COVID-19 Executive Orders: Essential Services

Statewide Executive Orders:

Alabama

- On March 20, 2020 the Alabama State Health Officer issued an amended statewide Order suspending certain public gatherings and closing nonessential businesses and services.
- All non-work related gatherings of 25 persons or more, or non-work gatherings of any size that cannot maintain a consistent six-foot distance between persons, are prohibited.
- Employers not closed by the Order are authorized to advise employees to work from home or maintain flexible work schedules. If working from home is not feasible, employees should practice social distancing.
- All beaches are closed, whether public or private.
- All regular programs at Senior Citizen Centers are closed.
- Visitors are prohibited to nursing homes, long term care facilities, and assisted living and specialty care assisted living facilities.
- All elective dental and medical procedures shall be delayed.
- All restaurants, bars, brewery or similar establishment may not permit on-premises consumption of food or drink, but are encouraged to offer takeout or delivery service.
- All in-person instruction or classes at schools (public and private) are closed, except daytime activities programs (which do not allow 12 or more children in a room at the same time) provided by local boards of education for 6-12 year old children of:
  - First responders
  - Licensed healthcare providers
  - State and local government
  - Law enforcement
  - Hospitals
  - Nursing home/long term care facilities
  - End stage renal disease treatment centers
  - Pharmacies
  - Grocery stores
- Daycare facilities at which 12 or more children are present in a room are closed.
- The organizer of an otherwise suspended event may petition the County Health Offer for an exemption from the order, based on two criteria:
  - Effective measures in place to identify any attendees who may potentially be affected, including personal testing and submission of medical clearances, and
  - Effective measures taken to prevent the spread of infection, including facemasks, sanitation and other measures
- Effective March 28, 2020 at 5:00 P.M., all dental, medical, or surgical procedures shall be postponed until further notice, subject to the following exceptions:
  - Dental, medical, or surgical procedures necessary to treat an emergency medical condition.
  - For purposes of this order, “emergency medical condition” is defined as a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain, psychiatric disturbances, and/or symptoms of substance abuse) such that the absence of immediate medical attention could reasonably be expected by a person’s licensed medical provider to result in placing the health of the person in serious jeopardy

1 Alabama State Health Officer order, https://www.alabamapublichealth.gov/legal/assets/order-publicgathering-032020.pdf

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or causing serious impairment to bodily functions or serious dysfunction of bodily organs.

- Dental, medical, or surgical procedures necessary to avoid serious harm from an underlying condition or disease, or necessary as part of a patient’s ongoing and active treatment.

- On April 3, 2020, Alabama State Health Officer Dr. Scott Harris issued an amended order directing all Alabama residents to stay at their place of residence, except as necessary to perform essential activities as defined in the order. The order will remain in effect until April 30, 2020.

**Essential activities** include the following:

- **To obtain necessary supplies:** A person may leave his or her place of residence to obtain the following supplies for himself or herself, for other household members, including pets, or for a loved one or friend who cannot or should not leave home or cannot care for himself or herself: (i) Food and other consumer goods necessary to maintain a person’s daily routine or to maintain the safety, sanitation, and routine operation of a home or residence; (ii) Supplies needed to work from home; (iii) Pharmaceutical prescriptions or other medical supplies; (iv) Fuel for automobiles or other vehicles or other vehicle supplies; (v) Materials for distance learning or other education-related purposes; and (vi) Any other supplies necessary to maintain a person’s or pet’s daily routine or to maintain the safety, sanitation, and routine operation of a home or residence.

- **To obtain or provide necessary services:** A person may leave his or her place of residence to obtain or provide the following services for himself or herself, for other household members, including pets, or for a loved one or friend who cannot or should not leave home or cannot care for himself or herself: (i) Dental, medical, or surgical procedures allowed under paragraph 14 of this Order; (ii) Government-funded services or benefits; (iii) Automobile repair services; (iv) Services vital to the treatment or care of people with physical, intellectual, or developmental disabilities, or people with substance-use disorders; (v) Services related to any public or private distance learning activities and education continuity, including all services under education continuity plans approved by the State Superintendent of Education; and (vi) Any other services necessary to maintain a person’s or pet’s health and safety or to preserve the person’s ability to perform an essential activity as defined in this paragraph.

- **To attend religious services:** A person may leave his or her place of residence to attend an event that is a religious worship service, wedding, or funeral in either of the following circumstances: (i) The event involves fewer than 10 people and the people maintain a consistent sixfoot distance from one another; or (ii) The event is a “drive-in” worship service that adheres to the following rules: 1. All participants shall remain in their vehicles for the entirety of the service; 2. The participants in each vehicle all share the same place of residence; and 3. Participants do not come within six feet of participants in other vehicles.

- **To take care of others:** A person may leave his or her place of residence to care for a family member, friend, or pet in another household, or to donate blood, or to transport family members, friends, or pets as allowed by this Order.

- **To work:** A person may leave his or her place of residence to perform work at “essential businesses and operations” as defined below or to perform essential work related activities as follows: (i) Work-related activities to maintain the value of a business, establishment, corporation or other organization, such as managing inventory, ensuring security, and processing payroll and employee benefits; (ii) Work-related activities to enable people to work or shop remotely from their residences or to allow people to buy

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products through drive-by, curbside, or door-to-door delivery; or (iii) Work-related activities that do not require any regular interaction within six feet of another person.

- **To engage in outdoor activity:** A person may leave his or her place of residence to participate in outdoor activity that involves fewer than 10 people so long as the person maintains a consistent six-foot distance from other persons.
- **To seek shelter:** A person may leave his or her place of residence to seek shelter if required by his or her employment by an “essential service of business” or if his or her residence is unsafe or at imminent risk of becoming unsafe. A person may also leave his or her place of residence to seek help from providers of basic necessities to economically disadvantaged people, such as food pantries.
- **To travel as required by law:** A person may leave his or her place of residence to travel as required by law enforcement or court order, including the transportation of children required by a custody agreement.
- **To see family members:** A person may leave his or her place of residence to visit the residence of other persons who are related to him or her.

- **Essential Businesses and Operations** are defined to include the following:
  - **Government operations,** including public safety and first responders, law enforcement, fire prevention and response, courts and court personnel, military, emergency management personnel, corrections, probation and parole, child protection, child welfare, EMTs, 911 call-center employees, all workers and vendors that support law enforcement and emergency management operations and services, and other federal, state, tribal, or local officials or employees;
  - **Health-care providers and caregivers,** including physicians, dentists, mental health workers, nurses, chiropractors, physical therapists, veterinarians, hospitals/clinics, medical practices, research and laboratory operations, hospice, health care facilities, clinical staff, nursing homes, residential health care facilities, adult day care centers, blood banks, congregate-care facilities, assisted living facilities, elder care, medical wholesale and distribution, home health workers and aides, medical supply and equipment manufacturers and providers, medical waste disposal, hazardous waste disposal, other ancillary healthcare services;
  - **Infrastructure Operations,** including electric, natural gas, and water utilities, nuclear facilities and other generating facilities, utility poles and components, fuel pipelines and transmission systems, petroleum producers, telecommunications, electronic security and life safety services, wireless communication companies, communications sales and customer support, telecommunication and data centers, cybersecurity operations; businesses and other operations concerned with flood control, aviation, and the maintenance, operation, or construction of dams, airports, ports, roads and highways, and mass transit; automotive sales and repair, vehicle rental and taxi services, network providers (such as Uber and Lyft), freight and passenger rail, motor carriers, pipelines, and other transportation infrastructure and businesses, water and waste water systems, transportation companies such as airlines and bus lines, hazardous waste disposal, hotels and commercial lodging services, and RV parks;
  - **Manufacturing facilities,** including food processing and production; companies that produce pharmaceuticals, food additives, medical equipment, medical devices and supplies, technology, biotechnology, chemical products, telecommunications products; automotive production and suppliers, airplane, ship, and space vehicle or rocket manufacturers; companies involved in healthcare, energy, steel and steel products, fuel and petroleum exploration and production, lubricants, greases and engine oils, mining, national defense, sanitary and cleaning products, household products, personal care products, products used by any other Essential Business or Operation;
Agricultural operations and farms, including food cultivation, livestock, cattle, poultry and seafood operations, transportation of agricultural products, livestock auctions, feedlots, dealers and brokers of livestock, farmer’s markets, feed stores, repairers and suppliers of agricultural equipment, gas, diesel and petroleum suppliers, companies involved with aquaculture, horticulture, and chemicals, including pesticide, herbicide, and fertilizer producers and distributors, forest products businesses, including those involved in forestry operations, logging, manufacture of lumber and paper products; meat processing facilities, rendering facilities and transporters, feed processing facilities, veterinary services;

Essential retailers, defined as all supermarkets, food and beverage stores, including liquor stores and warehouse clubs, food providers, convenience stores, office-supply stores, bookstores, computer stores, pharmacies, health care supply stores, hardware stores, home improvement stores, building materials stores, stores that sell electrical, plumbing, and heating materials, gun stores, gas stations; auto, farm equipment, bicycle, motorcycle, and boat supply and repair stores, and businesses that ship or deliver groceries, food, and goods directly to residences;

Restaurants and bars; Such establishments may continue to offer food for take-out or delivery provided the social distancing protocols, including maintaining a consistent six-foot distance between persons, are followed. Such establishments are strongly encouraged to offer online ordering and curbside pick-up of food.

- Hospital food service areas are excluded from this order provided they have their own social distancing plan.

Essential personal services, defined as trash collection, mail and shipping services, home repair, automotive sales and repair; warehouse, distribution and fulfillment centers, kennels, animal shelters, laundromats/laundry service, drycleaners, childcare facilities, public transportation, and providers of business services including security and payroll; funeral, cemetery, and related services;

Media operations, including newspapers, digital news sites, television, radio and other media services;

Education operations, including educators supporting public and private K-12 schools, colleges and universities or other educational institutions, for purposes of facilitating distance learning and education continuity plans approved by the State Superintendent of Education, performing critical research or other essential functions, including public schools preparing and transporting distance-learning materials and meals to eligible students and colleges providing lodging for students (all in compliance with paragraph below);

Financial services, including banks and related financial institutions, credit unions, payday lenders, businesses that process credit card and other financial transactions, and other services related to financial markets;

Professional Services, including legal services, accounting services, insurance services, real estate services (including appraisal and title services); m. Providers of basic necessities to economically disadvantaged populations including businesses, religious and secular non-profit organizations, food banks, homeless shelters and congregate-care facilities; n. Construction and construction-related services, including building and construction, lumber, building materials and hardware businesses, electricians, plumbers, other construction tradesmen and tradeswomen, exterminators; cleaning and janitorial, HVACR and water heating businesses; painting, moving and relocating services, other skilled trades, and other related construction firms and professionals for maintaining essential infrastructure;

Essential public services, defined as services necessary to maintain the safety, sanitation and essential operations of residences and essential businesses and essential business
operations, including law enforcement, fire prevention and response, firearm and ammunition manufacturers and retailers, building code enforcement, security, emergency management and response, building cleaning including disinfection, automotive sales and repair, mortuaries and cemeteries;

- Military or defense operations, including employers and personnel who support the essential products and services required to meet national security commitments, including personnel working for companies and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense and government-owned/contractor-operated and government-owned/government-operated facilities.

- Essential services or product providers, defined as vendors that provide services or products, including logistics, transportation, and technology support, child care programs and services, medical waste disposal, hazardous waste disposal, services needed to ensure the continuing operation of an essential business or operation, operation of government agencies, and to provide for the health, safety and welfare of the public;

- Religious entities, including religious and faith-based facilities, entities and groups; s. Federally-designated critical infrastructure, defined as workers and related industries identified by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) in its “Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response,” https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19, as may be amended;

- Other state-designated essential businesses and operations, defined as businesses and operations deemed essential by the Alabama Department of Public Health or the Alabama Emergency Management Agency; and

- Support operations for essential businesses and operations, defined as employees, contractors, agents, suppliers, or vendors of an essential business or operation as defined in this paragraph.

- Operators of “essential businesses and operations” as defined above may, but need not, issue credentials to their employees verifying their status as an employee of an essential business or operation. The decision to provide any such credentials is left to the discretion of the essential business or operation.

- The following businesses, venues, and activities shall be closed to non-employees or not take place:

  - Entertainment venues as follows: (i) Night clubs (ii) Bowling alleys (iii) Arcades (iv) Concert venues (v) Theaters, auditoriums, and performing arts centers (vi) Tourist attractions (including museums and planetariums) (vii) Racetracks (viii) Indoor children’s play areas (ix) Adult entertainment venues (x) Adult novelty stores (xi) Casinos (xii) Bingo halls (xiii) Venues operated by social clubs

  - Athletic facilities and activities as follows: (i) Fitness centers and commercial gyms (ii) Spas and public or commercial swimming pools (iii) Yoga, barre, and spin facilities (iv) Spectator sports (v) Sports that involve interaction with another person of closer than 6 feet (vi) Activities that require use of shared sporting apparatus and equipment (vii) Activities on commercial or public playground equipment

  - Close-contact service providers as follows: (i) Barber shops (ii) Hair salons (iii) Waxing salons (iv) Threading salons (v) Nail salons and spas (vi) Body art facilities and tattoo services (vii) Tanning salons (viii) Massage therapy establishments and services.

  - All “essential retailers” including grocery stores, pharmacies, and “big box” stores, shall comply with the following rules in addition to any other applicable provisions of this Order:

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- **Emergency maximum occupancy rate.** Occupancy shall be limited to no more than 50 percent of the normal occupancy load as determined by the fire marshal. This “emergency maximum occupancy rate” shall be posted in a conspicuous place, and enough staff shall be posted at the store entrances and exits to enforce this requirement.

- **Social distancing:** An employee of the essential retailer place may not knowingly allow customers or patrons to congregate within six feet of one another.

- **Sanitation:** The essential retailer shall take reasonable steps to comply with guidelines on sanitation from the Centers for Disease Control and Prevention and the Alabama Department of Public Health. Notwithstanding any other provision of this Order, a business may continue to operate through curbside pickup, delivery, remotely, or any other method that does not involve a customer entering its building, provided that the business takes all reasonable steps to ensure a consistent six-foot distance between persons. Effective March 28, 2020, at 5:00 P.M., all non-work related gatherings of 10 persons or more, or non-work related gatherings of any size that cannot maintain a consistent six-foot distance between persons, are prohibited.

- Notwithstanding any other provision of this Order, a business may continue to operate through curbside pickup, delivery, remotely, or any other method that does not involve a customer entering its building, provided that the business takes all reasonable steps to ensure a consistent six-foot distance between persons.

- All beaches shall be closed. For purposes of this section, the term “beach” means the sandy shoreline area abutting the Gulf of Mexico, whether privately or publicly owned, including beach access points.

- **Preemption:** This order also supersedes and preempts any county and municipal orders or ordinances, whenever adopted, that purport to impose less stringent COVID-19-related curfew or quarantine measures.

- At the request of Governor Kay Ivey, Congressman Bradley Byrne (R-AL) has established a task force of business and community leaders from Southwest Alabama to make recommendations to state leaders on how to reopen the local economy.3

- The task force includes representatives from all six counties in the First Congressional District and from a wide range of business, including:
  - Abe Harper, Harper Technologies
  - Art Sessions, Mobile County Farmer
  - Beth Whitehead, Health Actions
  - Bill Sisson, Mobile Area Chamber of Commerce
  - Billie Jo Underwood, Baldwin County Commission
  - Bob Jones, United Bank
  - Bob Omanisky, Wintzell’s
  - Chris Bell, Three Circles Church
  - Chris Nelson, Bon Secour Fisheries
  - Chuck Schmitt, SSAB
  - Corrine Mutchler, Think Outside
  - David Clarke, Visit Mobile
  - Dan McConaghy, McConaghy Drug Stores
  - Garrett Rice, Master Boat Builders

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On April 17, 2020, Alabama Lt. Governor Will Ainsworth and the Small Business Emergency Task Force released a plan to reopen businesses throughout the state. The task force recommends the following facilities be allowed to reopen immediately:

- Retail
- Close contact services
- Restaurants
- Child care services

The comprehensive plan includes reopening measures tailored to critical state industries and businesses:

- **Retail Industry**: the recommended measures include, but are not limited to:
  - Monitoring the health of employees and sending home any employee who displays symptoms of COVID-19
  - Limiting the number of people allowed inside the place of business at one time
  - Increasing the frequency of all sanitizing and cleaning measures and requiring additional sanitizing measures for certain circumstances
  - Enforcing social distancing in all areas of the place of business, specifically high-traffic areas where markings will be required to ensure safe spacing at all times
  - Establishing measures to limit interaction between employees and customers

- **Restaurant Industry**: The recommended measures include, but are not limited to:
  - Monitoring the health of employees and sending home any employee who displays symptoms of COVID-19
  - Enforcing social distancing in all areas of the place of business, including between tables or booths as well as outside of the establishment when there is a wait
  - Limiting the number of people allowed inside the place of business at one time
  - Eliminating opportunities of interaction among customers with frequently contacted items
  - Increasing the frequency of all sanitizing and cleaning measures and requiring additional sanitizing measures for certain circumstances

- **Close Contact Service Industry**: The recommended measures include, but are not limited to:
  - Monitoring the health of employees and sending home any employee who displays symptoms of COVID-19
  - Limiting the number of people allowed inside the place of business at one time

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➢ Enforcing social distancing in all areas of the place of business
➢ Requiring PPEs, specifically face masks and gloves, for all employees who will
   interact with a customer
➢ Increasing the cleaning, sanitizing, and disinfecting measures
➢ Providing services by appointment only

o Medical and Health Service Industry: The recommended measures include, but are not
   limited to:
   ➢ Monitoring the health of employees and sending home any employee who
     displays symptoms of COVID-19
   ➢ Providing services by appointment only and communicating any necessary PPE
     requirements to the patient for the appointment
   ➢ Limiting the number of people allowed inside the place of business at one time
   ➢ Requiring temperature checks and health screenings for patients before entering
     the place of business
   ➢ Requiring the use of PPEs by employees
   ➢ Limiting the contact between the administrative staff and the patients, such as
     eliminating check-in forms and receipts when possible

o Pharmacy Industry: The recommended measures include, but are not limited to:
   ➢ Monitoring the health of employees and sending home any employee who
     displays symptoms of COVID-19
   ➢ Encouraging prescription submission to be done by telephone or online
   ➢ Enforcing social distancing in all areas of the place of business, specifically high-
     traffic areas where markings will be required to ensure safe spacing at all times
   ➢ Limiting the number of people allowed inside the place of business at one time
   ➢ Increasing the cleaning and sanitizing measures of the pharmacy area
   ➢ Utilizing PPEs by employees to eliminate potential contamination of medication
   ➢ Limiting the contact between the administrative staff and the customers

o Manufacturing and Industrial Industry: The recommended measures include, but are
   not limited to:
   ➢ Monitoring the health of employees and sending home any employee who
     displays symptoms of COVID-19
   ➢ Enforcing social distancing in all areas of the facility and limiting the access to
     communal areas
   ➢ Increasing the frequency of all sanitizing and cleaning measures and establishing
     a strategy for sanitizing goods coming into the facility
   ➢ Executing a facility-wide return to work plan where employees will be briefed
     and trained on the new safety and health measures
   ➢ Providing certain personal protective equipment (PPE) to employees and
     establishing an adequate supply of PPE

o Real Estate Industry: The recommended measures include, but are not limited to:
   ➢ Monitoring the health of employees and sending home any employee who
     displays symptoms of COVID-19
   ➢ Increasing the utilization of PPEs in certain circumstances
   ➢ Encouraging virtual real estate showings

o Beach Measures: The recommended measures include, but are not limited to:
   ➢ Enforcing social distancing
   ➢ Restricting the size of the groups on the beach (Ex: Immediate family only)
   ➢ Limiting beach activities allowed on the beach

o Entertainment Venue Industry: The recommended measures include, but are not
   limited to:
➢ Monitoring the health of employees and sending home any employee who displays symptoms of COVID-19
➢ Limiting the number of people in allowed in a venue at one time
➢ Enforcing social distancing in all areas of the place of business, especially high-traffic areas
➢ Limiting cash transactions and encouraging touch-free transactions
➢ Sanitizing common areas
➢ Increasing the frequency of all sanitizing and cleaning measures

  o **Athletic Facilities:** The recommended measures include, but are not limited to:
    ➢ Monitoring the health of employees and sending home any employee who displays symptoms of COVID-19
    ➢ Limiting the number of people allowed inside the place of business at one time
    ➢ Enforcing social distancing in all areas of the place of business
    ➢ Performing regular cleaning, sanitizing, and disinfecting measures on all equipment and ensuring equipment is properly spaced 6 feet apart.

