
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 70 Session of
2023

INTRODUCED BY ROAE, ARMANINI, GILLEN, GLEIM, GUENST, HAMM,
IRVIN, JAMES, KAUFFMAN, KRUPA, M. MACKENZIE, R. MACKENZIE AND
ZIMMERMAN, MARCH 7, 2023

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MARCH 7, 2023

AN ACT

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

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

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

9 § 7309. Retail store operations during declaration of disaster
10 emergency.

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

17 (1) Restricting access during a declaration of disaster
18 emergency to one customer and one employee at a time.

1 (2) Contactless curbside retail store operations.

2 (b) Operations.--If a retail store remains open during a
3 declaration of disaster emergency, the retail store:

4 (1) shall adhere to Federal and State guidelines to
5 protect the retail store's customers and employees;

6 (2) may maintain employees necessary to support taking
7 of orders through online, telephone or other means when
8 personal interaction is limited;

9 (3) may provide contactless local delivery and curbside
10 pick-up service of online or telephone orders; and

11 (4) may prohibit cash payments for transactions if
12 necessary to provide safety to the customers during the
13 declaration of disaster emergency.

14 (c) Suspension.--Any violation under subsection (b)(1) shall
15 result in the immediate suspension of the retail store's
16 operations.

17 Section 2. All regulations and parts of regulations are
18 abrogated to the extent of any inconsistency with the addition
19 of 35 Pa.C.S. § 7309.

20 Section 3. This act shall take effect immediately.