

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2459 Session of 2020

INTRODUCED BY MIZGORSKI, BERNSTINE, CAUSER, SCHLEGEL CULVER, ECKER, JAMES, JONES, JOZWIAK, KAUFFMAN, MIHALEK, MILLARD, ROTHMAN, RYAN, SCHMITT, SIMMONS AND TURZAI, APRIL 28, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 28, 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 emergency COVID-19 provisions.

22 The General Assembly of the Commonwealth of Pennsylvania
 23 hereby enacts as follows:

24 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
 25 as The Administrative Code of 1929, is amended by adding an
 26 article to read:

27 ARTICLE I-A

1 EMERGENCY COVID-19 PROVISIONS

2 Section 101-A. Extension of waiver provisions.

3 (a) General rule.--The Secretary of Community and Economic
4 Development shall, upon request of a cosmetology salon or barber
5 shop, immediately issue a waiver to the Governor's 20200319 TWW
6 COVID-19 Business Closure Order to the cosmetology salon or
7 barber shop to provide hair services. Waivers shall only be
8 issued to cosmetology salons and barber shops that can adhere to
9 the social distancing practices and other mitigation measures
10 defined by the Centers for Disease Control and Prevention to
11 protect workers and to mitigate the spread of COVID-19.

12 (b) Protections.--Cosmetology salons and barber shops that
13 receive a waiver and operate under this section shall also
14 provide, at a minimum, the following protections:

15 (1) Appropriate personal protective equipment,
16 including, but not limited to, a mask, at the start of every
17 shift for employees.

18 (2) A work environment, including, but not limited to,
19 social distancing practices, that maximizes the safety of
20 employees and clients.

21 (3) Providing hair services on an appointment basis
22 only.

23 (4) Cleaning areas with adequate soap and water and
24 breaks to frequently engage in hand washing.

25 (c) Violation.--A cosmetology salon or barber shop operating
26 in this Commonwealth under a waiver issued under subsection (a)
27 that fails to comply with the requirements of this section shall
28 be immediately closed and may not be permitted to reopen until
29 it is in compliance.

30 (d) Construction.--Nothing in this section shall affect or

1 limit the provisions of the act of June 19, 1931 (P.L.589,
2 No.202), referred to as the Barbers' License Law, or the act of
3 May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology
4 Law, and regulations promulgated under those acts, relating to
5 sanitation and infectious disease.

6 (e) Applicability.--This section shall apply until the
7 proclamation of disaster emergency issued by the Governor on
8 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and
9 any renewal of the state of disaster emergency, is terminated or
10 expires under 35 Pa.C.S. § 7301(c) (relating to general
11 authority of Governor).

12 (f) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection unless the context clearly indicates otherwise:

15 "Barber shop." A barber shop licensed under the Barbers'
16 License Law.

17 "Cosmetology salon." A cosmetology salon licensed under the
18 Cosmetology Law.

19 Section 2. This act shall take effect immediately.