
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1302 Session of
2020

INTRODUCED BY STEFANO, GORDNER, MENSCH, AUMENT, KILLION, ARNOLD,
YAW, ARGALL, PITTMAN, DiSANTO, REGAN, MARTIN, J. WARD,
MASTRIANO, HUTCHINSON, LANGERHOLC, TOMLINSON AND SCAVELLO,
SEPTEMBER 18, 2020

REFERRED TO LAW AND JUSTICE, SEPTEMBER 18, 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 COVID-19 mitigation.

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:

1 ARTICLE I-A

2 COVID-19 MITIGATION

3 Section 101-A. Occupancy requirements.

4 (a) General rule.--Notwithstanding any other provision of
5 law, during the COVID-19 disaster emergency, a business in the
6 retail food service industry shall do either of the following,
7 whichever enables the business to have greater capacity:

8 (1) limit the occupancy of the business for indoor
9 dining to 50% capacity; or

10 (2) require social distancing consistent with guidelines
11 issued by the Centers for Disease Control and Prevention and
12 the Commonwealth or maintain physical barriers.

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

16 "COVID-19 disaster emergency." The proclamation of disaster
17 emergency issued by the Governor on March 6, 2020, published at
18 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of
19 disaster emergency.

20 Section 2. This act shall take effect immediately.