
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 747 Session of
2021

INTRODUCED BY ROAE, KNOWLES, ECKER, METCALFE, RYAN, MILLARD,
JAMES, KAUFFMAN, ROTHMAN, KEEFER, ROWE, JOZWIAK,
R. MACKENZIE, ZIMMERMAN, TOOHL, COX, MOUL, SANKEY, WHEELAND,
M. MACKENZIE, EMRICK, GLEIM AND GILLEN, MARCH 3, 2021

REFERRED TO COMMITTEE ON COMMERCE, MARCH 3, 2021

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in Commonwealth services, providing
3 for retail store closure during declaration of disaster
4 emergency and for contactless and curbside business
5 operations during declaration of disaster emergency.

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

8 Section 1. Title 35 of the Pennsylvania Consolidated
9 Statutes is amended by adding sections to read:

10 § 7309. Retail store closure during declaration of disaster
11 emergency.

12 Notwithstanding the provisions of this chapter or any other
13 provision of law to the contrary, the Governor may not close a
14 retail store during a declaration of disaster emergency under
15 section 7301 (relating to general authority of Governor) if the
16 retail store:

17 (1) restricts access during a declaration of disaster
18 emergency to one customer in the retail store facility at a

1 time; and

2 (2) restricts store operations to one employee in the
3 retail store facility at a time.

4 § 7310. Contactless and curbside business operations during
5 declaration of disaster emergency.

6 A business shall be permitted, under a declaration by the
7 Governor of disaster emergency under section 7301(c) (relating
8 to general authority of Governor) on or before March 6, 2020, to
9 transition to contactless and curbside business operations for
10 the duration of the declaration of disaster emergency. The
11 following shall apply:

12 (1) A business shall:

13 (i) Comply with the Centers for Disease Control and
14 Prevention's Interim Guidance for Businesses and
15 Employers to Plan and Respond to Coronavirus Disease 2019
16 (COVID-19), promulgated under the Federal public health
17 emergency declared on January 31, 2020, under section 319
18 of the Public Health Service Act (58 Stat. 682, 42 U.S.C.
19 § 247d) in relation to social distancing and sanitation
20 protocols.

21 (ii) Maintain employees necessary to support taking
22 of orders through online, telephone or other means when
23 personal interaction is limited during a transaction if
24 employees adhere to social distancing and appropriate
25 sanitation protocols.

26 (iii) Provide contactless local delivery and
27 curbside pick-up service of online or telephone orders.

28 (iv) Prohibit cash payments for transactions.

29 (2) Any violation of paragraph (1) shall result in the
30 immediate suspension of business operations.

1 Section 2. All regulations and parts of regulations are
2 abrogated to the extent of any inconsistency with the provisions
3 of this act.

4 Section 3. This act shall take effect immediately.