

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 828 Session of 2009

INTRODUCED BY VOGEL, WARD, BAKER, ERICKSON, ORIE, WASHINGTON, FOLMER, PICCOLA, ALLOWAY, BROWNE, VANCE, PILEGGI, RAFFERTY, SCARNATI, PIPPY, WONDERLING, BOSCOLA, DINNIMAN, WAUGH AND EARLL, MAY 1, 2009

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MAY 1, 2009

AN ACT

1 Amending the act of May 23, 1945 (P.L.926, No.369), entitled, as  
 2 amended, "An act for the protection of the public health by  
 3 regulating the conduct and operation of public eating and  
 4 drinking places within this Commonwealth; requiring their  
 5 licensing; imposing certain duties on the Department of  
 6 Agriculture of this Commonwealth and on the local health  
 7 authorities; and providing penalties," providing for  
 8 applicability.

9 The General Assembly of the Commonwealth of Pennsylvania  
 10 hereby enacts as follows:

11 Section 1. The act of May 23, 1945 (P.L.926, No.369),  
 12 referred to as the Public Eating and Drinking Place Law, is  
 13 amended by adding a section to read:

14 Section 13.1. This act shall not apply to food or drink  
 15 prepared in a private home and used or offered for human  
 16 consumption by any of the following organizations:

17 (1) A tax-exempt organization under section 501(c)(3) of the  
 18 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §  
 19 501(c)(3)).

20 (2) A volunteer fire company or an ambulance, religious,

1 charitable, fraternal, veterans, civic, agricultural fair or  
2 agricultural association or any separately chartered auxiliary  
3 of any of these associations, on a not-for-profit basis.

4 (3) An organization that is established to promote and  
5 encourage participation and support for extracurricular  
6 recreational activities for youth of primary and secondary  
7 public, private and parochial school systems on a not-for-profit  
8 basis.

9 Section 2. This act shall take effect in 60 days.