- On April 28, 2020, Governor Ivey issued an Amended Safer at Home Order, which will remain in effect until May 15, 2020.\(^5\)
- The order provides the following **recommendations for individuals.** Effective April 30, 2020, at 5:00 P.M., all individuals—and especially vulnerable persons—are encouraged to exercise personal responsibility in slowing the spread of COVID-19 by:
  o Minimizing travel outside the home, especially if sick;
  o Wearing face coverings around people from other households when it is necessary to leave the home;
  o Washing hands frequently with soap and water or hand sanitizer, especially after touching frequently used items or surfaces;
  o Refraining from touching one’s face;
  o Sneezing or coughing into a tissue, or the inside of one’s elbow; and
  o Disinfecting frequently used items and surfaces as much as possible.
- “Vulnerable persons” means individuals 65 years and older or individuals with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy.

- **Quarantine for infected persons.** Effective immediately, any person who has tested positive for COVID-19—other than institutionalized persons—shall be quarantined to their place of residence for a period of 14 days, or other period of time as directed by the State Health Officer, or his designee, after receiving positive test results. Any person quarantined pursuant to this provision shall not leave their place of residence for any reason other than to seek necessary medical treatment. Any person requiring assistance while under quarantine may contact Alabama Voluntary Organizations Active in Disaster, http://alvoad.communityos.org/cms. While under quarantine, the person shall take precautions as directed by his or her health care provider or the Alabama Department of Public Health to prevent the spread of the disease to others.

- **Non-work related gatherings.** Effective March 28, 2020, at 5:00 P.M., all non-work related gatherings of 10 persons or more, or non-work related gatherings of any size that cannot maintain a consistent six-foot distance between persons from different households, are prohibited. But “drive-in” gatherings of any size are permitted if the participants adhere to the following rules:

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- All participants shall remain in their vehicles for the entirety of the event;
- The participants in each vehicle must all share the same household; and
- Participants shall not come within six feet of participants in other vehicles.

- For purposes of this paragraph, “non-work related gathering” includes church services, weddings, funeral services, social gatherings, concerts, festivals, sporting events, and similar events.

- **Protections for employees.** Effective April 30, 2020, at 5:00 P.M., and unless otherwise permitted or required by this order, all employers shall take reasonable steps, where practicable as work duties permit, to protect their employees by:
  - avoiding gatherings of 10 employees or more;
  - maintaining six feet of separation between employees;
  - regularly disinfecting frequently used items and surfaces;
  - encouraging handwashing;
  - preventing employees who are sick from coming into contact with other persons;
  - facilitating remote working arrangements; and
  - minimizing employee travel.

- **Protections for customers, etc.** Effective April 30, 2020, at 5:00 P.M., and unless otherwise permitted or required by this order, the operator of any business, government office, or other establishment open to the public shall take reasonable steps, where practicable, to protect their customers, constituents, or other guests by:
  - avoiding gatherings of 10 or more such persons;
  - maintaining six feet of separation between such persons (except for those persons who share the same household); and
  - regularly disinfecting frequently used items and surfaces.

- **Retailers.** Effective April 30, 2020, at 5:00 P.M., all retail stores shall comply with the following rules:
  - Emergency maximum occupancy rate. Occupancy shall be limited to no more than 50 percent of the normal occupancy load as determined by the fire marshal. This “emergency maximum occupancy rate” shall be posted in a conspicuous place, and enough staff shall be posted at the store entrances and exits to enforce this requirement.
  - Social distancing. An employee of the retail store may not knowingly allow customers or patrons to congregate within six feet of one another. Sanitation. The retail store shall take reasonable steps to comply with guidelines on sanitation from the Centers for Disease Control and Prevention (“the CDC”) and the Alabama Department of Public Health.

- **Higher-risk businesses and activities.** Effective March 28, 2020, at 5:00 P.M., and notwithstanding any other provision of this order, the following businesses, venues, and activities shall be closed to non-employees or not take place:
  - Entertainment venues as follows:
    - Night clubs
    - Bowling alleys
    - Arcades
    - Concert venues
    - Theaters, auditoriums, and performing arts centers
    - Tourist attractions (including museums and planetariums)
    - Racetracks
    - Indoor children’s play areas
    - Adult entertainment venues
    - Casinos
    - Bingo halls
    - Venues operated by social clubs
Athletic facilities and activities as follows:
- Fitness centers and commercial gyms
- Spas
- Yoga, barre, and spin facilities
- Sports that involve interaction with another person of closer than 6 feet
- Activities that require use of shared sporting apparatus and equipment
- Activities on commercial or public playground equipment

Close-contact service providers as follows:
- Barber shops
- Hair salons (other than hair restoration centers)
- Waxing salons
- Threading salons
- Nail salons and spas
- Body art facilities and tattoo services
- Massage therapy establishments and services (other than for medically prescribed services)

Beaches. Effective April 30, 2020, at 5:00 P.M., all beaches shall be open to gatherings of fewer than 10 persons, and anyone using the beaches must maintain a consistent six-foot distance between himself or herself and all persons from a different household. For purposes of this section, the term “beach” means the sandy shoreline area abutting the Gulf of Mexico, whether privately or publicly owned, including beach access points.

Senior Citizen Centers. Effective March 20, 2020, all regular programs at Senior Citizen Centers shall be ended except that Senior Citizen Centers and their partners are urged to assure that their clients continue to receive needed meals via curbside pick-up or delivery.

Educational institutions and child day care facilities. Effective March 20, 2020, the following shall be closed:
- In-person instruction or classes at all schools, public and private, including but not limited to: elementary, secondary, postsecondary, technical, or specialty schools, and colleges and universities.
- This order is not intended to prevent any employers from making continued necessary staffing decisions. Employers are authorized to advise employees to work from home or maintain flexible work schedules. If working from home is not feasible, the employee should practice social distancing, maintaining consistent six-foot distance between persons, for the duration of this order and follow public health guidelines.
- This order shall not apply to daytime special activities programs provided by local boards of education for children, ages 6 through 12 as of March 13, 2020, of first responders (including EMS and fire services) and licensed health-care providers and their essential employees; and essential employees of the following categories of employers: state and local governments, law enforcement, hospitals, nursing home/long-term care facilities, (including assisted living and specialty-care assisted living facilities), end-stage renal disease treatment centers, pharmacies, and grocery stores. In these special activities programs, 12 or more children shall not be allowed in any one room at the same time, and operators of these programs are encouraged to use enhanced sanitation practices consistent with guidance from the CDC and the Alabama Department of Public Health.
- Facilities providing child day care, including any child day care facility described in Ala.Code § 38-7-2, at which 12 or more children are in a room or other enclosed space at the same time.
  - Center employees are encouraged to use enhanced sanitation and social distancing practices consistent with guidance from the CDC and the Alabama Department of Public Health. This Order does not change the Minimum Standards for Day Care promulgated by the Alabama Department of Human Resources, except that...
12 or more children shall not be allowed in a room or other enclosed space at the same time.

- **Hospitals and similar institutions.** Effective March 20, 2020, all Hospitals and Nursing Home/Long Term Care Facilities (including Assisted Living and Specialty Care Assisted Living Facilities) shall prohibit visitation of all visitors, as defined by the facility, and non-essential health care personnel, except for certain compassionate care situations such as maternity, end-of-life, and support for persons with disabilities.

- **Medical procedures.** Effective April 30, 2020, at 5:00 P.M., dental, medical, or surgical procedures may proceed unless the State Health Officer or his designee determines that performing such procedures, or any category of them (whether statewide or regionally), would unacceptably reduce access to personal protective equipment or other resources necessary to diagnose and treat COVID-19. Providers performing these procedures shall follow all applicable COVID-19-related rules adopted by a state regulatory board or by the Alabama Department of


- **Restaurants and similar establishments.** Effective March 19, 2020, at 5:00 P.M., all restaurants, bars, breweries, or similar establishments shall not permit on-premises consumption of food or drink.
  - Such establishments may continue to offer food for take-out or delivery provided the social distancing protocols, including maintaining a consistent six-foot distance between persons, are followed.
  - Such establishments are strongly encouraged to offer online ordering and curbside pickup of food.
  - Hospital food service areas are excluded from this order provided they have their own social distancing plan.

- **Preemption.** This Order supersedes and preempts all orders previously issued by the State Health Officer and Jefferson and Mobile County Health Officers concerning COVID-19 mitigation measures, and this Order shall remain in full force and effect until rescinded by order of the State Health Officer or its expiration. After the date this order is issued, the Jefferson and Mobile County Health Officers are authorized, after approval by the State Health Officer, to implement more stringent measures as local circumstances require.

- This Order also supersedes and preempts any county and municipal orders or ordinances, whenever adopted, that purport to impose less stringent COVID-19-related curfew or quarantine measures.

- On May 8, 2020, the Governor issued an amended Safer at Home Order. The order which includes an expanded list of items including non-work-related gatherings, retailers, athletic facilities and others to reopen will be effective Monday, May 11, 2020 and will expire on Friday, May 22, 2020 at 5:00 PM.6

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On May 8, 2020, the Governor issued their eighth Supplemental State of Emergency providing liability protections for businesses and health care providers among other provisions.7

On May 8, 2020, the Governor issued their ninth Supplemental State of Emergency providing operating loans and lines of credit financing to rural electric cooperatives, guidance on the administration of the July 14, 2020 Runoff election, protection against evictions based on nonpayment, and extension of the State of Emergency for another sixty days.8

On May 18, 2020, the Alabama Legislature approved Senate Bill 161 after the governor issued an executive amendment outlining state expenditures for the Coronavirus, Aid, Relief, and Economic Security (CARES) Act.9

Alaska

To prevent the spread of Coronavirus Disease 2019 (COVID-19), the State of Alaska issued the Alaska Essential Services and Critical Workforce Infrastructure Order10 based on its authority under the Public Health Disaster Emergency Declaration signed by Governor Mike Dunleavy on March 11, 2020.

This Order amends and supersedes the document formerly referenced as “Attachment A,” and continues to apply to any Mandate referencing Attachment A or Critical Workforce Infrastructure. This Order remains in effect until amended, rescinded, or superseded by further Order of the Governor.

All businesses within Alaska, except those specifically exempted below, are required to cease all activities at facilities located within the state, except Minimum Basic Operations. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

For purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or corporate or entity structure.

“Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:

- The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

Businesses exempted as an Essential Service or Critical Infrastructure Industry are strongly encouraged to remain in operation while complying with social distancing requirements, by maintaining six-foot social distancing for both employees and members of the public, including, but not limited to, when any customers are standing in line.

For purposes of this Order, Essential Services and Critical Infrastructure industries and entities in Alaska include:

- “Healthcare Operations,” including hospitals, clinics, dental emergency services, pharmacies, other healthcare facilities, home healthcare services and providers, mental

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9 Governor Ivey Executive Amendment to SB161, https://governor.alabama.gov/assets/2020/05/Executive-Amendment-to-Senate-Bill-161.pdf
health providers, companies and institutions involved in the research and development, manufacture, distribution, warehousing, and supplying of pharmaceuticals, biotechnology therapies, consumer health products, medical devices, diagnostics, equipment, services, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and healthcare services provided to animals.

- “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.

- **“Essential Infrastructure,”** including businesses providing any services or performing any work necessary to the operations and maintenance of services including, but not limited to, the Port of Alaska, public works construction, construction of housing, airport operations, water, sewer, gas, electrical, oil production, mining, logging, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

- **“Financial services sector,”** which includes workers who are needed to process and maintain systems for processing financial transactions and services, such as payment, clearing and settlement services, wholesale funding, insurance services, and capital markets activities; to provide consumer access to banking and lending services, including ATMs, movement of currency (e.g. armored cash carriers); support financial operations, such as those staffing data and security operations centers; appraisals and titling; and, key third-party providers who deliver core services.

- **“First Responders,”** which includes emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel.

- **“Essential Governmental Functions,”** which includes all services needed to ensure the continuing operation of government agencies and provide for the health, safety, and welfare of the public. This includes Department of Defense personnel returning from temporary duty or engaging in mission essential travel. This also includes Office of Children’s Services personnel acting in an official capacity.

- **“Essential Business,”** which includes:
  - Grocery stores, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of food, beverages, and other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
  - Food and agriculture, cultivation, including farming, livestock, fishing and processing;
  - Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  - Newspapers, television, radio, and other media services;
  - Gas stations and auto-supply, auto-repair, bicycle-repair, and related facilities;
  - Hardware stores;
  - Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and critical infrastructure.
  - Businesses providing mailing and shipping services, including post office boxes;
  - Educational institutions facilitating distance learning;
  - Laundromats, dry cleaners, and laundry service providers;
- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out under the restrictions set forth in COVID-19 Health Mandate 003, issued March 17, 2020;
- Businesses that supply products needed for people to work from home;
- Businesses that supply other essential businesses with the support or supplies necessary to operate;
- Businesses that transport goods to grocery stores, supermarkets, convenience stores, engaged in the retail sale of food, household consumer products, delivery of fuel, or other services directly to residences or other critical industries outlined in this health mandate.
- Airlines, railroads, taxis, and other private transportation providers providing transportation services;
- Home-based care for seniors, adults, or children;
- Residential facilities and shelters for seniors, adults, and children;
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally-mandated activities;
- Childcare facilities, subject to new recommendations for increased hygiene and social distancing. Childcare facilities should be used only by those who need childcare to work at a critical job.
- All other businesses that can maintain Social Distancing Requirements (defined below) and prohibit congregations of no more than 10 people in the business at a time (including employees).

**SOCIAL DISTANCING REQUIREMENTS.**
- “Social Distancing Requirements” includes:
  - maintaining at least six-foot social distancing from other individuals,
  - washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer containing at least 60% alcohol,
  - covering coughs or sneezes (into the sleeve or elbow, not hands),
  - regularly cleaning high-touch surfaces, and
  - not shaking hands.

**ADOPTION OF FEDERAL GUIDANCE.**
- This order also incorporates federal guidance from the Department of the Treasury and the Department of Defense that are located at https://home.treasury.gov/news/press-releases/sm956 and https://media.defense.gov/2020/Mar/22/2002268024/-1/-1/1/DEFENSEINDUSTRIALBASE-ESSENTIAL-CRITICAL-INFRASTRUCTURE-WORKFORCE-MEMO.PDF

- On April 7, 2020, the Governor issued an update to the State of Alaska’s COVID-19 Health Mandate 005 on Elective Medical Procedures to preserve staff personal protective equipment (PPE) and patient care supplies.¹¹
- On April 15, 2020, the Governor issued Health Mandate 015 on Services by Health Care Providers allowing health care facilities and providers to resume services that require minimal protective equipment and safety protocols on April 20, 2020. Beginning May 4, 2020, health care

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providers may perform non-urgent, or elective procedures, with defined safety protocols for patients and staff.\footnote{12}

- On April 21, 2020, Governor Dunleavy released Phase One of the state’s approach to reopening segments of the Alaskan economy. Beginning Friday, April 24, 2020, the following businesses and industries may reopen, following stringent health and safety standards:\footnote{13}
  - Restaurants – limited dine-in services
  - Retail Stores – limited in-store shopping
  - Personal Services Businesses (ie. barbers, nail salons, hairdressers) – limited services
  - Non-Essential Businesses (ie. professional business services) – limited services

- Health Mandate 016,\footnote{14} Phase I of the Reopen Alaska Responsibly Plan, seeks to balance the ongoing need to maintain diligent efforts to slow and disrupt the rate of infection with the corresponding critical need to resume economic activity in a reasonable and safe manner. The activities and businesses listed below that were previously governed by the referenced Mandates may resume under the conditions and guidance provided in the following attachments.
  - Attachment D – Non-Essential Public Facing Businesses Generally – modifies Mandate 11
  - Attachment E – Retail Businesses – modifies Mandate 11
  - Attachment F – Restaurants Dine-In Services – modifies Mandate 3
  - Attachment G – Personal Care Services – modifies Mandate 9
  - Attachment H – Non-Essential Non-Public-Facing Businesses – modifies Mandate 11

- On April 24, 2020, Governor issued further guidance on the State of Alaska’s 16th COVID-19 Health Mandate, Phase I of the Reopen Alaska Responsibly Plan on social distancing, intrastate travel, social gatherings, and religious gatherings.\footnote{15}

- On May 7, 2020, the Governor announced Phase 2 of the #ReopenAlaskaResponsibly Plan allowing restaurants, retail, non-essential business, bars, social and religious gatherings, indoor gyms, bowling alleys, theaters, and bingo to increase capacity while respecting social distancing.\footnote{16}

- On May 15, 2020, the Governor issued updates to the State of Alaska’s 10th and 17th COVID-19 Health Mandates. Health Mandate 10 on International and Interstate Travel, Order for Self-Quarantine, has been extended from May 19, 2020, to June 2, 2020. Additional guidance was issued on Enhanced Protective Measures for Seafood Processing Workers.\footnote{17}
  - Additional guidance regarding Commercial Fishing has been issued for COVID-19 Health Mandate 17 on Protective Measures for Independent Commercial Fishing Vessels.

