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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 977 Session of  
2021

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INTRODUCED BY MILLARD, STAMBAUGH, SILVIS, KAUFFMAN, RYAN,  
CAUSER, KULIK, KNOWLES, PICKETT, ROTHMAN, LEWIS DELROSSO,  
SMITH, POLINCHOCK, HERSHEY, PYLE, STAATS, COX, SAYLOR, MOUL,  
KEEFER, HAMM, JONES, MENTZER, ZIMMERMAN, ROWE, WHEELAND AND  
DAVANZO, MARCH 19, 2021

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REFERRED TO COMMITTEE ON COMMERCE, MARCH 19, 2021

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AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in COVID-19 disaster emergency,  
3 providing for certain restrictions prohibited.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 35 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 5702. Certain restrictions prohibited.

9 (a) General rule.--Notwithstanding the provisions of section  
10 7301 (relating to general authority of Governor) or any other  
11 law to the contrary, during the COVID-19 disaster emergency,  
12 neither the Commonwealth nor any municipality may restrict or  
13 impose a limitation through an executive order, proclamation,  
14 regulation, resolution or ordinance or other official action on  
15 the number of individuals who may lawfully gather or assemble in  
16 a restaurant or other eating place in this Commonwealth or the  
17 time periods for the sale or service of alcohol for a licensee

1 licensed under the act of April 12, 1951 (P.L.90, No.21), known  
2 as the Liquor Code.

3 (b) Nonapplicability.--Subsection (a) shall not apply to  
4 occupancy permits in this Commonwealth or liquor license  
5 restrictions under the Liquor Code or other law issued prior to  
6 March 6, 2020, insofar as the occupancy permits place a maximum  
7 limitation of the number of individuals permitted to occupy a  
8 premises under subsection (a) or a license under the Liquor Code  
9 imposes restrictions on the duration or time of sale of alcohol.

10 Section 2. This act shall take effect immediately.