

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 898 Session of 2009

INTRODUCED BY FONTANA, COSTA, ORIE, FERLO, GREENLEAF, HUGHES,
PIPPY AND LOGAN, JUNE 4, 2009

REFERRED TO PUBLIC HEALTH AND WELFARE, JUNE 4, 2009

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,
2 as amended, "An act relating to counties of the second class
3 and second class A; amending, revising, consolidating and
4 changing the laws relating thereto," prohibiting preemption
5 of ordinances.

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

8 Section 1. Section 508 of the act of July 28, 1953 (P.L.723,
9 No.230), known as the Second Class County Code, is amended by
10 adding a subsection to read:

11 Section 508. Ordinances and Resolutions.--* * *

12 (e) Notwithstanding any other provision of law, a county of
13 the second class shall be authorized to enforce any ordinance or
14 regulation related to smoking enacted by the county before, on
15 or after the effective date of this subsection. Any ordinance or
16 regulation related to smoking determined by a court to be
17 preempted by an act of the General Assembly prior to June 1,
18 2008, is deemed valid and lawfully enacted.

19 Section 2. This act shall take effect immediately.