- On May 19, 2020, the Governor announced plans for Phase Three of the state’s approach to reopening segments of the Alaskan economy in an effort to balance the ongoing need to slow the spread of COVID-19 with the critical need to resume economic activity in a reasonable and safe manner.\footnote{18}

**Arizona**

- On March 19, 2020, Governor Doug Ducey announced the following executive actions:

\footnote{16}{Governor Dunleavy Phase 2 Announcement, https://twitter.com/GovDunleavy/status/1258570458925948928}
\footnote{17}{Governor Dunleavy Health Mandate, https://covid19.alaska.gov/health-mandates/}
- Activation of the National Guard to assist grocery stores and food banks with re-stocking shelves in the face of heightened demand.
- Signing of an executive order that halts all elective surgeries to free up medical resources and maintain the capacity for hospitals and providers to continue offering vital services (Executive Order 2020-1019).
- Signing of an executive order that requires restaurants in counties with confirmed COVID-19 cases to provide dine-out options only, as well as the closure of all bars in those counties. The order allows restaurants to deliver alcoholic beverages with the purchase of food. (Executive Order 2020-0920).
- Signing of an executive order to delay expiration dates on driver licenses ensuring residents over the age of 65 do not need to visit Motor Vehicle Division offices to renew their driver licenses during the public health emergency (Executive Order 2020-0821).

- On March 23, 2020, the Governor issued Executive Order 2020-12 clarifying businesses and operations deemed “essential” by the state and providing certainty to business owners, employees and families. The executive order outlines “essential services” to include:
  - Health care and public health operations, including hospitals, public health entities, distributors of personal protective equipment and biotechnology companies;
  - Human services operations, including those that provide services for the elderly, those with developmental disabilities, foster and adoption children and the homeless;
  - Infrastructure operations, including food production, utility operators, construction and internet providers;
  - Government functions, including first responders, emergency management personnel, 911 operators, child protection staff, welfare providers and more;
  - Business operations, including grocery and medicine providers, outdoor recreation;
  - Organizations that provide charitable and social services, including religious and secular non-profit organizations and food banks;
  - Media organizations, including newspaper, television, radio and other media services;
  - Gas stations and other transportation-related businesses;
  - Financial institutions, including banks and credit unions;
  - Hardware and supply stores;
  - Critical trades, including plumbers, electricians, cleaning, sanitation, HVAC and security staff;
  - Mail, post, shipping and logistics;
  - Education institutions, including public and private K-12 schools, universities and research entities;
  - Laundry services;
  - Restaurants for consumption off-premises;
  - Supplies distributors that enable telework and work from home and those that supply essential businesses;
  - Transportation, including airlines, taxis, and ride-sharing;
  - Home-based and care services, including for seniors and those with developmental disabilities;
  - Residential facilities and shelters, including those for children, seniors or at-risk populations;
  - Professional services, including legal, real estate and accounting services;
  - Day care centers for employees exempted though the order;

21 Arizona Executive Order 2020-08 https://azgovernor.gov/sites/default/files/eo_2020-08_0_0_0.pdf
22 Arizona Executive Order 2020-12 https://azgovernor.gov/sites/default/files/eo_2021_0.pdf
- Manufacturers, distribution and producers of supply chain-critical products;
- Hotels and motels;
- And funeral services.
- The order allows individuals and entities to utilize teleworking to complete essential services.

- Additionally, on March 23, 2020, the Centers for Medicare & Medicaid Services (CMS) approved Arizona’s request for a Section 1135 Medicaid waiver. The approved waiver enables Arizona to provide flexibilities in Medicaid provider screening and enrollment, forgo certain pre-admission screening and annual resident review assessments, lift prior authorization requirements and extend current prior authorization approvals.
- On April 6, 2020, Governor Ducey issued an executive order halting evictions in the state for small businesses and nonprofits that are unable to pay rent due to financial hardship.\(^{23}\)
- On April 7, 2020, Governor Ducey issued an executive order allowing restaurants to repackage and sell grocery items they have on hand, including items not normally packaged and labeled for resale.\(^{24}\)
- On April 7, 2020, Governor Ducey issued an executive order to increase quarantine guidelines for out-of-state travelers from an area with substantial community spread through any airport in the state must isolate or quarantine themselves upon arrival for 14 days.\(^{25}\)
- On April 29, 2020, Governor Ducey issued an executive order extending physical distancing measures while laying out a step-by-step approach to continue reenergizing Arizona’s economy, allowing businesses to begin partial operations next week.\(^{26}\)
- On May 1, 2020, Governor Ducey released additional guidelines as retail businesses resume partial operations that permit the selling of goods through delivery service, window service, walk-up service, drive-through service, drive-up service, curbside delivery or appointment provided they establish and implement sanitation and physical distancing measures.\(^{27}\)
- On May 4, 2020, Governor Ducey issued an executive order allowing cosmetologists and barber shops to resume appointment-based services this Friday, May 8 and restaurants and coffee shops to resume dine-in services with physical distancing measures on Monday, May 11.\(^{28}\)
- On May 4, 2020 Governor Ducey issued an executive order requiring expanded reporting of COVID-19 related information to residents of long-term care facilities, as well as their next of kin and guardians and prospective residents.\(^{29}\)
- On May 12, 2020, the Governor announced that the Stay at Home order in Arizona will be ending on May 15 and replaced by new guidance for the next stage of economic recovery.\(^{30}\)
  - Governor Ducey also announced an accelerated plan to test all staff and residents of long-term care facilities as well as individuals within Arizona’s prisons.\(^{31}\)

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\(^{26}\) https://azgovernor.gov/sites/default/files/eo_2020-33_0.pdf
\(^{27}\) https://azgovernor.gov/sites/default/files/guidance_for_retail.pdf
\(^{28}\) https://azgovernor.gov/sites/default/files/eo_2020-34_salons_dine_in.pdf
\(^{29}\) https://azgovernor.gov/sites/default/files/eo_2020-35_ltc.pdf
• On May 12, 2020, the Department of Health Services released additional guidance for places of worship, businesses and customers as more industries resume partial operations.32

• On May 28, 2020, the Governor issued an executive order increasing collaboration among Arizona hospitals and ensuring patient transfers can take place smoothly and efficiently if needs arise.33

• On May 28, 2020, the Governor issued an executive order protecting the health of kids in school-based child care while allowing for increased child care capacity.34

• On May 28, 2020, the Governor announced schools will reopen for in-person instruction in a few months along with youth summer leagues, summer schools and day camps also can reopen, with some starting as soon as next week.35

Arkansas

• On April 4, 2020, Gov. Hutchinson issued Executive Order No. 20-1336, effective as of 12:01 a.m. on April 6, 2020 until further notice.

• Social Distancing. All businesses, manufacturers, construction companies, and places of worship shall implement the following social distancing protocols:
  o Limit the number of people who can enter into the facility at any one time to ensure that people in the facility can easily maintain a minimum six-foot distance from one another;
  o If lines form at a facility (inside or outside), facilities shall mark off six-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing;
  o Provide hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by the public and employees, and in locations where there is high-frequency employee interaction with members of the public;
  o Retail businesses shall provide contactless payment systems or provide for disinfecting all payment portals, pens, and styluses after each use;
  o Regularly disinfect any high-touch surfaces; and
  o Post a sign at the entrance of the facility informing all employees, customers, and congregants that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into one’s elbow; not shake hands or engage in any unnecessary physical contact.

• Lodging Restrictions. Commercial lodgings and short-term rentals, including, but not limited to, hotels, motels, and vacation rentals, shall only permit occupancy for the following authorized guests:
  o Healthcare professionals;
  o First responders;
  o Law enforcement;
  o State or Federal employees on official business;
  o National Guard Members on active duty;
  o Airline crew members;
  o Patients of hospitals and their families;

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Journalists;
Persons unable to return to their home due to COVID-19 travel restrictions;
Arkansas citizens unable to return to their home due to exigent circumstances, such as fire, flood, tornado, or other disaster;
Persons in need of shelter due to domestic violence or homelessness;
Employees of hotels, motels, or other service providers/contractors of a hotel or motel; and
Persons away from their home due to work or work-related travel.

**Closure and Business Restrictions.**
- Bars, Clubs, and Restaurants shall remain closed for dine-in purposes and remain open for takeaway and delivery only;
- Gyms (including fitness centers/clubs, fitness classes, and group fitness studios) and indoor entertainment venues, such as bowling alleys, trampoline parks, and indoor amusement centers, shall remain closed to nonessential functions;
- Casinos shall remain closed;
- Barbers, Body Art Establishments, Body Art Schools, Cosmetology Establishments and Massage Therapy Clinics/Spas, and Medical Spas shall remain closed;

**Local Curfews.** Cities and counties taking reasonable measures to prevent the spread of COVID-19 by imposing curfews and closing city or county owned parks and facilities shall not be interpreted as a quarantine regulation of commerce or travel. Curfews should not prevent citizens of any age from traveling to and from work, acquiring food or essential goods and services, walking pets, or acquiring exercise outdoors while maintaining social distance of at least six (6) feet;

**Enforcement and Jurisdiction.**
- Executive Orders of the Governor issued pursuant Ark. Code Ann. §§ 12-75-101, et seq., have the force and effect of law.
- Pursuant to Ark. Code Ann. § 20-7-101, violation of a directive from the Secretary of Health during this public health emergency is a misdemeanor offense, and upon conviction is punishable by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or by imprisonment not exceeding one month, or both.
- All law enforcement officers within this state shall enforce the directives of this order and those of the Secretary of Health to preserve the health and safety of all Arkansans during this emergency.

**On April 27, 2020 Governor Hutchinson announced that medical service providers can resume certain nonessential out-patient procedures that were restricted during the COVID-19 health crisis. The Arkansas Department of Health**[^37] **issued certain requirements for hospitals and out-patient clinics to follow in order to re-engage elective procedures. Elective procedures shall be limited as follows:*
- Only outpatients with no plans for overnight stay.
- An American Society of Anesthesiologists rating of I or II. If they are a II-rating, their disease process should be well controlled.
- No contact with known COVID-19 patients during the past 14 days.
- Patients must be asymptomatic for COVID-19 per ADH guidelines.
- Start with a small initial volume of cases and increase incrementally as PPE availability and number of statewide occurrences dictate.

- Each institution must have an ample supply of PPE for resuming elective procedures while maintaining a reserve should there be a resurgence of the virus. (The acquisition of PPE is a matter for each institution to address and is not the responsibility of ADH.)
- For an asymptomatic patient to be a candidate for a procedure, he/she must have at least one negative COVID-19 NAAT test within 48 hours prior to the beginning of the procedure.
- These requirements pertain to all elective procedures, including dental, eye, nasopharyngeal, chest surgery, and colonoscopy. Small rural hospitals under 60 beds and critical access hospitals, though strongly advised to follow this directive to maximize resources and minimize risk, are excluded from this directive.
- The April 3, 2020 directive’s exemptions for medically necessary procedures to preserve a patient’s life or health also remain in effect.

- On April 28, 2020, the Governor announced the limited reopening of state parks\(^38\) facilities on May 1, 2020 with the following guidelines:
  - Rental of camp sites, cabins, lodges, and RVs will be limited to Arkansas residents only.
  - Beginning May 1, Arkansas residents with self-contained RVs will be allowed to stay overnight in campgrounds. Bath houses will remain closed. Check in and check out will be automated.
  - On May 15, state parks will open visitor information centers, museums and exhibits, gift shops, golf pro shops, marinas, and equipment rental. Staff will limit the number of visitors allowed into the visitor centers and shops, and will enforce social distancing.
  - On May 15, state parks also will reopen to Arkansas residents cabins, lodges, and RV rental. Rentals will be limited to Friday through Monday to allow for deep cleaning between visitors.

- On April 29, 2020, the Arkansas Department of Health issued a directive\(^39\) on resuming dine-in restaurant operations effective May 11, 2020. The directive states:
  - **Phase 1**
    - Dine-in service may resume; however, seating shall be limited up to 33% of total seating capacity. This includes indoor and outdoor dining areas.
    - Seating shall be adjusted to maintain 10-foot physical distancing between tables so occupied seats are six feet from seats at adjacent tables.
    - Reservations should be encouraged when practical. If reservations are not made, physical distancing must be maintained when customers are waiting to be seated.
    - All staff who come in contact with patrons must wear a face mask that completely covers their nose and mouth. Staff in the back are encouraged to wear a face mask.
    - All staff are required to wear gloves. Gloves shall be changed out between each customer, customer group, or task.
    - Patrons must wear a face covering upon entrance and while in the restaurant until the food or drink is served.
    - All staff shall be screened daily before entering the facility. Any employee with a cough, sore throat, fever, or shortness of breath shall be immediately excluded from the facility.

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• Signage must be placed at the front of restaurants to alert patrons not to enter the facility if they are sick or have symptoms such as cough, sore throat, fever, or shortness of breath.
• Monitoring of frequent handwashing and no bare-hand contact of ready-to-eat foods by staff.
• Encourage customers to pre-order meals to reduce time spent in the facility. This includes for takeout services.
• Groups shall be limited, not to exceed 10 people.
• Restaurants are encouraged to have a senior hour to provide exclusive access to these high-risk individuals.
• Self-service operations, including, but not limited to, salad bars, buffets, and condiment bars shall remain closed for patron access.
• Facilities with any employee testing positive shall be reported to the Arkansas Department of Health immediately.
• Following each meal service, the tables, chairs, menus and any other frequently contacted surfaces including, but not limited to, condiment containers, napkin holders and salt/pepper shakers shall be cleaned and disinfected prior to seating the next customer.
  ➢ NOTE: Products with an EPA-approved emerging viral pathogen claims are expected to be effective against COVID-19. Follow the manufacturer’s instructions for these products. For a list of EPA-approved emerging pathogen sanitizers: https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2 (Non-food contact surfaces may be sanitized with 1/2 cup of regular, unscented bleach per gallon of water followed by a 5-minute contact time.)
• Food contact surfaces shall be sanitized in accordance with §4-501.114 of the Rules Pertaining to Retail Food Establishments.
• Single-Use items including, but not limited to, disposable silverware, condiment packets, and straws shall be removed from public access and provided only upon request.
• Bars and entertainment operations (such as live music, in-seat gaming devices, or arcades) within restaurants are prohibited. Normal service of alcohol within the restaurant seating area is allowed. This does not restrict the preparation of alcoholic beverages in the bar area.
• Restrooms and other high-touch areas shall be disinfected frequently based on customer volume.
• Service may be declined to patrons not wearing masks.
  o The above restrictions will be in place until the Secretary of Health determines epidemiological data are sufficient to proceed to Phase 2 and then Phase 3.
  o The requirements for Phase 2 and 3 will supersede the above-mentioned requirements.
  o Phase 2 will include less restrictive measures such as increasing the total available seating to 66% and opening bars and entertainment operations while maintaining 6 feet physical distance among patrons.
  o Phase 3 will include returning to normal operations with full seating capacity.
• On April 30, 2020, the Arkansas Department of Health issued a directive for Gym, Fitness Center, Athletic Club and Weight Room Reopening. This directive addresses a progressive resumption of individual exercise activities in gyms and fitness centers. Gyms and fitness centers may begin to resume these activities on May 4, 2020 if they meet the following requirements:

Screening must be completed on entry for all staff and participants. Those who have any of the following characteristics should NOT be allowed to enter:
- Have returned from travel to NY, NJ, CT, New Orleans or overseas within the last 14 days;
- Have had a fever of 100.4°F or greater in the last TWO days;
- Have a cough, difficulty breathing, sore throat, or loss of taste or smell;
- Had contact with a person known to be infected with COVID-19 within the previous 14 days; or
- Have compromised immune systems and/or have chronic diseases.

Staff must have their temperature checked by digital thermometer prior to entry.
Do not allow entry to anyone whose temperature is greater than 100.4°F.
Staff should wear a face covering or mask at all times. Patrons should wear a face covering except when actively exercising.
Prohibit the use of pools, spas, showers, saunas, etc. at this time. Locker rooms are to be used only for storage of personal items. Maintain physical distancing while in locker rooms.
Make hand sanitizer available throughout the facility.
Staff should ensure that all exercise machines or equipment are sanitized after each usage (via wipe-down with disposable disinfectant wipes, Lysol or the equivalent; use according to product instructions).
Maintain proper spacing from others by working out with 12 feet between each person. This may require closing or moving some equipment.
Avoid personal contact at all times, including hand shaking.
Individual training sessions, indoor group fitness classes, and workouts requiring a partner must maintain 12 foot spacing between each person at this time.

NOTE: This directive does not address team or youth sports. These will be addressed by a different document later. This directive also does not address indoor entertainment venues, such as bowling alleys, trampoline parks, and indoor amusement centers, which will be addressed later.

On May 1, 2020, the Governor announced that barber shops, body art establishments, body art schools, cosmetology establishments, massage therapy clinics and spas, and medical spas may resume operations on May 6, 2020, under Phase 1 guidelines established to protect the health and safety of employees and patrons.

Phase 1 guidelines for these entities include:
- Providers may resume services; however those services shall be scheduled by appointment with adequate time in between appointments to properly clean and disinfect. Walk-in appointments are prohibited during Phase 1.
- People older than 65 or those with chronic medical conditions should consider remaining home during Phase 1.
- Providers must pre-screen clients for potential COVID-related symptoms before they arrive for an appointment using the following questions:
  - Have you had a fever of 100.4 F or greater in the past two days
  - Do you have a cough, difficulty breathing, a sore throat, or loss of taste or smell?
  - Have you had contact with a person known to be infected with COVID-19 within the past 14 days?

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Providers should postpone for 14 days the appointment of any who answer “yes” to any of the questions.

- Employees/licensees shall be pre-screened with both the standardized questionnaire and a daily temperature check. Any employee with a temperature of 100.4 F or greater will not be allowed to work.
- Services shall not be performed on clients who show any sign of illness such as fever, cough, or runny nose. Signage shall be posted informing clients about this policy.
- All persons in the salon/shop/clinic are required to maintain physical distancing of at least 6 feet while services are not being rendered. For most entities, occupancy will be limited to no more than 10 persons, including all support staff.
- In smaller facilities, the 6 feet physical distancing condition may require that fewer than 10 persons are present at any given time.
- Larger facilities (able to accommodate more than 10 persons while maintaining appropriate physical distancing) shall operate no more than 30% of their stations during Phase 1.
- Barbers, stylists, and employees shall wear a face covering at all times. A cloth face covering is acceptable for this purpose.
- Clients shall wear masks as services permit. A cloth face covering is acceptable for this purpose. Signage shall be posted informing clients about this policy.
- Chairs in waiting areas shall be positioned to ensure six feet of social distancing. When possible, clients should wait outside of the shop/salon/clinic until called by their stylist/therapist.
- All existing infection control rules remain in effect and will be enforced. Non-porous surfaces shall be cleaned and disinfected prior to use. Porous items shall be discarded after a single use.
- Gloves shall be worn for all services as required by Rule. Licensees are encouraged to wear gloves for all other services when able.
- Hand washing shall be performed before and after each service.
- The Department of Health COVID Infection Control Education module shall be viewed prior to reopening.
- Practitioners shall maintain a record of the name, date, and contact information, for each client serviced for a period of one month. This may be accomplished using a sign-in sheet.
- Barbering, cosmetology, body art schools, and massage schools shall remain closed for in-person instruction during Phase 1. However, practical examinations are permissible if they are performed on inanimate objects such as mannequins and artificial skin. Appropriate physical distancing shall be maintained during testing.

