
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2506 Session of
2020

INTRODUCED BY EVERETT, IRVIN, TOPPER, TOBASH, SCHLEGEL CULVER,
BERNSTINE, PICKETT, DRISCOLL, WHEELAND, RYAN, MIHALEK,
KAUFFMAN, CAUSER AND HAHN, MAY 12, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 12, 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 establishment outdoor space
22 operation.

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

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

1 ARTICLE I-A

2 ESTABLISHMENT OUTDOOR SPACE OPERATION

3 Section 101-A. Definitions.

4 The following words and phrases when used in this article
5 shall have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

7 "Designated county." A county designated by executive order
8 in the yellow or green phase of reopening.

9 "Establishment." As follows:

10 (1) A restaurant, bar or private club which serves food
11 and beverages.

12 (2) The term shall not include a night club, music or
13 entertainment venue.

14 Section 102-A. Operation.

15 (a) Existing outside seating.--An establishment with outside
16 seating in existence on the effective date of this section may,
17 beginning on the effective date of this section, begin operation
18 on the outside seating portion of the establishment.

19 (b) Nonexistent outside seating.--An establishment without
20 outside seating in existence on the effective date of this
21 section may, beginning on the effective date of this section,
22 begin operation on temporary outside seating on property
23 adjacent to the establishment.

24 Section 103-A. Requirements.

25 (a) Applicability.--This section shall apply to an
26 establishment operating under section 102-A.

27 (b) Guidelines.--An establishment shall follow guidelines
28 issued by the Centers for Disease Control and Prevention and the
29 Commonwealth regarding business and building operations.

30 (c) Applicable practices.--An establishment shall, to the

1 extent possible, follow applicable practices of the:

2 (1) National Restaurant Association's guidance to help
3 restaurants restart operations; and

4 (2) United States Food and Drug Administration's Best
5 Practices for Retail Food Stores, Restaurants, and Food Pick-
6 Up/Delivery Services During the COVID-19 Pandemic.

7 Section 104-A. Expiration.

8 This article shall expire upon termination or expiration of
9 the declaration of disaster emergency issued by the Governor on
10 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

11 Section 2. This act shall take effect immediately.