exempt by law from obtaining a business
16 license, permit, certificate, approval, registration,
17 charter or similar form of authorization issued by
18 this Commonwealth; or

19 (C) is operating unlawfully without a business
20 license, permit, certificate, approval, registration,
21 charter or similar form of authorization issued by
22 this Commonwealth.

23 "Ticket issuer." An individual or entity providing tickets
24 to an entertainment event, including any of the following:

25 (1) The operator of the venue where the entertainment
26 event occurs.

27 (2) The sponsor or promoter of the entertainment event.

28 (3) A sports team participating in the entertainment
29 event or a league whose teams are participating in the
30 entertainment event.

1 (4) A theater company, musical group or similar
2 participant in the entertainment event.

3 (5) An agent of a person specified in paragraph (1),
4 (2), (3) or (4).

5 "Vaccination." The introduction of a vaccine into the body
6 to produce immunity to a specific disease or virus.

7 Section 3. Vaccination requirements prohibited.

8 (a) Business entity.--A business entity doing business in
9 this Commonwealth may not refuse to provide a service, product,
10 admission to a venue or transportation to an individual because
11 the individual has or has not received a vaccination.

12 (b) Ticket issuer.--A ticket issuer may not penalize,
13 discriminate against or deny access to an entertainment event to
14 a ticket holder because the ticket holder has or has not
15 received a vaccination.

16 (c) Government entity or official.--A State, county or local
17 government entity or official in this Commonwealth may not
18 require an individual to receive a vaccination, unless the
19 individual is:

20 (1) an employee of a hospital or other medical facility;

21 (2) an employee of a long-term elder care or nursing
22 home facility; or

23 (3) a student or faculty member of a public primary or
24 secondary school unless, in the case of a student, the
25 student's parent or guardian is opposed to vaccinations and
26 objects by a written sworn statement to the vaccination based
27 on religious grounds or conscientiously held beliefs.

28 (d) Condition for benefits or services.--A State, county or
29 local government entity or official in this Commonwealth may not
30 require an individual to receive a vaccination as a condition

1 for:

2 (1) the receipt of a government benefit;

3 (2) the receipt of a government service;

4 (3) the receipt of a government-issued license or
5 permit;

6 (4) entrance into a public building; or

7 (5) the use of public transportation.

8 (e) Incentives prohibited.--A State, county or local
9 government entity or official in this Commonwealth may not
10 provide a special privilege, financial benefit or other
11 incentive to an individual who receives a vaccination.

12 Section 4. Penalties regarding vaccinations.

13 (a) Violation generally.--A person who violates section 3
14 commits a felony of the second degree.

15 (b) Business entity.--Notwithstanding subsection (a), on a
16 finding that a business entity has violated section 3, the court
17 shall order the suspension of the business entity's business
18 license, permit, certificate, approval, registration, charter or
19 similar form of authorization issued by this Commonwealth, for a
20 period of not less than 30 days and not more than one year.

21 Section 5. Freedom of worship.

22 A State, county or local government entity or official may
23 not:

24 (1) Restrict in any manner a worship service or activity
25 in this Commonwealth.

26 (2) Suspend, regulate or prohibit the conduct of a
27 worship service or activity in this Commonwealth, regardless
28 of whether the worship service or activity is conducted
29 inside a building, inside a temporary structure or outdoors.

30 (3) Limit the number of participants of a worship

1 service or activity in this Commonwealth, other than by
2 enforcing limitations on the number of individuals in a
3 building imposed by an applicable fire code.

4 Section 6. Pennsylvania State Capitol Building.

5 (a) Building hours.--Notwithstanding any other law,
6 regulation or rule, the Pennsylvania State Capitol Building
7 shall be open to the public Monday through Friday from 8:00 a.m.
8 until 5:00 p.m., with the exception of public holidays.

9 (b) Legislative meetings.--Notwithstanding any other law,
10 regulation or rule, each meeting of a legislative committee of
11 the Senate or the House of Representatives in the Pennsylvania
12 State Capitol Building shall be open to the public, without any
13 arbitrary restriction on the number of members of the public who
14 may be present in the room in which the meeting is held, such as
15 a limitation of 15 members of the public in attendance at any
16 given time.

17 (c) Proceedings of House of Representatives.--
18 Notwithstanding any other law, regulation or rule, each
19 proceeding of the House of Representatives in the House chamber
20 shall be open to the public, without any arbitrary restriction
21 on the number of members of the public who may be present in the
22 House gallery or House chamber during the proceeding, such as a
23 limitation of 50 members of the public in the House gallery or
24 House chamber at any given time.

25 (d) Proceedings of Senate.--Notwithstanding any other law,
26 regulation or rule, each proceeding of the Senate in the Senate
27 chamber shall be open to the public, without any arbitrary
28 restriction on the number of members of the public who may be
29 present in the Senate gallery or Senate chamber during the
30 proceeding, such as a limitation of 50 members of the public in

1 the Senate gallery or Senate chamber at any given time.

2 Section 7. Business activities protected.

3 (a) Restriction prohibited.--Notwithstanding a declaration
4 by the Governor of disaster emergency under 35 Pa.C.S. § 7301(c)
5 (relating to general authority of Governor), including the
6 proclamation of disaster emergency issued by the Governor on
7 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and
8 any renewal of the state of disaster emergency, a State, county
9 or local government entity or official may not restrict a
10 business activity in this Commonwealth in a manner that prevents
11 a business entity from providing its products or services to the
12 public, provided that the business entity possesses all
13 applicable licenses and permits to do business in this
14 Commonwealth.

15 (b) Time limitation.--Notwithstanding any other provision of
16 law, a regulation of business activity imposed by a declaration
17 by the Governor of disaster emergency under 35 Pa.C.S. § 7301(c)
18 shall not have a duration of more than 30 days.

19 (c) Termination.--Notwithstanding any other provision of
20 law, a regulation of business activity imposed by a declaration
21 by the Governor of disaster emergency under 35 Pa.C.S. § 7301(c)
22 may be terminated by a majority vote of either chamber of the
23 General Assembly.

24 Section 8. Stay-at-home orders and curfews prohibited.

25 Notwithstanding a declaration by the Governor of disaster
26 emergency under 35 Pa.C.S. § 7301(c) (relating to general
27 authority of Governor), including the proclamation of disaster
28 emergency issued by the Governor on March 6, 2020, published at
29 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of
30 disaster emergency, a State, county or local government entity

1 or official may not:

2 (1) Require that a citizen of the United States remain
3 at home.

4 (2) Impose upon a citizen of the United States a curfew
5 based on an epidemic or other public health reason.

6 Section 9. Severability.

7 The provisions of this act are severable. If a provision of
8 this act or the application of this act to a person or
9 circumstance is held invalid, the invalidity shall not affect
10 other provisions or applications of this act which can be given
11 effect without the invalid provision or application.

12 Section 10. Effective date.

13 This act shall take effect immediately.