- Governor Hutchinson announced that guidelines for places of worship and larger venues will be issued on May 4, 2020.
- On May 5, 2020, the Governor issued an executive order extending Arkansas’s COVID-19 public health and disaster emergency for an additional 45 days.

• The order also updated a directive for all travelers from New York, New Jersey, Connecticut, New Orleans, and all international locations must follow quarantine directives outlined by the Arkansas Department of Health.43
• On May 19, 2020, the Governor announced a new goal of testing every nursing home resident and staff member beginning June 1.44
• On May 20, 2020, the Governor announced that bars which are associated with and are located within restaurant facilities are approved to open. Free standing bars which are not associated with restaurants should be ready to open next Tuesday, May 26, 2020.45
• On May 29, 2020, the Governor announced the creation of the COVID-19 Technical Advisory Board to review and evaluate new technologies as the state’s public health agencies develop strategies for testing and contact tracing.46

California
• On March 19, 2020, Governor Newsom issued a statewide shelter in place order, Executive Order N-33-20, directing all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined by the Cybersecurity and Infrastructure Security Agency (“CISA”).47
• While Executive Order N-33-20 is broad in scope and heavily based on federal guidelines issued by CISA, Governor Newsom has stated that more details regarding essential services will be released, and additional critical infrastructure sectors may be added.
• CISA outlines 16 critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof.48
• Presidential Policy Directive 21 (PPD-21)49 defines these 16 critical infrastructure sectors to include the following:
  o Chemical sector;
  o Commercial facilities sectors;
  o Communications sectors;
  o Critical manufacturing sector;
  o Dams sectors;
  o Defense industrial base sector;
  o Emergency services sectors;
  o Energy sector;
  o Financial services sector;
  o Food and agriculture sector;
  o Government facilities sector;

45 Governor Hutchison Press Release, https://twitter.com/AsaHutchinson/status/1262883857201876993
o Healthcare and public health sector;
o Information technology sector;
o Nuclear reactor material and waste sector;
o Transportation systems sector; and
o Water and waste water sector.

• In addition, the Governor’s office has confirmed the following **essential businesses** will remain open:
o Gas stations;
o Pharmacies;
o Food services entities: grocery stores, farmers markets, food banks, convenience store, takeout and delivery restaurants;
o Banks; and
o Laundry mats/laundromat services.\(^{50}\)

• Further, essential state and local government functions will remain open, including law enforcement and offices that provide government programs and services.

• All dine in restaurants, bars/night clubs, entertainment venues, gym and fitness studies, public events or gatherings, and convention centers are considered non-essential and will be closed during the effect of this order.

• CISA’s COVID-19 federal guidelines regarding critical infrastructure sectors state that the department will continually solicit and accept feedback on the list (both sectors/sub sectors and identified essential workers) and will evolve the list in response to stakeholder feedback,\(^{51}\) which provides ample opportunity for client engagement on the state and federal level.

• On March 21, 2020, Governor Newsom issued Executive Order N-35-20 which waives licensure requirements to allow the state the ability to increase the health care capacity in clinics, mobile health care units and adult day health care facilities.\(^{52}\)
  o Pursuant to EO N-35-20, director of the State Department of Public Health may, for the duration of the declared emergency, waive any of the licensing and staffing requirements of chapters 1, 3.3, 8.5, and 9 of division 2 of the Health and Safety Code and any accompanying regulations with respect to any clinic, adult day health care, hospice, or mobile health care unit.
  o Any waiver shall include alternative measures that, under the circumstances, will allow the clinic, adult day health care, hospice, or mobile health care unit to assist in the care or protect the health of individuals while protecting public health and safety.

• The order also authorizes the suspension of certain statutes to offer local governments increase flexibility to utilize the services of retired employees.

• In order to ensure the support and uninterrupted care of patients with mental or behavioral health conditions, the Director of the State Department of State Hospitals may issue directives waiving any provision or requirement of the Welfare and Institutions Code, and any provision or requirement of the Penal Code that affects the execution of laws relating to care, custody, and treatment of persons with mental illness committed to or in the custody of the State Department State Hospital.

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\(^{50}\) California Guidance Relative to Essential Businesses, [https://covid19.ca.gov/stay-home-except-for-essential-needs/](https://covid19.ca.gov/stay-home-except-for-essential-needs/)


• On March 21, 2020, Governor Newsom requested and received Personal Protective Equipment from the National Stockpile.\textsuperscript{53}

• On March 24, 2020, Governor Newsom issued Executive Order N-36-20 temporarily halting the intake and/or transfer of inmates and youth into the state's prisons and youth correctional facilities. Those inmates and youth will remain in county custody for the next 30 days.\textsuperscript{54}

• On March 27, 2020, Governor Newsom issued Executive Order N-37-20 which bans the enforcement of evictions orders for tenants affected by the COVID-19 emergency through May 31, 2020.\textsuperscript{55}
  o The order requires tenants to declare in writing, no more than seven days after the rent is due, that the tenant cannot pay all or a portion of their rent due to COVID-19.
  o The tenant would remain obligated to repay full rent in a timely manner and may still face eviction after the ban on enforcement of evictions has expired. This order intends to bring tenants immediate relief from rental obligations due on April 1, 2020.

• On April 7, 2020, Governor Newsom issued an executive order to help the state procure necessary medical supplies by suspending certain state tax provisions relative to PPE.\textsuperscript{56}

• On April 14, 2020, Governor Newsom announced six key indicators that must be considered before modifying the state's stay at home order, including:\textsuperscript{57}
  o The ability to monitor and protect our communities through testing, contact tracing, isolating, and supporting those who are positive or exposed;
  o The ability to prevent infection in people who are at risk for more severe COVID-19;
  o The ability of the hospital and health systems to handle surges;
  o The ability to develop therapeutics to meet the demand;
  o The ability for businesses, schools, and child care facilities to support physical distancing; and
  o The ability to determine when to reinstitute certain measures, such as the stay-at-home orders, if necessary.

• On April 30, 2020, the Governor issued an executive order today that will allow adults to obtain marriage licenses at the discretion of their local county clerk, through videoconferencing.\textsuperscript{58}

• On April 30, 2020, the Governor ordered all beaches and state parks in Orange County to temporarily close on April 30, after violations of the state’s physical distancing rules.\textsuperscript{59}

• On May 1, 2020, the Governor issued an executive order that temporarily broadens the capability of counties to enroll persons into the California Work Opportunity and Responsibility to Kids


\textsuperscript{59} Governor Newsom Orange County Beach Closure, \url{https://www.npr.org/sections/coronavirus-live-updates/2020/04/30/848672491/governor-temporarily-closes-all-beaches-and-state-parks-in-orange-county-califor}
(CalWORKs) program using various eligibility verification methods due to social distancing requirements.  

- On May 4, 2020, the Governor issued an executive order directing the State Public Health Officer to establish criteria to determine whether and how, in light of local conditions, local health officers may implement public health measures less restrictive than the statewide public health directives.

- On May 4, 2020, the Governor announced that based on the state’s progress in meeting metrics tied to indicators, the state can begin to move into the early phase of Stage 2 of reopening this Friday, May 8 allowing for gradual reopening of lower-risk workplaces with adaptations including bookstores, clothing stores, florists and sporting goods stores.

- On May 6, 2020, the Governor issued an executive order that creates a time-limited rebuttable presumption for accessing workers’ compensation benefits applicable to residents who must work outside of their homes during the stay at home order.

- On May 6, 2020, the Governor issued an executive order that waives penalties for property taxes paid after April 10 for taxpayers who demonstrate they have experienced financial hardship through May 6, 2021.

- On May 7, 2020, the Governor released updated industry guidance – including for retail, manufacturing and logistics – to begin reopening with modifications that reduce risk and establish a safer environment for workers and customers.

- On May 8, 2020, the Governor issued an executive order requiring that each county’s elections officials send vote-by-mail ballots for the November 3, 2020 General Election to all registered voters.

- On May 12, 2020, the Governor announced that the Department of Consumer Affairs and State Board of Pharmacy will allow pharmacists to collect specimens for COVID-19 tests and order tests for consumers.

- On May 18, Governor Newsom released a set of relaxed criteria for counties that hope to allow businesses to reopen more quickly than the state overall. Local health jurisdictions that meet the criteria set forth by the California Department of Public Health and follow the process in the county guidance may move further ahead in Stage 2 of the resilience roadmap. These counties can move more quickly through Stage 2 opening sectors once state guidance is posted for that sector.

  - If a county decides to pursue a variance to move further into Stage 2, the local public health officer must:
    - Notify the California Department of Public Health (CDPH).


65 Governor Newsom Phase 2 Update, [https://covid19.ca.gov/roadmap/](https://covid19.ca.gov/roadmap/)

66 California Executive Order 64-20, [https://www.gov.ca.gov/wp-content/uploads/2020/05/05.08.2020-EO-N-64-20-text.pdf](https://www.gov.ca.gov/wp-content/uploads/2020/05/05.08.2020-EO-N-64-20-text.pdf)

67 CA Department of Consumer Affairs Press Release, [https://www.dca.ca.gov/licensees/pharmacists_covid19_tests.pdf](https://www.dca.ca.gov/licensees/pharmacists_covid19_tests.pdf)
Certify through submission of a written attestation to CDPH that the county has met the readiness criteria (outlined below), including guidance to be issued by the county and detailed plans, and that the county is designed to mitigate the spread of COVID-19.

- **Expanded Stage 2 with Attestation**: Upcoming changes in the Stay-at-Home Order will move the entire state methodically through opening further. Those counties with variation attestation may progress to open these sectors more rapidly, according to their county-specific plan for modification. Additional businesses/sectors included in expanded Stage 2 include:
  - Destination retail (retail stores), including shopping malls and swap meets
  - Dine-in restaurants (other amenities, like bars or gaming areas, are not permitted in Stage 2)
  - Schools with modifications

- On May 18, Governor Newsom announced that live-sporting events are likely to be permitted to begin, without spectators, the first week of June.
- On May 25, 2020, the Governor announced counties can now begin re-opening houses of worship and in-store shopping for retail.
- On May 26, 2020, the Governor announced counties can choose to reopen hair salons and barbershops with certain modifications.
- On May 29, 2020, the Governor issued an executive order extending authorization for local governments to halt evictions for renters impacted through July 28.

**Colorado**

- On March 25, 2020, Governor Jared Polis issued Executive Order 2020-017 directing all Colorado residents to stay home, except under limited exceptions to participate in essential activities. Essential activities include obtaining food and other household necessities, going to and from work at critical businesses, seeking medical care, caring for dependents or pets, or caring for a vulnerable person in another location.
- The order will remain in effect until April 11, 2020.
- All non-critical businesses must close temporarily, except as necessary to engage in minimum basic operations needed to protect asset and maintain personnel functions. “Critical Business” is defined to include the following:
  - Healthcare Operations:
    - Hospitals, clinics, and walk-in health facilities
    - Medical and dental care, including ambulatory providers
    - Research and laboratory services
    - Medical wholesale and distribution
    - Home health care companies, workers and aides
    - Pharmacies
    - Pharmaceutical and biotechnology companies
    - Behavioral health care providers
    - Veterinary care and livestock services
    - Nursing homes, residential health care, or congregate care facilities

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68 California County Variance Attestation, [https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/County_Variance_Attestation_Form.aspx](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/County_Variance_Attestation_Form.aspx)
70 Governor Newsom Press Release, [https://twitter.com/GavinNewsom/status/1265039521113993216](https://twitter.com/GavinNewsom/status/1265039521113993216)
71 Governor Newsom Press Release, [https://twitter.com/GavinNewsom/status/1265364512590360577](https://twitter.com/GavinNewsom/status/1265364512590360577)
73 Colorado Executive Order 2020-017, [https://drive.google.com/file/d/1O1EDCY6A6Q8KxzDImCSF8bBBdOOI3Km/view](https://drive.google.com/file/d/1O1EDCY6A6Q8KxzDImCSF8bBBdOOI3Km/view)
- Medical supplies and equipment manufacturers and providers, including durable medical equipment technicians and suppliers
- Blood banks

  o Critical Infrastructure:
    - Utilities and electricity, including generation, transmission, distribution and fuel supply
    - Road and railways
    - Oil and gas extraction, production, refining, storage, transport and distribution
    - Public water and wastewater
    - Telecommunications and data centers
    - Transportation and infrastructure necessary to support critical businesses
    - Hotels, and places of accommodation
    - Businesses and organizations that provide food, shelter, social services, and other necessities of life for economically disadvantaged, persons with access and functional needs, or otherwise needy individuals
    - Food and plant cultivation
    - Any business that produces products critical or incidental to the construction or operation of the categories of products included in this subsection

  o Critical Manufacturing:
    - Food processing, manufacturing agents, including all foods and beverages
    - Chemicals
    - Computers and computer components
    - Medical equipment, components used in any medical device, supplies or instruments
    - Pharmaceuticals
    - Sanitary products
    - Telecommunications
    - Microelectronics/semiconductor
    - Agriculture/farms
    - Household paper products
    - Any business that produces products critical or incidental to the processing, functioning, development, manufacture, packaging, or delivery of any of the categories of products included in this subsection
    - Any manufacturing necessary to support a Critical Business

  o Critical Retail, Including:
    - Grocery stores including all food and beverage stores
    - Farm and produce stands
    - Gas stations and convenience stores
    - Restaurants and bars (for take-out/delivery)
    - Marijuana dispensary (only for the sale of medical marijuana or curbside delivery)
    - Liquor stores
    - Firearms stores
    - Hardware, farm supply, and building material stores
    - Establishments engaged in the retail sale of food and any other household consumer products (such as cleaning and personal care products)
    - Establishments engaged in the sale of products that support working from home

  o Critical Services:
    - Trash, compost, and recycling collection, processing and disposal
    - Mail and shipping services, and locations that offer P.O. boxes

Last Updated: 6-3-20
- Self-serve laundromats and garment and linen cleaning services for critical businesses
- Building cleaning and maintenance
- Child care services
- Automobile rental, auto supply and repair
- Warehouse/distribution and fulfillment, including freight distributors
- Funeral homes, crematoriums, and cemeteries
- In-person pastoral services for individuals who are in crisis or in need of end of life services. Houses of worship may remain open, but these institutions are encouraged to implement electronic platforms to conduct services to conduct smaller (10 or fewer congregants), more frequent services.
- Storage for Critical Businesses
- Animal shelters, animal boarding services, animal rescues, zoological facilities, animal sanctuaries, and other related facilities

- News Media:
  - Newspapers
  - Television
  - Radio
  - Other media services

- Financial and Professional Institutions:
  - Banks and credit institutions
  - Insurance and payroll
  - Services related to financial markets
  - Professional services, such as legal, title companies, or accounting services, real estate appraisals and transactions

- Providers of Basic Necessities to Economically Disadvantaged Populations:
  - shelters and congregate care facilities
  - Food banks
  - Human services providers whose function includes the direct care of patients in State-licensed or funded voluntary programs; the care, protection, custody and oversight of individuals both in the community and in State-licensed residential facilities; those operating community shelters and other critical human services agencies providing direct care or support

- Construction:
  - Housing and housing for low-income and vulnerable people
  - Skilled trades such as electricians, plumbers
  - Other related firms and professionals for who provide services necessary to maintain the safety, sanitation, and critical operation of residences and other Critical Businesses or Critical Government Functions, and other essential services

- Defense:
  - Defense, security, and intelligence-related operations supporting the State of Colorado, local government, the U.S. Government or a contractor for any of the foregoing
  - Aerospace operations
  - Military operations and personnel
  - Defense suppliers

- Critical Services Necessary to Maintain the Safety, Sanitation and Critical Operations of Residences or Other Critical Businesses:
  - Law enforcement
  - Fire prevention and response

Last Updated: 6-3-20
- Building code enforcement
- Security
- Emergency management and response
- Building cleaners or janitors
- General maintenance whether employed by the entity directly or a vendor
- Automotive and bicycle repair
- Disinfection
- Snow removal

  o Vendors that Provide Critical Services or Products:
    - Logistics
    - Technology support for online and telephone services
    - Child care programs and services
    - Government owned or leased buildings

  o Critical Government Functions:
    - Public safety (police stations, fire and rescue stations, correctional institutions, emergency vehicle and equipment storage, and, emergency operation centers)
    - Emergency response
    - Judicial branch operations, including attorneys if necessary for ongoing trials and required court appearances, unless appearances can be done remotely
    - Legislative and executive branch functions
    - Emergency medical (hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and non-ambulatory surgical structures but excluding clinics, doctors offices, and non-urgent care medical structures that do not provide these functions)
    - Designated emergency shelters
    - Communications
    - Public utility plant facilities for generation and distribution
    - Transportation
    - Transportation infrastructure
    - Hazardous material safety
    - Services to at-risk populations and vulnerable individuals
    - Activities related to federal, state, and local elections
    - Any government service, state or local, required for the public health and safety, government functionality, or vital to restoring normal services

  o Educational Institutions that Provide Critical Services to Students and the General Public:
    - K-12 public school and private schools for the purpose of providing meals, housing, facilitating or providing materials for distance learning, and providing other essential services to students, provided that Social Distancing Requirements are observed.
    - Postsecondary institutions

- On March 19, 2020, the Governor issued Executive Order D 2020 009 declaring that as of March 23, 2020, all voluntary or elective surgeries or procedures, whether medical, dental, or veterinary, are suspended in the State of Colorado until April 14, 2020 at the earliest.74
  - A voluntary or elective surgery or procedure means that the surgery can be delayed for a minimum of three months without undue risk to the current or future health of the patient as determined by the guidelines developed by the hospital, surgical center or other treating medical facility.

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74 Colorado Executive Order 2020 009, [https://drive.google.com/file/d/1Sp3le5zUavA3GKM_omeDXpm7FNfL-wSt/view](https://drive.google.com/file/d/1Sp3le5zUavA3GKM_omeDXpm7FNfL-wSt/view)
Surgeries or procedures, whether medical, dental, or veterinary, may proceed if: (1) there is a threat to the patient’s life if the surgery or procedure is not performed; (2) there is a threat of permanent dysfunction of an extremity or organ system if the surgery or procedure is not performed; (3) there is a risk of metastasis or progression of staging of a disease or condition if the surgery or procedure is not performed; or (4) there is a risk that the patient's condition will rapidly deteriorate if the surgery or procedure is not performed and there is a threat to life, or to an extremity or organ system, or of permanent dysfunction or disability.

