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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2133 Session of  
2024

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INTRODUCED BY DIAMOND, SMITH, BERNSTINE, M. MACKENZIE, ROSSI,  
SCHEUREN, KAUFFMAN, JAMES, JOZWIAK, RADER, D'ORSIE, TWARDZIK,  
CUTLER, RYNCAVAGE, HAMM AND HEFFLEY, MARCH 19, 2024

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REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 19, 2024

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AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An  
2 act relating to alcoholic liquors, alcohol and malt and  
3 brewed beverages; amending, revising, consolidating and  
4 changing the laws relating thereto; regulating and  
5 restricting the manufacture, purchase, sale, possession,  
6 consumption, importation, transportation, furnishing, holding  
7 in bond, holding in storage, traffic in and use of alcoholic  
8 liquors, alcohol and malt and brewed beverages and the  
9 persons engaged or employed therein; defining the powers and  
10 duties of the Pennsylvania Liquor Control Board; providing  
11 for the establishment and operation of State liquor stores,  
12 for the payment of certain license fees to the respective  
13 municipalities and townships, for the abatement of certain  
14 nuisances and, in certain cases, for search and seizure  
15 without warrant; prescribing penalties and forfeitures;  
16 providing for local option, and repealing existing laws," in  
17 Pennsylvania Liquor Control Board, providing for amnesty for  
18 disciplinary actions regarding COVID-19 protocols.

19 The General Assembly of the Commonwealth of Pennsylvania  
20 hereby enacts as follows:

21 Section 1. The act of April 12, 1951 (P.L.90, No.21), known  
22 as the Liquor Code, is amended by adding a section to read:

23 Section 219. Amnesty for Disciplinary Actions Regarding  
24 COVID-19 Protocols.--A license that was suspended or revoked or  
25 any disciplinary action taken by the board on a licensee for

1 failure to comply with any of the following during the period in  
2 which the Governor's Proclamation of Disaster Emergency issued  
3 on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020)  
4 was in effect shall be removed or reinstated:

5 (1) A proclamation or order of the Governor under 35 Pa.C.S.  
6 § 7301(f)(7) (relating to general authority of Governor),  
7 section 8(a) of the act of April 27, 1905 (P.L.312,  
8 No.218), entitled "An act creating a Department of Health, and  
9 defining its powers and duties," section 2102(a) of the act of  
10 April 9, 1929 (P.L.177, No.175), known as "The Administrative  
11 Code of 1929," or section 5 of the act of April 23, 1956 (1955  
12 P.L.1510, No.500), known as the "Disease Prevention and Control  
13 Law of 1955," which relates to the novel coronavirus known as  
14 "COVID-19."

15 (2) An order of the Secretary of Health under section 8(a)  
16 of the act of April 27, 1905 (P.L.312, No.218), entitled "An act  
17 creating a Department of Health, and defining its powers and  
18 duties," section 2102(a) or 2106 of "The Administrative Code of  
19 1929," section 5 of the "Disease Prevention and Control Law of  
20 1955" or 28 Pa. Code § 27.60 (relating to disease control  
21 measures), 27.61 (relating to isolation), 27.65 (relating to  
22 quarantine), 27.66 (relating to placarding), 27.67 (relating to  
23 movement of persons and animals subject to isolation or  
24 quarantine by action of a local health authority or the  
25 Department) or 27.68 (relating to release from isolation or  
26 quarantine), which relates to the novel coronavirus known as  
27 "COVID-19."

28 (3) Guidance issued by the Department of Health or the  
29 Department of Human Services relating to the novel coronavirus  
30 known as "COVID-19."

1 Section 2. This act shall take effect immediately.