
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 326 Session of
2021

INTRODUCED BY O'NEAL, OWLETT, GROVE, MALONEY, ROTHMAN, KAIL,
RYAN, MIHALEK, MIZGORSKI, ECKER, DAVANZO, SANKEY, RIGBY,
E. NELSON, STRUZZI AND LEWIS DELROSSO, JANUARY 28, 2021

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, JANUARY 28, 2021

AN ACT

1 Amending Titles 35 (Health and Safety) and 51 (Military Affairs)
2 of the Pennsylvania Consolidated Statutes, in COVID-19
3 disaster emergency, providing for Pennsylvania National
4 Guard; in the Governor as Commander-in-Chief, further
5 providing for powers of Governor; and, in Pennsylvania
6 National Guard, providing for public health duties.

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

9 Section 1. Chapter 57 of Title 35 of the Pennsylvania
10 Consolidated Statutes is amended by adding a subchapter to read:

11 SUBCHAPTER F

12 PENNSYLVANIA NATIONAL GUARD

13 Sec.

14 5751. COVID-19 vaccine.

15 § 5751. COVID-19 vaccine.

16 Notwithstanding any other provision of law, the Pennsylvania
17 National Guard shall:

18 (1) Within 45 days of the effective date of this
19 section, establish and operate in each county a site for the

1 mass distribution and administration of any vaccine for
2 COVID-19, including the administration of the vaccine to
3 individuals by members of the Pennsylvania National Guard.

4 (2) Support local health officials by collecting,
5 securing and transporting COVID-19 vaccines.

6 Section 2. Section 501 of Title 51 is amended to read:

7 § 501. Powers of Governor.

8 ~~[The]~~ Except as provided under section 1109 (relating to
9 public health duties), the Governor of this Commonwealth as

10 Commander-in-Chief shall have the powers enumerated hereafter in
11 this title over the Pennsylvania military forces which includes
12 the Pennsylvania National Guard when not absent from this
13 Commonwealth on the call or order of the United States and the
14 Pennsylvania Guard when formed, organized and equipped under
15 order from the Governor in conformity with this title.

16 Section 3. Title 51 is amended by adding a section to read:

17 § 1109. Public health duties.

18 The Pennsylvania National Guard shall perform the duties as
19 provided under 35 Pa.C.S. § 5751 (relating to COVID-19 vaccine).

20 Section 4. This act shall take effect immediately.