- The order also issued a mandate to preserve PPE. Only individuals essential to conducting a surgery or procedures shall be in the surgery or procedure suite or other patient care areas where PPE is required.
- Each hospital and outpatient surgery or procedure provider shall establish guidelines to ensure adherence to the principles outlined in this order.
- The Governor further requested that any Colorado business or non-hospital health care facility, whether veterinary, dental, construction, research, institution of higher learning, or other, in possession of PPE, ventilators, respirators and anesthesia machines that are not required for the provision of critical health care services undertake an inventory of such supplies by no later than March 26th, 2020 and prepare to send it to the State of Colorado. Emergency Operations Center (EOC) will allocate any supplies received pursuant to this order to support activities related to the COVID-19 response.
- Rural and critical access hospitals are exempt from this Order, but are strongly advised to comply on a voluntary basis. Rural and critical access hospitals are, however, directed to comply with CDC guidelines for PPE preservation.
- Duration: This Executive Order shall expire on April 14, 2020 unless extended further by Executive Order.
- THESE are the forms for hospitals and health care facilities to fill out for PPE inventory.
  - https://docs.google.com/forms/d/e/1FAIpQLSdPnPuurKrEae7F7AtMrP2nGoZyKbPgwPtmO2G2lggFBQgg/viewform

- On April 3, 2020, Governor Polis announced that he is asking all Coloradans to wear cloth face coverings when they go out of the house for essential functions like grocery shopping. The state has partnered with ColoradoMaskProject.com, where people can find patterns for making their own masks and ideas for how to help others, who can’t make their own, get one.  
- On April 6, 2020, Governor Polis announced an extension to the stay-at-home executive order until April 26.
- On April 6, 2020, Governor Polis issued an executive order allowing for a one-month extension for filing and remitting state and state-administered local sales tax.
- On April 9, 2020, Governor Polis issued an executive order today extending the disaster emergency declaration for COVID-19 for an additional 30 days. The executive order also extends deadlines for state severance taxes from April 15 until May 15, 2020.

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76 Colorado Executive Order D-2020-024, https://drive.google.com/file/d/1UHbu2_DTdTvSPcpsd_vDLtnaslSuO/view
78 Colorado Executive D-2020-32, https://drive.google.com/file/d/19MLFsW4uOzMT0e-U0VYA_j2g8n2APBcu/view
On April 20, 2020, Governor Polis announced that Colorado will proceed to the “Safer at Home” phase beginning on April 27, 2020. During this phase, Coloradans will no longer be ordered to stay home but are still strongly encouraged to do so.

- Vulnerable populations and seniors must continue staying home except when absolutely necessary and K-12 school districts and postsecondary institutions will continue to suspend normal in-person instruction until the end of the school year.
- Childcare facilities and personal services, such as hair salons, dog groomers, and personal training, will be permitted to open with strict precautions.
- Local governments will have the opportunity to implement stricter restrictions, particularly those who may be experiencing an outbreak.

On April 17, 2020, the Governor issued an executive order requiring that staff at critical businesses wear non-medical face coverings while at work and wear gloves (if gloves are provided by an employer) when in contact with customers or goods.

Executive Order 20-24 (Shelter in Place) is set to expire April 26, 2020, and Executive Order 20-22, which closes certain businesses, is set to expire April 30, 2020.

On April 19, 2020, Governor issued an executive order amending and extending Executive Order D 2020 010, which suspended statute to extend the income tax payment deadlines to July 15, 2020 for all Colorado taxpayers to quickly provide relief from payment and penalties. The new executive order extends Executive Order D 2020 010 for another thirty days and aligns with the IRS filing date extension.

On April 20, 2020, Governor Polis announced that Colorado will proceed to the “Safer at Home” phase beginning on April 27, 2020. During this phase, Coloradans will no longer be ordered to stay home but are still strongly encouraged to do so.

- Vulnerable populations and seniors must continue staying home except when absolutely necessary and K-12 school districts and postsecondary institutions will continue to suspend normal in-person instruction until the end of the school year.
- Childcare facilities and personal services, such as hair salons, dog groomers, and personal training, will be permitted to open with strict precautions.
- Local governments will have the opportunity to implement stricter restrictions, particularly those who may be experiencing an outbreak.

On April 27, 2020, Governor Polis announced that Colorado along with Nevada has joined California, Oregon and Washington in the Western States Pact – a working group of Western state governors with a shared vision for modifying stay at home and fighting COVID-19.

On April 27, 2020, Governor Polis issued Executive Order 2020-044, which implements a number of measures for the “safer-at-home” phase of the state’s reopening plan.

The Order provides the following relative to reopening measures:

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80 Governor Polis Safer at Home Presentation, [https://drive.google.com/file/d/1GmQ79cT8yc8SV00yfePkgnZifHpdyl7x/view](https://drive.google.com/file/d/1GmQ79cT8yc8SV00yfePkgnZifHpdyl7x/view)

81 Executive Order D 2020-040, [https://drive.google.com/file/d/1U4GWcT9pZy8h4hsJDece9h1zYyCmO/view](https://drive.google.com/file/d/1U4GWcT9pZy8h4hsJDece9h1zYyCmO/view)


83 Governor Polis Safer at Home Presentation, [https://drive.google.com/file/d/1GmQ79cT8yc8SV00yfePkgnZifHpdyl7x/view](https://drive.google.com/file/d/1GmQ79cT8yc8SV00yfePkgnZifHpdyl7x/view)


85 Colorado Executive Order D 2020-044, [https://drive.google.com/file/d/1w4xfCKF3ELTULfpqLoASRoFW_LRb2glz/view](https://drive.google.com/file/d/1w4xfCKF3ELTULfpqLoASRoFW_LRb2glz/view)
Pursuant to Executive Order D 2020 041, normal in-person instruction at all P-12 schools in Colorado will be suspended until the scheduled end of the 2019-2020 regular school year. P-12 schools and school districts may use school buildings for providing services to students, educators, and families, including but not limited to: in-person small group instruction; staff professional development; food service; access to internet, devices, or instructional materials; special education services; or mental health supports. P-12 schools and school districts intending to provide these services must work in coordination with their local public health agency and must observe Social Distancing Requirements pursuant to applicable public health orders.

The order directs the Executive Director of the Colorado Department of Higher Education (CDHE) to work with CDPHE to identify those programs and courses at postsecondary institutions that cannot be taught remotely and require limited in-person instruction.

All Vulnerable Individuals should Stay at Home, except when necessary to provide, support, perform, or operate Necessary Activities, Minimum Basic Operations, Critical Government Functions, Necessary Travel, or Critical Businesses, provided that Vulnerable Individuals cannot be compelled to perform in-person work for any business or government function, including a Critical Business or Critical Government Function.

For purposes of this Executive Order, Vulnerable Individuals means: Individuals who are 65 years and older; individuals with chronic lung disease or moderate to severe asthma; individuals who have serious heart conditions; individuals who are immunocompromised; Pregnant women; and individuals determined to be high risk by a licensed healthcare provider.

The order directs the Executive Director of CDPHE to issue a new or amended PHO consistent with the directives in this Executive Order. The new or amended PHO must:

- Advise Coloradans to wear non-medical cloth face coverings that cover the nose and mouth whenever in public;
- Order Coloradans to limit:
  - Social interactions to the greatest extent possible except as required to conduct Necessary Activities; and
  - Essential Travel to within their county of residence or employment as much as possible and recreational travel to no further than ten (10) miles from their residence;
- Prohibit public gatherings of ten (10) persons or more in both public spaces and private commercial venues.
- Strongly encourage all Critical Businesses, Critical Government Functions, Non-Critical Retail, and Non-Critical Commercial Businesses to allow workers to telecommute whenever possible.
- Require all Critical Businesses, Critical Government Functions, Non-Critical Retail, and Non-Critical Commercial Businesses to make work accommodations for Vulnerable Individuals, who remain subject to Stay at Home requirements.
- Permit all Critical Businesses and Critical Government Functions to continue to operate with mandatory Social Distancing Requirements and cleaning protocols.
- Permit Non-Critical Retail to operate and offer goods through delivery service, window service, walk-up service, drive-through service, curbside delivery, and, beginning May 1, 2020, permit Non-Critical Retail to allow customers onto their premises in a manner allowing for strict compliance with mandatory Social Distancing Requirements similar to the requirements for Critical Retail.
- Permit Places of Public Accommodation to continue to offer food and beverage using delivery service, window service, walk-up service, drive-through service,
drive-up service, curbside delivery or any manner set forth in an existing Executive Order or PHO and in accordance with mandatory Social Distancing Requirements.

- Issue appropriate guidelines for classes and programs identified in consultation with the Executive Director of CDHE
- Beginning on May 4, 2020, permit Non-Critical Commercial Businesses to allow up to fifty percent (50%) of their employees to conduct in-person work that takes place outside a private residence in accordance with Mandatory Social Distancing Requirements and protocols.
- Ensure that Critical Businesses, Critical Government Functions, Non-Critical Commercial Businesses, and Non-Critical Retail with over fifty (50) employees in any one location follow protocols established by PHO, including but not limited to symptom screening and temperature check stations, closure of common areas, cleaning protocols, and Mandatory Social Distancing Requirements and protocols.
  - Nothing in this Executive Order prevents a county or municipality from adopting more protective standards than those contained in this Executive Order as necessary, including but not limited to stay at home orders, mask wearing requirements in public, or additional protective measures.
  - This Executive Order shall expire thirty (30) days from April 27, 2020, unless extended further by Executive Order.
- On April 27, 2020, the Governor issued an executive order implementing a number of measures for the “safer-at-home” phase that will allow many Coloradans to return to work while we maintain a sustainable level of social distancing.
- On April 30, 2020, the Office of eHealth Innovation (OeHI) announced the state is expanding access to telehealth resources for Coloradans.
- On April 30, 2020, the Governor extended executive orders for the following actions:
  - Temporarily suspending the personal appearance requirement before notarial officers to perform notarizations;
  - Temporarily suspending requirements preventing issuance of marriage licenses;
  - Extending the closure of downhill ski areas until May 23;
  - Expanding the use of telehealth services;
  - Temporarily suspending certain statutes to provide State agencies with flexibility to fulfill their duties, and
  - Limiting evictions, foreclosures, and public utility disconnections to provide relief to Coloradans.
- On May 1, 2020, the Governor issued an executive order temporarily suspending certain statutes concerning taxpayer filing requirements for certain taxable property.
- On May 1, 2020, the Governor announced 2-1-1, Colorado’s free information hotline, will now be answering questions about worker protections and health care discrimination.
- On May 4, 2020, the Governor issued an executive order continuing the extension for filing and remitting state and state-administered local sales tax until May 20, 2020.
- On May 8, 2020, the Governor issued an executive order extending the Disaster Emergency Declaration for COVID-19.
- On May 8, 2020, the Governor announced a new initiative: Can Do Colorado. This will provide guidance and tips to businesses about increasing teleworking capabilities and highlight businesses that are being creative and going above and beyond to run their businesses safely and remotely.
- On May 8, 2020, the Governor issued an executive order extending the temporary suspension of certain statutes to provide an extension for filing and remitting state severance tax until May 15, 2020.
On May 10, 2020, the Governor issued an executive order amending and extending previous and temporarily suspending certain regulatory statutes related to the Colorado Department of Human Services (CDHS).

On May 17, 2020, the Governor issued an executive order authorizing the Colorado Department of Public Health and Environment (CDPHE) to reallocate existing funds from contracts with local public health agencies to COVID-19 response activities. CDPHE was also authorized to redirect certain state funds to behavioral research designed to inform COVID-19 recommendations and educational campaigns focused on minority and traditionally disadvantaged communities.

On May 17, 2020, the Governor extended an executive order to help protect workers and residents in long-term care facilities and many other critical industries.

On May 17, 2020, the Governor issued an executive order suspending certain statutes that will allow Coloradans to remain eligible for critical programs like Medicaid and the Children’s Basic Health Plan.

On May 17, 2020, the Governor issued an executive order extending certain state income tax payment deadlines until July 15, 2020 for all Colorado taxpayers to quickly provide relief from payment and penalties.

On May 17, 2020, the Governor issued an executive order concerning signature collection for ballot issues, which authorizes the Secretary of State to create temporary rules for registered voters to receive and return issue petitions over mail and email, and to support safe in-person signature gathering.

On May 17, 2020, the Governor issued an executive order which temporarily suspends the statutory provisions requiring registered electors to sign petitions for unaffiliated and independent candidates in the presence of a petition circulator, and authorizes the Secretary of State to issue rules that allow for signature collection in a manner that protects public health.

On May 17, 2020, the Governor issued an executive order limiting in-person contact for the 2020 elections while allowing the elections to proceed safely and without interruption to the Secretary of State’s operations.

Colorado Department of Public Health and Environment (CDPHE) also updated the state’s Safer At Home Public Health Order (PHO) to further clarify that elections are a critical government function. The order adds to its list election operations, including election judges, signature gatherers and circulators, campaign workers, and volunteers.

On May 25, 2020, the Governor announced the expiration of the executive order closing ski resorts. Ski resorts may work to secure approval from their local authorities to open.86

On May 26, 2020, the Governor issued an executive order allowing voluntary or elective surgeries and procedures to proceed under certain conditions.87

On May 28, 2020, the Governor issued an executive order changing the fund source for the accounting of certain CARES Act Fund dollars for education and clarifies the permissible uses of CARES Act Fund dollars for units of local government.

On May 28, 2020, the Governor issued an executive order amending Executive Order D 2020 070 directing the expenditure of federal funds pursuant to the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act).

On May 29, 2020, the Governor extended the executive order limiting evictions, foreclosures, and public utility disconnections and expediting unemployment insurance claim processing for 15 days.

87 Executive Order D 2020-080, https://drive.google.com/file/d/16iATWovIkBUdWMDzJzay9WsRJAR00NnL/view
On May 29, 2020, the Governor signed an extension for the Colorado Department of Health Care Policy and Financing (HCPF) to provide additional funds to nursing homes and other congregate care facilities that care for vulnerable older and disabled populations.

On May 29, 2020, the Governor signed an extension and amended the following executive orders:

- Temporarily suspending certain regulatory statutes;
- Petition collection for unaffiliated and independent candidates;
- Temporarily suspending the personal appearance requirement before notarial officers to perform notarizations;
- Suspending certain statutes preventing the issuance of marriage licenses when county clerk and recorder offices are closed; and
- Expanding telehealth services.

Connecticut

On March 20, 2020, Governor Lamont issued an Executive Order directing all non-essential functions in Connecticut to suspend in-person operations beginning at 8:00 pm on Monday, March 23, 2020. The order directs non-essential businesses or not-for-profit entities to reduce their in-person workforces at any workplace locations by 100%. Any essential business or entity providing essential goods, services or functions shall not be subject to these in-person restrictions.

**Essential businesses include**, but are not limited to, the following:

- The 16 critical infrastructure sectors as defined by the Department of Homeland Security:
  - Chemical Sector
  - Commercial Facilities Sector
  - Communications Sector
  - Critical Manufacturing Sector
  - Dams Sector
  - Defense Industrial Base Sector
  - Emergency Services Sector
  - Energy Sector
  - Financial Services Sector
  - Food and Agriculture Sector
  - Government Facilities Sector
  - Healthcare and Public Health Sector
  - Information Technology Sector
  - Nuclear Reactors, Materials, and Waste Sector
  - Transportation Systems Sector
  - Water and Wastewater Systems Sector
- Essential health care operations including hospitals, clinics, dentists, pharmacies, elder care and home health care workers.
- Companies and institutions involved in the research and development, manufacture, distribution, warehousing, and supplying of pharmaceuticals, biotechnology therapies, health care data, consumer health products, medical devices, diagnostics, equipment, services and any other healthcare related supplies or services.
- Essential infrastructure, including utilities, wastewater and drinking water, telecommunications, airports and transportation infrastructure.
- Manufacturing, including food processing, pharmaceuticals, and industries supporting the essential services required to meet national security commitments to the federal government and U.S. Military.

o The defense industrial base, including aerospace, mechanical and software engineers, manufacturing/production workers, aircraft and weapon system mechanics and maintainers.

o Essential retail, including grocery stores and big-box stores or wholesale clubs, provided they also sell groceries.

o Pharmacies

o Gas stations and convenience stores

o Food and beverage retailers (including liquor/package stores and manufacturer permittees) and restaurants, provided they comply with previous and future executive orders issued during the existing declared public health and civil preparedness emergency.

o Essential services including trash and recycling collection, hauling, and processing, mail and shipping services.

o News media

o Legal and accounting services

o Banks

o Insurance companies

o Check cashing services, and other financial institutions

o Providers of basic necessities to economically disadvantaged populations

o Construction

o Vendors of essential services and goods necessary to maintain the safety, sanitation and essential operations of residences or other essential businesses, including pest control and landscaping services.

o Vendors that provide essential services or products, including logistics and technology support, child care and services needed to ensure the continuing operation of government agencies and the provision of goods, services or functions necessary for the health, safety and welfare of the public.

o Any other business may be deemed essential after requesting an opinion from DECD, which shall review and grant such request, should it determine that it is in the best interest of the state to have the workforce continue at full capacity to properly respond to this emergency.

• On April 10, 2020, Governor Lamont issued an executive order that enacts a series of protections for residential renters struggling to pay their housing costs and allowing them to receive grace periods over the next several months. The order also takes the following actions

  o Extending all previously enacted closures, distancing, and safety measures – including for schools, restaurants, bars, retail stores, gyms, and other establishments – through at least May 20, 2020.

  o Lifting restrictions on commercial activity in Connecticut highway rest areas and permits food trucks to set up in these locations with the goal of feeding hungry truckers and other essential workers.

  o Modifying state statutes to authorize the commissioner of the Department of Education to temporarily defer any requirements regarding certification testing for educators as he deems necessary to address the impact of COVID-19 risks.

• On April 17, 2020, the Governor issued an executive order requiring cloth face coverings or higher level of protection for any person in a public place in Connecticut who is unable to or does not maintain a safe social distance of approximately six feet.

