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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 346 Session of  
2019

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INTRODUCED BY CRUZ, YOUNGBLOOD, READSHAW, WARNER, MURT AND  
NEILSON, FEBRUARY 1, 2019

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REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 1, 2019

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AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in school health services, further  
6 providing for definitions and providing for notice of peanut  
7 or tree nut allergies.

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

10 Section 1. Section 1401 of the act of March 10, 1949  
11 (P.L.30, No.14), known as the Public School Code of 1949, is  
12 amended by adding a clause to read:

13 Section 1401. Definitions.--As used in this article--

14 \* \* \*

15 (17) "School building" means a facility used by the school  
16 district for the purpose of teaching elementary or middle school  
17 students.

18 Section 2. The act is amended by adding a section to read:

19 Section 1422.4. Notice of Peanut or Tree Nut Allergies.--(a)  
20 A school that enrolls an elementary or middle school student who

1 has a peanut or tree nut allergy shall post a notice that a  
2 student within the school building has a peanut or tree nut  
3 allergy. The notice may not identify the student with the  
4 allergy. The notice shall be placed in plain view within the  
5 school building at every point of entry and in the cafeteria.

6 (b) The school that enrolls the student under subsection (a)  
7 shall prohibit the sale of a product containing a peanut or tree  
8 nut in the cafeteria.

9 (c) The school that enrolls the student under subsection (a)  
10 shall notify the school district or joint school board. Within a  
11 reasonable time after receiving the notice, the school district  
12 or joint school board shall designate all of the following:

13 (1) a cafeteria table to be peanut or tree nut free; and

14 (2) one classroom per grade level to be peanut or tree nut  
15 free.

16 Section 2. This act shall take effect in 60 days.