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89 Connecticut Executive Order 7x, [https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7X.pdf?la=en](https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7X.pdf?la=en)

• On April 21, 2020, the Governor issued an executive order taking the following actions:91
  o Extension of applicability of Executive Order No. 7S, Section 7 to include additional
critical and time-sensitive municipal fiscal actions;
  o Clarification of time periods regarding suspension and modification of non-judicial tax
sales pursuant to Executive Order No. 7S, Section 11;
  o Exclusion of federal stimulus payments in evaluating eligibility for state or local
programs financed in whole or in part using state funds;
  o Alternative to physical presence in court for finding of irretrievable breakdown of
marriage;
  o Alternative to in-person waiver of right to file motion or petition for educational support;
  o Alternative to physical appearance of petitioner regarding decree of dissolution after
entry of decree of legal separation;
  o Alternative to in-court canvas prior to entrance of final agreement;
  o Alternative to physical presence when findings on the record are required; and
  o Revised financial protections for people covered by insurance who receive out-of-
network health care services during the public health emergency.
• On April 21, 2020, the Governor, in collaboration with other states, announced that the State of
Connecticut has secured relief options with many private student loan servicers whose borrowers
are not covered by the recently adopted federal CARES Act. This new initiative will benefit
Connecticut residents with privately held student loans.92
• On April 30, 2020, the Governor announced the state’s phased-in approach to reopening
• On April 30, 2020, the Governor issued an executive order taking the following actions:
  o Extension of payment time for sealed ticket revenue due to the state;
  o Waiver of notarization requirement for embalmer’s affidavit accompanying death
certificates;
  o Temporary suspension of controlled substance registration;
  o Modification of state contracting statutes to facilitate the emergency procurement of
essential services;
  o Modification of state contracting authorities to facilitate the emergency procurement of
essential services;
  o Modification of state construction requirements to facilitate the emergency provision of
construction and construction-related services; and
  o Extension of existing contracts to prevent gaps in necessary services.
• On April 30, 2020, the Department of Social Services announced its preparing to implement new
coverage for uninsured children and adults in the HUSKY Health program.
• On April 30, 2020, the Department of Labor launched new system for self-employed to apply for
federal unemployment benefits under the federal Pandemic Unemployment Assistance (PUA)
Program.
• On April 30, 2020, the Judicial Branch announced that effective immediately, parties who have
an agreement may have their family court cases resolved without having to come to court.
• On May 1, 2020, the Governor announced that the Federal Emergency Management Agency
(FEMA) has approved another portion of his ongoing request for disaster assistance as part of the
State of Connecticut’s Major Disaster Declaration for funding for crisis counseling.
• On May 1, 2020, the Governor issued an executive order taking the following actions:

91 Connecticut Executive Order 7CC, https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-
Orders/Lamont-Executive-Orders/Executive-Order-No-7CC.pdf?la=en
2020/Governor-Lamont-Coronavirus-Update-April-21
Mandatory suspension of annual town meeting or referendum to adopt budget; and
Authorization for common-interest communities to hold meetings remotely.

- On May 3, 2020, the Governor along with New York Governor Andrew M. Cuomo, New Jersey Governor Phil Murphy, Massachusetts Governor Charlie Baker, Rhode Island Governor Gina Raimondo, Pennsylvania Governor Tom Wolf, and Delaware Governor John Carney announced a joint multi-state agreement to develop a regional supply chain for personal protective equipment, other medical equipment and testing.

- On May 4, 2020, the Governor announced the statewide expansion of a program that will make free online learning licenses available to recipients of unemployment insurance, including those who have been impacted by the economic fallout of the public health crisis.

- On May 6, 2020, the Governor issued an executive order taking the following actions:
  - Suspension of reapplication filing requirement for the Homeowners’ Elderly/Disabled, Circuit Breaker Tax Relief Program, and for the Homeowners’ Elderly/Disabled Freeze Tax Relief Program;
  - Permitting distance learning and remote testing certification for Connecticut Department of Energy and Environmental Protection (DEEP) programs;
  - Extending the period of validity of approval for tolling of land use and building permits; and
  - Allowance of suspension of in-person voting requirements by members of the public for critical and time-sensitive municipal decisions.

- On May 9, 2020, the Governor announced that his administration has released documents detailing specific rules that eligible businesses falling under phase 1 of Connecticut’s reopening plans must follow amid the ongoing COVID-19 pandemic.
  - The Department of Economic and Community Development (DECD) announced the formation of the Reopen Connecticut Small Business Implementation Task Force to support small business on how to implement the new guidelines.

- On May 12, 2020, the Governor issued an executive order taking the following actions:
  - Allowing municipalities to expedite changes to their zoning rules or other ordinances to expand outdoor dining;
  - Creating an expedited approval process for restaurants and other establishments that serve food to get fast-tracked permission to create or expand outdoor dining areas;
  - Allowing other businesses such as retail stores to get fast-tracked permission to sell goods on the sidewalk or in other outdoor areas, including shared spaces or spaces provided by municipalities;
  - Allowing restaurants and other businesses who already have liquor permits to serve alcohol only with food without applying for a separate patio or extension of use permit; and
  - Allowing private clubs to sell alcohol only to their members for delivery or pickup.

- On May 18, 2020, the Governor announced an executive order taking the following actions:
  - Reopening Phase 1;
  - Enforcement of sector rules governing the reopening of businesses;
  - Extension of prohibition on large gatherings to June 20, 2020;

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• Extension of restrictions on off-track betting, indoor fitness, and movie theaters to June 20;
• Further clarification of limits on restaurants, bars, and private clubs – mixed drinks permitted for takeout or delivery;
• Limitation on the operation of day camps;
• Enhanced health procedures for all day camps;
• Cancellation of resident camp operations;
• Limitation on the operation of summer and educational programs operated by local or regional boards of education; and
• Suspension or modification of regulatory requirements to protect public health and safety.

On May 18, 2020, the Governor and Governor Gina Raimondo of Rhode Island announced their intention to align the reopening of hair salons and barbershops in their respective states in early June.97

On May 18, 2020, the Governor released a guidance document that was developed through a collaborative working group organized by his administration and provides best practices for dentist offices that are considering expanding their operations beyond emergency care in the coming days.98

On May 18, 2020, the Governor released an online guide to help small businesses comply with COVID-19 safety guidance and manage the broader reopening process.99

On May 26, 2020, the Governor released their Reopen Connecticut report, which contains recommendations from the Reopen Connecticut Advisory Group on the reopening of Connecticut’s economy and education system.100

On May 26, 2020, the Federal Emergency Management Agency (FEMA) approved the Lamont administration’s request to provide an extension for its non-congregate housing programs until July 2, 2020.101

On May 27, 2020, the Governor issued an executive order permitting the creation of a temporary nurse aide position to assist health care providers and other health-related services.102

On May 29, 2020, the Governor issued an executive order taking the following actions:
  • Reopening of barbershops and hair salons on June 1; and
  • Amending prohibitions on large gatherings.

On May 29, 2020, the Connecticut Public Utility Regulatory Authority (PURA) announced that the utility shut-off moratorium for non-residential customers in the state will continue through July 1, 2020.104

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103 Executive Order 7TT, https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7TT.pdf?la=en
• On June 1, 2020, the Governor issued an executive order taking the following actions:¹⁰⁵
  • Mandatory COVID-19 testing for staff of private and municipal nursing homes, residential communities, and assisted living agencies; and
  • Allows the Connecticut Department of Labor to consider, when determining a worker’s eligibility for unemployment benefits, whether COVID-19 means returning to work would pose an unreasonable risk to the health of a member of that worker’s household.

Delaware
• On Sunday, March 22, Governor Carney issued his fifth modification of the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat (“Shelter in Place Order” or “SIP Order”).¹⁰⁶ Effective Tuesday, March 24, 2020 at 8:00 a.m. E.D.T., with the exceptions as outlined below, all individuals currently living within the State of Delaware are ordered to shelter in place, at their home or place of residence except as permitted in the SIP Order.

• Essential businesses or entities providing services or functions include but not limited to¹⁰⁷:
  o Natural Resources and Mining, including farming, ranching, logging, oil and gas extraction, and mining
  o Utilities including electric power generation, natural gas distribution, and water/sewage systems
  o Construction including residential and non-residential construction, building equipment contractors and highway, bridge, and street construction
  o Manufacturing including food, beverage, tobacco, textile, apparel, wood products, paper, printing, petroleum, chemical, metal, machinery, computer, and furniture
  o Trade/Transportation including automotive parts, grocery stores, and beer/wine/liquor stores
  o Transportation and Warehousing including air, rail, water, truck, taxi/limo, couriers/messengers, and freight
  o Information including publishing, broadcasting, telecommunications, and data processing
  o Financial Activities including insurance carriers, credit intermediation activities, and funds, trusts, and other financial activities
  o Professional and business services including legal services, accounting, payroll, architectural, office administrative services and computer system design, waste collection, and waste treatment

¹⁰⁵ Executive Order 7UU, https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7UU.pdf?la=en
¹⁰⁶ The original declaration was issued on March 12, 2020, declaring a general state of emergency which became effective March 13. On March 16, Governor Carney issued his first modification to advise that the CDC issued new guidance for large events and mass gatherings, including conferences, social events, concerts and other types of assemblies. On March 18, 2020 at 2:00 p.m. E.D.T., Governor Carney issued the Second Modification of the Declaration of a State of Emergency to further restrict events and gatherings; to restrict food service to only take-out or delivery; to close casinos, bowling alleys, concert venues, movie theaters, sports facilities, fitness centers and health spas; to ensure additional precautions in nursing homes, retirement facilities, or assisted-living facilities; to promote authority to the Delaware 2 Emergency Management Agency and the Division of Public Health to cancel any gatherings for public health reasons; to authorize the Secretary of Labor to develop emergency rules relating to unemployment insurance; to address requirements for telemedicine services; and to address the sale of alcoholic beverages; On March 21, 2020 at 12:00 p.m. E.D.T., Governor Carney issued the Third Modification of the Declaration of a State of Emergency to close all Delaware beaches, except to persons using the beaches for exercise or to walk their dogs, subject to certain precautions recommended by the CDC on COVID-19, which became effective as of 5:00 p.m. E.D.T.; On March 22, 2020 at 4:00 p.m. E.D.T., Governor Carney issued the Fourth Modification of the Declaration of a State of Emergency.
• Health Services including physicians, dentists, health practitioners, laboratories, home health agencies, nursing homes, and child daycare
• Leisure and Hospitality including traveler accommodation, RV parks, and rooming/boarding houses
• Restaurants and other eating places (takeout and delivery only)
• Other services including automotive repair, commercial and industrial machine maintenance, death care services, dry-cleaning, religious organizations, and business/professional/labor/political/similar organizations

**Non-essential services and sectors** include but are not limited to:
• Furniture and Home furnishing merchant wholesalers and apparel
• Automotive and motor dealers
• Clothing stores, shoe stores, jewelry and leather goods, sporting goods, musical instrument stores, department stores, office supplies, vending matching operators
• Scenic and sightseeing transportation (land and water)
• Software publishers, motion picture and video industries, and cable and other subscription programming
• Lessors of real estate and offices of real estate agents and brokers (permitted to work from home and can do showings but no open houses, can do what is necessary to complete sales in final stages prior to state of emergency)
• Consumer goods retail
• Schools, junior colleges, colleges, universities, education support services (only personnel necessary to support distant learning)
• Performing arts, spectator sports, agents/managers for artists and athletes, amusement parks, gambling, special food services, drinking places (alcoholic beverages)
• Grant-making organizations, social advocacy organizations, civic and social organizations (permitted to work from home only).

• On March 23, the Governor ordered all non-essential businesses in Delaware to close, except for those that can offer goods and services on the internet.\(^{108}\)
• On April 2, the Governor directed all individuals and sponsors to cancel gatherings of ten (10) or more people and not reschedule until after May 15, 2020.\(^{109}\)
• On April 6, 2020, Governor Carney issued the tenth modification to his State of Emergency declaration, banning all short-term rental units – including vacation home rentals, hotels, motels, and condo rentals.\(^{110}\)
• On April 10, 2020, Governor Carney announced the extension of the State of Emergency declaration in place to limit the spread of COVID-19, and announced a partnership with the social network Nextdoor to keep Delawareans informed on the neighborhood level.
• On April 25, 2020, Governor Carney the thirteenth modification to his State of Emergency declaration, requiring Delawareans to wear face coverings in public settings, including in grocery stores, convenience stores, pharmacies, doctor’s offices, and on public transportation.\(^{111}\)
• On April 30, 2020, the Governor **issued** the fourteenth modification to his State of Emergency declaration, providing additional protections for Delaware renters and extending the application deadline for Delaware’s Senior School Property Tax Credit Program until June 1.

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On May 3, 2020, the Governor along with New York Governor Andrew M. Cuomo, New Jersey Governor Phil Murphy, Connecticut Governor Ned Lamont, Pennsylvania Governor Tom Wolf, Rhode Island Governor Gina Raimondo and Massachusetts Governor Charlie Baker announced a joint multi-state agreement to develop a regional supply chain for personal protective equipment, other medical equipment and testing.

On May 5, 2020, Governor Carney announced a phased reopening plan\textsuperscript{112} allowing small businesses to resume limited operations effective at 8:00 a.m. on Friday, May 8.

The reopening plan is as follows:

- The following Non-Essential Businesses may transact business via curbside pickup:
  - Department stores, clothing stores, and shoe stores;
  - Craft or hobby retailers;
  - Office supply, stationery, and gift stores;
  - Tobacco and vape shops;
  - Used merchandise retailers;
  - Consumer goods rentals;
  - Electronics retailers;
  - Video, video game, or computer game rental or similar retail;
  - Other general merchandise retailers.

- Non-Essential Businesses and Limited Operation Non-Essential Businesses that are authorized to transact by appointment only shall not also transact business via curbside pickup.

- Non-Essential Business and Limited Operation Non-Essential Business that are authorized to transact via appointment only and that are not directly accessible through stand-alone exterior access points may transact business by curbside only.

- Golf courses may provide guests with golf carts, provided that carts are limited to one (1) rider and the business ensures proper cleaning between customers.

- Pawn shops may operate by appointment only with a maximum of two appointments per half hour;

- Furniture stores may operate by appointment only with a maximum of two appointments per half hour;

- Jewelry, luggage, and leather goods retailers may operate by appointment only with a maximum of two appointments per half hour;

- Sporting goods retailers may operate by appointment only with a maximum of two appointments per half hour;

- Music and musical instruments retailers may operate by appointment only with a maximum of two appointments per half hour;

- Hair salons and barber shops may operate by appointment only for essential personnel and with the following restrictions:
  - No more than two appointments at a time per location (and includes a stylist for each appointment and essential operations staff);
  - Appointments must be scheduled with a minimum of fifteen (15) minutes between appointments for proper cleaning;
  - Entrance doors must include signage that walk-ins are not permitted;
  - Social distancing requirements of 6 feet should be maintained when feasible;
  - Employees/owners who (per CDC guidelines) are over 65 years of age, or who have severe underlying medical conditions like heart or lung disease, moderate

\textsuperscript{112} State of Delaware, Governor Carney’s Fifteenth Modification of the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat, \url{https://governor.delaware.gov/health-soe/fifteenth-state-of-emergency/}.
to severe asthma, severe obesity, chronic kidney or liver disease, diabetes or are immunocompromised and at higher risk for COVID-19 illness/complications, are still encouraged to refrain from going to work, but must wear a FDA cleared surgical mask at all times if they choose to go to work; employees/owners under 65 and without severe underlying medical conditions and customers shall wear a cloth face covering at all times; customers must cancel appointments if they have any reason to believe they may be ill or may have come into contact with COVID-19; customers over 65 years of age or who have underlying medical conditions like the above are strongly recommended to avoid utilizing hair care or other cosmetology services at this time due to the serious risks associated with coming into close and sustained contact with others;

- Employees must wash hands with warm water and soap between customers, and more frequently as time permits; and
- For those employees who must report to work, each employee must be asked about and report daily body temperature. Employees with a temperature at or above 99.5 degrees Fahrenheit must stay home.
- Customer stations must be sanitized between uses, along with any equipment used for the customer.
- Magazines or other materials may not be provided by the salon or shared among customers.

- Drive-in services, such as graduations and drive-in movies, are permitted with the following restrictions:
  - People attending the service must remain in their vehicles at all times and are permitted to open their windows halfway if needed.
  - Vehicles attending services may only include immediate family members who live in the same household.
  - No outdoor seating shall be permitted, including outdoor seating in an open bed of a vehicle.
  - Vehicles must remain at least 9 feet from each other (including side-to-side while parked).
  - Owners/operators of the property being used for drive-in services shall clearly mark spacing appropriate to identify 9 feet between cars.
  - No exchange of materials shall take place between attendees and each other or attendees and the providers of the services.
  - There must be strict adherence to social distancing guidelines recommended by the CDC and the Division of Public Health.
  - Owners/operators shall provide clear signage regarding these requirements.

- All licensed childcare homes and centers (collectively “childcare”) in the State of Delaware are ordered to provide childcare to “any employee of a business deemed essential or open for business, as defined by the Modifications to the State of Emergency, including developing the following guidelines for implementation:”
  - With the exception of the provision above permitting childcare, all childcares not designated as Emergency Childcare Sites shall remain closed.

**JURISDICTION AND ENFORCEMENT:**

- This Order has the force and effect of law. Any failure to comply with the provisions contained in a Declaration of a State of Emergency or any modification to a Declaration of the State of Emergency constitutes a criminal offense. 20 Del. C. §§ 3115 (b); 3116 (9); 3122; 3125. State and local law enforcement agencies are authorized to enforce the provisions of any Declaration of a State of Emergency.
• INFORMATION HOTLINE: Anyone with a question about COVID-19, whether related to medical or social service needs, should call Delaware 2-1-1; or 7-1-1 for individuals who are deaf or hard of hearing. Or text your ZIP code to 898-211. Hours of operation are 8 a.m. to 9 p.m. Monday through Friday; 9 a.m. to 5 p.m. Saturday and Sunday.

• On May 8, 2020, the Governor announced June 1 as the target date for Phase I of Delaware’s economic reopening. Carney also extended Delaware’s State of Emergency declaration, including the stay-at-home order and its other modifications, through May 31.113

• On May 14, 2020, the Governor announced that the State of Delaware will lift restrictions on Delaware beaches and community pools at 5:00 p.m. on Friday, May 22, subject to strict social distancing requirements and other restrictions. Ice cream shops and trucks will reopen with restrictions effective 5:00 p.m. this Friday, May 15.114

• On May 15, 2020, the Governor released guidance for Phase 1 of Delaware’s rolling reopening. Delaware’s Phase 1 reopening plan provides general and sector-specific guidance for Delawareans and Delaware businesses. Phase 1 of Delaware’s economic reopening will begin on June 1.115

• On May 18, 2020, the Governor issued guidance encouraging virtual services for churches and houses of worship while expanding their ability to conduct in-person services with restrictions.116

Florida

• On March 20, 2020, Governor Ron DeSantis issued Executive Order No. 20-72117 requiring all non-essential elective medical procedures to be postponed in the state of Florida.

• This Order prohibits all hospitals, ambulatory surgical centers, office surgery centers, dental, orthodontic and endodontic offices, and other health care practitioners’ offices from providing any medically unnecessary, non-urgent, or non-emergency procedure or surgery which, if delayed, does not place a patient’s immediate health, safety, or well-being at risk, or will, if delayed, not contribute to the worsening of a serious or life-threatening medical condition.

• As articulated in the Centers for Medicare and Medicaid Services recommendation, examples of procedures to delay may include, but are not limited to:
  o some endoscopy,
  o most cataract and lens surgeries,
  o non-urgent spine and orthopedic procedures, and
  o cosmetic procedures.

• As articulated in the Centers for Medicare and Medicaid Services recommendation, permissible procedures include, but may not be limited to:
  o removal of a cancerous tumors,
  o transplants,
  o limb-threatening vascular surgeries,
  o trauma-related procedures, and dental care related to the relief of pain and management of infection.

• On March 23, 2020, Governor DeSantis issued Executive Order No. 20-80 which directs all individuals whose point of departure originates from outside the State of Florida in an area with

substantial community spread, to include the New York Tri-State Area (Connecticut, New Jersey and New York), and entering the State of Florida through airports to isolate or quarantine for a period of 14 days from the time of entry into the State of Florida or the duration of the person's presence in the State of Florida, whichever is shorter.\footnote{118}

- Any person who violates any isolation or quarantine directed by the Department of Health commits a misdemeanor of the second degree, which is punishable by imprisonment not to exceed 60 days, a fine not to exceed $500, or both. See § 381.00315(6), Fla. Stat.

- On March 26, 2020 Governor DeSantis issued Executive Order 20-86, extending these quarantine requirements to all travelers entering through the state of Louisiana.\footnote{119}

- On March 24, 2020, Governor DeSantis issued Executive Order 20-83 which directs the State Surgeon General and State Health Officer to issue a public health advisory to all persons over 65 years of age and individuals with underlying medical conditions urging them to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19.\footnote{120}

- Further, Governor DeSantis directed the State Surgeon General and State Health Officer to issue a public health advisory against all social or recreational gatherings of 10 or more people, and an advisory urging all individuals who can work remotely to do so.

- On March 27, 2020, Governor DeSantis issued Executive Order 20-8 which suspends relevant portions of section 110.123, Florida Statutes, and directs the Secretary of the Department of Management Services to amend the state employee health benefits plan documents to include telehealth services at no additional cost to employees.\footnote{121}

- The order also suspends relevant portions of section 110.12315, Florida Statutes, and directs the Secretary of the Department of Management Services to amend the state employee pharmacy benefits plan documents to include telehealth services, as appropriate, to employees participating in the SOI plan.

- The order directs the Department of Management Services, Division of State Group Insurance, to ensure that all state employees have access to telehealth services through the state's contracted HMO plans and PPO organization plan without cost sharing.

- In addition, the order suspends the relevant portions of section 110.123, Florida Statutes, and directs the Secretary of the Department of Management Services to amend the state employee health plan benefits plan documents to provide employees participating in the State Employees' Group Insurance Program the option to receive immunizations covered by the employee's plan in either a participating physician's office pursuant to the current HMO contract, or a participating pharmacy in the State Employees' pharmacy benefit manager's network.

- On March 30, 2020, Governor DeSantis issued Executive Order 20-88 which declares that certain FRS employees who have retired since October 1, 2019, or who may retire prior to or on August 1, 2020 under a state administered retirement system may have the requirements of Section 121.091(9), F.S., tolled for completion if the re-employment or continued employment assists the COVID-19 emergency response.\footnote{122}

- This order applies to employees to law enforcement officers, first responders, emergency management and public safety personnel, health and medical professionals and other critical COVID-19 response personnel as identified and determined by a state agency head.

On March 30, 2020, Governor DeSantis issued Executive Order 20-89 which orders Miami-Dade County, Broward County, Palm Beach County and Monroe County to restrict public access to businesses and facilities deemed non-essential pursuant to the guidelines established by Miami-Dade County pursuant to its March 19, 2020 Emergency Order 07-20, and as modified by subsequent amendments and orders prior to the date of this order. At their discretion, such county administrators may determine additional "essential" retail and commercial establishments-or other institutions providing essential services-that shall not be subject to complete closure. No county or local authority may restrict or prohibit any "essential" service from performing a function allowed under this order.

On April 1, 2020, Governor DeSantis issued Executive Order 20-91 directing all residents of Florida to limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities. The order will remain in effect until April 30, 2020.

**Essential Services** include the following:

- Essential services also consists of a list propounded by Miami-Dade County in multiple orders, including:
  - Healthcare providers, including, but not limited to, hospitals, doctors' and dentists’ offices, urgent care centers, clinics, rehabilitation facilities, physical therapists, mental health professionals, psychiatrists, therapists, and pharmacies;
  - Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products).
  - Food cultivation, including farming, livestock, and fishing;
  - Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  - Newspapers, television, radio, and other media services;
  - Gas stations and auto-supply, auto-repair, and related facilities;
  - Banks and related financial institutions;
  - Hardware stores;
  - Pet supply stores;
  - Contractors and other tradesmen, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;
  - Businesses providing mailing and shipping services, including post office boxes;
  - Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning;
  - Laundromats, dry cleaners, and laundry service providers;
  - Restaurants and other facilities that prepare and serve food, but subject to the limitations and requirements of Emergency Order 3-20. Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only;
  - Businesses that supply office products needed for people to work from home;

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- Businesses that supply other essential businesses with the support or supplies necessary to operate, and which do not interact with the general public;
- Businesses that ship or deliver groceries, food, goods, or services directly to residences;
- Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, bus, or train;
- Home-based care for seniors, adults, or children;
- Assisted living facilities, nursing homes, and adult day care centers, and senior residential facilities;
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- Landscape and pool care businesses, including residential landscape and pool care services;
- Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
- Businesses operating at any airport, seaport, or other government facility, including parks and government offices;
- Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;
- Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;
- Provision of propane or natural gas;
- Office space and administrative support necessary to perform any of the above-listed activities;
- Open construction sites, irrespective of the type of building;
- Architectural, engineering, or land surveying services;
- Factories, manufacturing facilities, bottling plants, or other industrial uses; Waste management services, including collection and disposal of waste; and
- Any business that is interacting with customers solely through electronic or telephonic means, and delivering products via mailing, shipping, or delivery services

- Other essential services may be added under this Order with the approval of the State Coordinating Officer, in close coordination with the State Health Officer.

- Residents may leave their homes to perform essential activities including:
  - Attending religious services conducted in churches, synagogues and houses of worship;
  - Participating in recreational activities (consistent with social distancing guidelines) such as walking, biking, hiking, fishing, hunting, running, or swimming;
  - Taking care of pets;
  - Caring for or otherwise assisting a loved one or friend;
  - Other essential activities may be added to this list with the approval of the State Coordinating Officer, in close coordination with the State Health Officer.

- Preemption: this order shall supersede any conflicting official action or order issued by local officials in response to COVID-19 but only to the extent that such action or order allows essential services or essential activities prohibited by this Executive Order.
  - Local jurisdictions must ensure that groups of people greater than ten are not permitted to congregate in any public space.

- On April 1, 2020, Governor DeSantis issued Executive Order 20-92, an order which amends Executive Order 20-91 to clarify that the order shall supersede any conflicting official action or order issued by local officials in response to COVID-19.125

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• On April 2, 2020 Governor DeSantis issued Executive Order 20-94, which suspends any statute providing for a mortgage foreclosure cause of action under Florida law for 45 days from the date of this order, including any extensions.126

• This order also suspends any statute providing for an eviction cause of action under Florida law solely as it relates to non-payment of rent by residential tenants due to the COVID-19 emergency for 45 days from the date of this order, including any extensions.

• The above provisions shall not be construed as relieving an individual from their obligation to make mortgage payments or rent payments.

• On April 10, 2020, the Governor extended his suspension of vacations rentals statewide through April 30, 2020.

• On April 14, 2020, Governor Desantis announced the formation of the Re-Open Florida Task Force, which is required to produce economic reopening recommendations to DeSantis by April 24, 2020.

• On April 20, 2020, Governor Desantis announced the executive committee of the Re-Open Task Force.127

• On April 21, 2020, Governor Desantis announced the members of the Re-Open Task Force Industry Working Group on Tourism, Construction, Real Estate, Recreation, Retail and Transportation.128

• On April 29, 2020, Governor Desantis released his Step by Step Plan for Florida’s Economic Recovery, which permits restaurants and retail stores to reopen Monday, May 4, at 50% capacity, and both outpatient and inpatient elective surgeries to resume statewide.

• The plan requires tracking of critical benchmarks on a statewide basis, the most important of which is hospital capacity to respond in the event of an unexpected surge of COVID-19. If the state shows consistent success, these guidelines contemplate advancement to the next phase. If, however, COVID-19 data suggests increased spread, the state should remain in the current phase. The state should continually review any sudden, unexplained spikes in the number of COVID-19 cases, while factoring in increases in testing and monitor any increases in hospitalizations. In extreme situations, the Governor may deploy a geographically targeted response in consultation with public health officials.129

• **Elective procedures**: Upon the expiration of Executive Order 20-72 on May 8, 2020, healthcare practitioners should resume all inpatient and outpatient elective procedures at hospitals, ambulatory surgical centers, office surgery centers, dental, orthodontic and endodontic offices, and other health care practitioners’ offices. The Governor should authorize the Agency for Health Care Administration and the Florida Department of Health to take actions necessary to limit elective procedures if:
  o Hospitals do not have the capacity to immediately convert additional facility-identified surgical and intensive care beds for treatment of COVID-19 patients in a surge capacity situation;
  o Hospitals do not have adequate PPE available to complete all medical procedures and respond to COVID-19 treatments needs;
  o Hospitals seek any additional federal, state, or local assistance regarding PPE supplies once resuming elective procedures; and

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Hospitals fail to provide support to and proactively engage with skilled nursing facilities, assisted living facilities, and other long-term care residential providers.

- **Phase 1** is authorized to begin based on the benchmarks provided for in the Roadmap for Reopening, which includes a downward trajectory of the syndromic and epidemiology criteria while maintaining adequate health care capacity. The Step-by-Step plan sets forth minimum recommended health protocols. Individuals and businesses should adhere to all public guidance by federal, state and local officials, including state regulatory agencies.

- **Individuals:**
  - All individuals should continue to maximize physical distance from others in public, particularly in enclosed environments. Individuals should avoid socializing in groups of more than 10 people in circumstances that do not readily allow for appropriate social distancing of at least 6 feet.
  - Individuals older than 65 years of age and individuals with a serious underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immune-compromised status, cancer, diabetes, severe obesity, renal failure and liver disease) should continue to stay at home.
  - When leaving home, these individuals should follow social distancing and other general mitigation guidance. Those living with vulnerable individuals should be aware of the exposure risk that they could carry the virus back home after returning to work or other environments where distancing is not practical.
  - Vulnerable populations should affirmatively inform their employer that they are a member of the vulnerable population so that their employer can plan accordingly.
  - Individuals should avoid all non-essential travel and cruises, including to U.S. states and cities outside of Florida with substantial community spread of COVID-19. Individuals coming to Florida from an area with substantial community spread, such as the New York Tri-State Area, should adhere to CDC guidelines regarding isolation for 14 days upon arrival in Florida.

- **Employers**
  - All employers should screen employees before entering the premises for symptoms of COVID-19 or influenza like illness and, where practical, take the temperature of each employee.
  - All employers should encourage teleworking, where practical.
  - Employers should develop plans for employees to return to work in phases, which should be implemented in subsequent phases of the plan.
  - Employers should avoid non-essential travel and adhere to CDC guidelines regarding isolation following travel.
  - The in-person quorum for a local government body to meet should remain suspended and the use of technology and video conferencing for local government meetings should be encouraged.

- **Gyms and Fitness Centers:**
  - Gyms and fitness centers may re-open but should at a minimum:
    - Operate at no more than 50 percent of building capacity
    - Adhere to strict social distancing and sanitation protocols, including cleaning and disinfecting all surfaces
    - Separate patrons by at least 6 feet
    - Encourage appointment only or scheduled use of equipment.
    - Prohibit indoor group sessions or classes

- **Bars, Pubs and Nightclubs**
  - Bars, pubs, and nightclubs that derive at least 50 percent of sales from alcohol should remain closed.
• Restaurants
  o Restaurants and food establishments should operate at no more than 50 percent capacity, with appropriate social distancing and a minimum of 6 feet separating parties, as the virus is most transmissible indoors under close sustained contact
    ▪ Parties should not exceed 10 people.
    ▪ Businesses should limit inside waiting areas for patrons waiting to be seated.
    ▪ Businesses should thoroughly clean and disinfect all surfaces after each use.
    ▪ Businesses should consider a reservations-only business model or call-ahead seating to manage spacing in restaurant.
    ▪ Outdoor dining areas should be prioritized
    ▪ Businesses should consider posting signs to remind staff and patrons of safety and sanitation protocols
    ▪ Businesses should screen employees before work and should consider requiring employees to wear face masks or cloth face coverings while inside or within close proximity to members of the public
    ▪ Bar areas should remain closed.
    ▪ Menus, if laminated, should be cleaned after each usage. Paper menus should be designed for single use and then disposed of immediately after use.
    ▪ Businesses should avoid cafeteria-style dining arrangements. If salad bars or buffets are permitted efforts to mitigate risk should include barriers to block virus spread from sneezes and coughs and service utensils should be handled by staff and/or washed frequently.

• Recreation
  o State Parks: A limited number of state parks should open for daytime use only. During this phase, visitors will not have access to certain amenities, such as pavilions, picnic areas and campsites due to sections of the park being closed or staff and visitor safety considerations.
  o Public Beaches: Beach access should be limited to parties of 10 or less with 6-feet distance between groups. Beach closures should remain a local government decision.
  o Large Venues: (i.e. movie theaters, concert halls, auditoriums, bowling alleys, arcades, playhouses, casinos) These venues should utilize strict social distancing protocols and should operate at no more than 50 percent capacity, with a minimum of 6 feet separating parties. Additional guidance include:
    ▪ Parties should not exceed 10 people
    ▪ Operators should clean and disinfect all surfaces after each use
    ▪ Businesses should consider screening employees before work and require workers to wear face masks or cloth face coverings while inside or within close proximity to members of the public

• Large Sporting Events and Theme Parks
  o Large spectator sporting events should use strict social distancing guidelines and limit occupancy of venues to 25 percent of building capacity.
  o Theme parks should remain closed.

• Vacation Rentals
  o Vacation rentals should remain suspended.

• Personal Services Businesses
  o Personal Services Businesses, such as cosmetology salons, barber shops and nail salons, should limit occupancy to 50 percent of building capacity and should consider the following mitigation measures
  o Welcome patrons by appointment only and avoid group appointments that increase occupancy during the same time periods.
Regularly sanitize working stations and equipment between interactions with customers to the greatest frequency feasible.

- Require all employees to wear face masks, cloth face coverings and other PPE while inside or within close proximity of members of the public.
- Encourage customers to wear face masks or cloth face coverings when entering the premises and provide face masks or cloth face coverings upon request, if available.
- Post signage to direct customers against congregating outside of the premises.
- Remove all unnecessary, frequent-touch items such as magazines, newspapers, service menus, any other unnecessary paper products and décor from customer service area.

**Retail Businesses**

- Operate at no more than 50 percent of building capacity
- Post signage to direct the flow of customers within the premises to promote social distancing, as the virus is most transmissible indoors under close, sustained contact
- Regularly sanitize work stations and frequently touched surfaces
- Develop and implement policies and procedures to train employees on personal hygiene expectations, including increased frequency of hand washing, the use of hand sanitizers with at least 60 percent alcohol and, clear instruction to avoid touching hands to face
- Consider dedicating a certain time each day for vulnerable populations.

**On May 1, 2020,** the Governor announced that, beginning May 4, 2020, Florida State Parks will re-open access to trails, and some day use areas, including some beach access with limited facilities. Visitors will be asked to practice proper social distancing and to limit group size to 10 or less and to stay six feet apart.130

**On May 6, 2020,** the Governor directed the Health Care Administration to issue an emergency rule requiring hospitals to test all individuals that will be discharged to a long-term care facility and requiring long-term care facilities to transfer COVID-19 positive residents if the facility is not equipped for appropriate care.131

**On May 8, 2020,** the Governor issued an executive order extending the ongoing state of emergency for another 60 days.132

**On May 14, 2020,** the Governor issued an executive order that extends mortgage foreclosure and eviction relief until June 2.133

**On May 15, 2020,** the Governor announced Florida’s Full Phase 1 begins Monday, May 18. All 67 counties can now begin re-opening as the state continues to implement the #SafeSmartStepbyStep Plan for Florida’s recovery.134

**Georgia**

- On April 1, 2020, Governor Brian Kemp issued an Executive Order extending the closure of all public elementary and secondary schools through the end of the 2019-2020 school year. In addition, all post-secondary public schools will remain closed for instruction to graduate and undergraduate students through the end of the 2019-2020.135

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131 [https://twitter.com/GovRonDeSantis/status/1258083204696870914](https://twitter.com/GovRonDeSantis/status/1258083204696870914)


134 Governor DeSantis Press Release, [https://twitter.com/GovRonDeSantis/status/1261369779035623425](https://twitter.com/GovRonDeSantis/status/1261369779035623425)

On April 2, 2020, Governor Kemp issued Executive Order 04.02.20.01 mandating all residents of Georgia to shelter in place, except as necessary to participate in the following:

- Conducting or participating in Essential Services;
- Performing Necessary Travel;
- Engaging in the performance of, or travel to and from, the performance of Minimum Basic Operations for a business, establishment, corporation, non-profit corporation, or organization not classified as Critical Infrastructure; or
- Considered part of the workforce for Critical Infrastructure and are actively engaged in the performance of, or travel to and from, their respective employment.

Minimum Basic Operations are limited to the minimum necessary activities needed to:

- Maintain the value of a business, establishment, corporation, non-profit corporation, or organization, provide services, manage inventory, ensure security, process payroll and employee benefits, or for related functions;
  - Such minimum necessary activities include remaining open to the public subject to the restrictions of this Order.
- Facilitate employees or volunteers being able to work remotely from their residences or members or patrons being able to participate remotely from their residences; and
- Instances where employees are working outdoors without regular contact with other persons, such as delivery services, contractors, landscape businesses, and agricultural industry services.

Individuals required to shelter in place under any provision of this order shall not receive visitors, except as follows:

- Visitors providing medical, behavioral health, or emergency services or medical supplies or medication, including home hospice;
- Visitors providing support for the person to conduct activities of daily living or instrumental activities of daily living;
- Visitors providing necessary supplies and services, such as food and supplies for household consumption and use, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence; or
- Visitors received during end-of-life circumstances.
- The above visitation restrictions shall be strictly enforced against nursing homes or other long-term care facilities, including inpatient hospice, assisted living communities, personal care homes, intermediate care homes, community living arrangements, and community integration homes.

No business, establishment, corporation, non-profit corporation, organization, or county or municipal government shall allow more than ten (10) persons to be gathered at a single location if such gathering requires persons to stand or to be seated within six (6) feet of any other person.

Essential Services permitted by the order are limited to the following:

- Obtaining necessary supplies and services for family or household members, such as food and supplies for household consumption and use, medical supplies or medication, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence. Preference should be given to online ordering, home delivery, and curbside pick-up services wherever possible as opposed to in-store shopping.
- Engaging in activities essential for the health and safety of family or household members, such as seeking medical, behavioral health, or emergency services.

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Engaging in outdoor exercise activities so long as a minimum distance of six (6) feet is maintained during such activities between all persons who are not occupants of the same household or residence.

- All businesses, establishments, corporations, non-profit corporations, or organizations that are not Critical Infrastructure shall only engage in Minimum Basic Operations as defined by the order. Such entities shall also implement measures which mitigate the exposure and spread of COVID-19 among its workforce.

"Critical Infrastructure" refers to businesses, establishments, corporations, non-profit corporations, and organizations:
- As defined by the U.S. Department of Homeland Security as "essential critical infrastructure workforce," in guidance dated March 19, 2020, and revised on March 28, 2020,
- Suppliers which provide essential goods and services to the critical infrastructure workforce; and
- Entities that provide legal services, home hospice, and non-profit corporations or non-profit organizations that offer food distribution or other health or mental health services.
- The operation of Critical Infrastructure shall not be impeded by county, municipal, or local ordinance

- The Georgia Department of Economic Development is authorized to issue guidance to any business, corporation, organization, or industry trade group regarding its status as Critical Infrastructure.

Critical Infrastructure that continues in-person operation during the effective dates of this order must implement measures which mitigate the exposure and spread of COVID-19 among its workforce. Such measures may include, but shall not be limited to:
- Screening and evaluating workers who exhibit signs of illness, such as a fever over 100-4 degrees Fahrenheit, cough, or shortness of breath;
- Requiring workers who exhibit signs of illness to not report to work or to seek medical attention;
- Enhancing sanitation of the workplace as appropriate;
- Requiring hand washing or sanitation by workers at appropriate places within the business location;
- Providing personal protective equipment as available and appropriate to the function and location of the worker within the business location;
- Prohibiting gatherings of workers during working hours;
- Permitting workers to take breaks and lunch outside, in their office or personal workspace, or in such other areas where proper social distancing is attainable;
- Implementing teleworking for all possible workers;
- Implementing staggered shifts for all possible workers;
- Holding all meetings and conferences virtually, wherever possible;
- Delivering intangible services remotely wherever possible;
- Discouraging workers from using other workers' phones, desks, offices, or other work tools and equipment;
- Providing disinfectant and sanitation products for workers to clean their workspace, equipment, and tools;
- Prohibiting handshaking and other unnecessary person-to-person contact in the workplace; and
- Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen; and
- Suspending the use of Personal Identification Number ("PIN") pads, PIN entry devices, electronic signature capture, and any other credit card receipt signature requirements to
the extent such suspension is permitted by agreements with credit card companies and credit agencies.

- All restaurants and private social clubs shall cease providing dine-in services. Takeout, curbside pick-up, and delivery are permitted in accordance with the provisions of the order.
  - This provision does limit the operation of dine-in services in hospitals, healthcare facilities, nursing homes, or other long-term care facilities; however, to the extent possible, such facilities should offer in-room dining.

- All gyms, fitness centers, bowling alleys, theaters, live performance venues, operators of amusement rides, body art studios, estheticians, hair designers, persons licensed to practice massage therapy, and bars shall cease in-person operations and close to the public while this order is in effect.

**Enforcement:** The Department of Public Health, the Department of Public Safety, or any other state department or state officer deputized by the Governor or the Georgia Emergency Management and Homeland Security Agency are, after providing reasonable notice, authorized to mandate the closure of any business, establishment, corporation, non-profit corporation, or organization not in compliance this order for a period not to extend beyond the term of this order.
  - Pursuant to Code Section 38-3-7, any person who violates this Order shall be guilty of a misdemeanor. Officials enforcing this order should take reasonable steps to provide notice prior to issuing a citation or making an arrest.

**Preemption:** The powers of counties and cities conveyed in Titles 36 and 38, including those specific powers enumerated in Code Sections 36-5-22.1 and 36-35-3 are hereby suspended to the extent of suspending enforcement of any local ordinance or order adopted or issued since March 1, 2020, with the stated purpose or effect of responding to a public health state of emergency, ordering residents to shelter-in-place, ordering a quarantine, or combatting the spread of coronavirus or COVID-19 that in any way conflicts, varies, or differs from the terms of this Order.
  - Enforcement of all such ordinances and orders is hereby suspended and no county or municipality shall adopt any similar ordinance or order while this order is in effect, except for such ordinances or orders as are designed to enforce compliance with this order.
  - If one or more of the provisions contained in this Order shall conflict with the provisions of any previous Executive Order or Agency Administrative Order, the provisions of this order shall control.
  - In the event of any conflict, the provisions of any quarantine or isolation Order issued to a specific person by the Department of Public Health shall control.

- Nothing in this Order shall be construed to suspend or limit the sale, dispensing, or transportation of firearms or ammunition, or any component thereof.

- This order will remain in effect until April 13, 2020.

- On April 8, 2020, Governor Kemp issued Executive Order 04.08.20.02, which extends Executive Order 04.02.20.01 through April 30, 2020.137

- On April 8, 2020, Governor Kemp issued an Executive Order 04.08.20.04 suspending short term rental homes.138

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Last Updated: 6-3-20
• On April 20, 2020, Governor Kemp issued Executive Order 04.20.20.01 providing flexibility for healthcare practices, authorizing certain businesses to conduct minimum operations, and providing additional measures for emergency response.\(^{139}\)

• The order provides that all medical practices, dental practices, orthodontics practices, optometry practices, physical therapists, ambulatory surgical centers, physicians performing elective surgeries, healthcare institutions, medical facilities, and any and all other healthcare-related practices and services that have elected to cease operations because of the spread of COVID-19 should begin treating patients as soon as practicable in accordance with the Centers for Disease Control and Prevention guidelines, Centers for Medicare and Medicaid Services guidelines, and the provisions of this Order to prevent the spread of COVID-19.

  o All such healthcare-related practices and services shall not be subject to Minimum Basic Operations restrictions but should consider implementing the operational guidelines provided in Executive Order 04.02.20.01 for Critical Infrastructure.

• The order states that all gyms, fitness centers, bowling alleys, body art studios permitted pursuant to Code Section 31-40-2, businesses registered pursuant to Code Sections 43-10-11 and 43-10-18, estheticians as defined by Code Section 43-10-1(8), hair designers as defined by Code Section 43-10-1(9), and persons licensed to practice massage therapy pursuant to Code Section 43-24A-8, may begin in-person Minimum Basic Operations on Friday, April 24, 2020.

  o All such businesses shall implement measures which mitigate the exposure and spread of COVID-19. Such measures shall include:

    ▪ Screening and evaluating workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
    ▪ Requiring workers who exhibit signs of illness to not report to work or to seek medical attention;
    ▪ Enhancing sanitation of the workplace as appropriate;
    ▪ Requiring hand washing or sanitation by workers at appropriate places within the business location;
    ▪ Providing personal protective equipment as available and appropriate to the function and location of the worker within the business location;
    ▪ Prohibiting gatherings of workers during working hours;
    ▪ Permitting workers to take breaks and meals outside, in their office or personal workspace, or in such other areas where proper social distancing is attainable;
    ▪ Implementing teleworking for all possible workers;
    ▪ Implementing staggered shifts for all possible workers;
    ▪ Holding all meetings and conferences virtually, wherever possible;
    ▪ Delivering intangible services remotely wherever possible;
    ▪ Discouraging workers from using other workers' phones, desks, offices, or other work tools and equipment;
    ▪ Prohibiting handshaking and other unnecessarily person-to-person contact in the workplace;
    ▪ Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen;
    ▪ Suspending the use of Personal Identification Number ("PIN") pads, PIN entry devices, electronic signature capture, and any other credit card receipt signature requirements to the extent such suspension is permitted by agreements with credit card companies and credit agencies;
    ▪ Enforcing social distancing of non-cohabitating persons while present on such entity's leased or owned property;

For retailers and service providers, providing for alternative points of sale outside of buildings, including curbside pickup or delivery of products and/or services if an alternative point of sale is permitted under Georgia law;

- Increasing physical space between workers and customers;
- Providing disinfectant and sanitation products for workers to clean their workspace, equipment, and tools;
- Increasing physical space between workers' worksites to at least six (6) feet.

Consistent with previous Executive Orders, Minimum Basic Operations are limited to:

- The minimum necessary activities to maintain the value of a business, establishment, corporation, non-profit corporation, or organization, provide services, manage inventory, ensure security, process payroll and employee benefits, or for related functions.
  - Such minimum necessary activities include remaining open to the public subject to the restrictions of this Order.
- The minimum necessary activities to facilitate employees or volunteers being able to work remotely from their residences or members or patrons being able to participate remotely from their residences.
- Instances where employees are working outdoors without regular contact with other persons, such as delivery services, contractors, landscape businesses, and agricultural industry services.

Consistent with previous Executive Orders, no business, establishment, corporation, non-profit corporation, organization, or county or municipal government shall allow more than ten (10) person to be gathered at a single location if such gathering requires persons to stand or be seated within six (6) feet of any other person.

- This provision shall not apply to cohabitating person outside of their homes, family units or roommates residing together in private homes, or entities defined as "Critical Infrastructure" by Executive Order.

In addition to those entities and workers defined as "Critical Infrastructure" in Executive Order 04.02.20.01, all workers, businesses, establishments, corporations, non-profit corporations, and organizations included in version 3.0 of Guidance on Essential Critical Infrastructure Workers released by the U.S. Department of Homeland Security on April 17, 2020, shall also be defined as "Critical Infrastructure" in this State. The operation of Critical Infrastructure shall not be impeded by county, municipal, or local ordinance.

Pursuant to Code Sections 31-2A-4(9) and 38-3-51(d)(1), because this public health emergency due to the spread of the novel coronavirus, COVID-19, is a "grave emergenc[y] of more than local peril," the Department of Public Health is authorized "to employ whatever means may be at its disposal to overcome [this] emergenc[y ],

including, but not limited to, overriding the orders of county boards of health, health districts, and their officers, directors, and employees to enforce uniformity in the State's response to the spread of the novel coronavirus, COVID-19.

The State Health Officer shall have the authority to:

- Select which specific COVID-19 screening and testing services operate on behalf of the State, health districts, and county boards of health.

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The selection of screening and testing services shall be based on a balancing of sound medical principles and the public health and safety interests of the State.

- Enforce uniform testing requirements in this State, and failure to comply with orders by the State Health Officer shall be a misdemeanor pursuant to Code Section 38-3-7, enforceable by law enforcement officers.
  - The Adjutant General of the Georgia National Guard, acting at the direction of the State Health Officer, shall have the authority to enforce uniform testing requirements in this State, and failure to comply with orders by the Adjutant General shall be a misdemeanor pursuant to Code Section 38-3-7, enforceable by law enforcement officers.

- **Preemption:** Pursuant to Executive Order 04.02.20.01 and Code Section 38-3-51, enforcement of any county or municipal ordinance or order that is more or less restrictive than this Order is hereby suspended.

- All provisions of the order shall expire at the conclusion of the Public Health State of Emergency declared in Executive Order 03.14.20.01 and renewed by Executive Order 04.08.20.02.

- On April 27, 2020 Governor Kemp issued Executive Order 04.23.20.02, which outlines specified reopening guidelines for various non-essential businesses, including retail and restaurants, as well as guidelines for businesses which are considered part of the critical infrastructure.\(^\text{142}\)

- The order also maintains the state’s shelter in place directive for people over the age of 65 and people, people living in a nursing home or long term care facility, and people with chronic illness or immune deficiencies.

- The order provides that restaurants and dining rooms, including those at private social clubs, are hereby permitted to resume providing dine-in services. All restaurants and dining rooms that operate during the effective dates of this Order shall implement measures which mitigate the exposure and spread of COVID-19 among its patrons and workforce. Such measures shall include the following:
  - Screen and evaluate workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
  - Require workers who exhibit signs of illness to not report to work or to seek medical attention. Per existing U.S. Food and Drug Administration Food Code requirements, employees who are sick should remain home. If an employee becomes ill or presents signs of illness at work, the operator should identify the employee’s condition during a pre-work screening and send the employee home. Restaurants shall create, maintain, and follow established policies regarding when employees who have become ill are permitted to return to work. An employee with known or suspected COVID-19 must follow Centers for Disease Control and Prevention guidelines to self-isolate for at least seven (7) days after symptom onset and end isolation only after symptoms have improved and the employee has been fever-free and/or symptom-free for three (3) consecutive days without medication before returning to work,-
  - Implement teleworking for all possible workers;
  - Implement staggered shifts for all possible workers;
  - Hold all meetings and conferences virtually, whenever possible;
  - Train all employees on the importance and expectation of increased frequency of handwashing, the use of hand sanitizers with at least 60% alcohol, and provide clear instruction to avoid touching hands to face;
  - Require all employees to wear face coverings at all times. Such coverings shall be cleaned or replaced daily;

Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment;

Where possible, stagger workstations to avoid employees standing adjacent to one another or next to each other. Where six (6) feet of separation is not possible, consider spacing options that include other mitigation efforts with increased frequency of cleaning and sanitizing surfaces;

Establish limit numbers to reduce contact in employee breakrooms;

Prohibit handshaking and other unnecessary person-to-person contact in the workplace;

Enforce Social Distancing of non-cohabitating persons while present on such entity's leased or owned property;

Increase physical space between workers and patrons;

Limit contact between wait staff and patrons;

Discard all food items that are out of date;

Discontinue use of salad bars and buffets;

If providing a "grab and go" service, stock coolers to no more than minimum levels;

Ensure the Food Safety Manager certification of the person in charge is up-to-date and provide food handler training to refresh employees;

Thoroughly detail, clean, and sanitize the entire facility prior to resuming dine-in services and continue to do so regularly, focusing such cleaning and sanitation on high contact areas that would be touched by employees and patrons;

Between diners, clean and sanitize table condiments, digital ordering devices, check presenters, self-service areas, tabletops and commonly touched areas, and discarding single-use items;

Use rolled silverware and eliminate table presets;

Remove items from self-service drink, condiment, utensil, and tableware stations and have workers provide such items to patrons directly wherever practicable;

The use of disposable paper menus is strongly encouraged, which should be discarded after each patron use. Otherwise, businesses subject to this Section shall clean and sanitize reusable menus between each use by a patron. Non-touch menus are also acceptable for use.

Clean and sanitize restrooms regularly, check restrooms based on the frequency of use, and ensure adequate supply of soap and paper towels at all times;

Implement procedures to increase cleaning and sanitizing frequency of surfaces in the back-of-house. Avoid all food contact surfaces when using disinfectants;

Check restrooms regularly and clean and sanitize based on frequency of use;

Update floor plans for common dining areas, redesigning seating arrangements to ensure at least six (6) feet of separation from seating to seating. Utilize physical barriers on booth seating when available;

Limit party size at tables to no more than six;

Where practical, consider a reservations-only business model or call-ahead seating;

Remind third-party delivery drivers and any suppliers of your internal distancing requirements;

Post signage on entrances that no one with a fever or symptoms of COVID-19 is permitted in the facility;

Where practicable, physical barriers such as partitions or Plexiglas at registers should be used;

Use technological solutions where possible to reduce person-to-person interaction: mobile ordering, mobile access to menus to plan in advance, text on arrival for seating, and contactless payment options;

Provide hand sanitizer for use by patrons, including contactless hand sanitizing stations when available;
o Do not allow patrons to congregate in waiting areas or bar areas. Design a process to ensure patron separation while waiting to be seated that can include floor markings, outdoor distancing, or waiting in cars;
• If possible, use an exit from the facility separate from the entrance;
• Mark ingress/egress to and from restrooms to establish paths that mitigate proximity for patrons and staff;
• Where practicable, take-out and curbside pick-up services should be prioritized over dine-in services; and
• All restaurant or dining room playgrounds shall be closed.

• The order also provides similar industry specific protocols for critical infrastructure employers, retail businesses, health care providers, child care and educational providers, gyms/fitness facilities, bowling alleys, close contact services, movies theaters, and general guidelines for all businesses.

• The order prohibits all live public swimming pools, performance venues, operators of amusement rides as defined by Code Section 25-15-51, and businesses which possess a license to operate as or otherwise meet the definition of "bar" as defined by Code Section 3-1-2(2.1) from engaging in in-person operations.

• In addition to compliance with the guidelines for Critical Infrastructure, dental practices, and clinics that continue in-person operation during the effective dates of this Order shall adhere to the American Dental Association's Interim Guidance for Minimizing Risk of COVID-19 Transmission and Interim Mask and Face Shield Guidelines and that any previous Executive Order or rule which would prevent dental practices and clinics from providing the full scope of their services subject to the above requirements is hereby suspended.

• In addition to compliance with the guidelines for Critical Infrastructure, Ambulatory Surgical Centers that continue in-person operation during the effective dates of this Order shall implement additional measures to prevent the spread of COVID-19 as practicable. Such measures may include, but shall not be limited to the following, which shall be implemented to the maximum extent practicable:
  ▪ Screening patients before visits and monitoring their health prior to starting surgery as part of the pre-operative procedure;
  ▪ Requiring staff to self-monitor and screen for viral symptoms daily;
  ▪ Continuing to use Personal Protective Equipment per the latest Centers for Disease Control and Prevention recommendations for all procedures;
  ▪ Following waiting room spacing guidelines, Social Distancing, face masking, and other recommended procedures for patients and visitors prior to entering the facility;
  ▪ Ensuring heightened disinfection to prevent and mitigate risk of spread;
  ▪ Ensuring patients have been medically cleared by their primary care physician where applicable;
  ▪ Balancing the needs of patient care with the risk of providing that care by prioritizing procedures for patients who have lower co-morbidities and surgical risks and procedures accompanied by lower risk with regard to airborne transmission and those with minimal risk of unintended hospital admissions.

• Any previous executive order or departmental rule which would prevent ambulatory surgical centers from providing the full scope of their services subject to the above requirements is hereby suspended.

• The order provides that county and municipal governments are authorized and empowered to make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes and to supplement the carrying out of this Order, but such orders, rules, and regulations shall not be inconsistent with this Order or any other orders, rules, or regulations.
promulgated by the Governor or by any state agency exercising a power derived from the Public Health State of Emergency declaration.

- For the purpose of this provision, orders, rules, and regulations that are promulgated by county and municipal governments that are more or less restrictive than the terms of this Order shall be considered inconsistent with this Order.
- The operation of Critical Infrastructure shall not be impeded by county, municipal, or local ordinance.

- Nothing in the order shall be construed to suspend or limit the sale, dispensing, or transportation of firearms or ammunition, or any component thereof.

- The order will remain in effect until **May 13, 2020**.

- On April 27, 2020, Governor Kemp issued Executive Order 04.27.20.01, which provides additional guidance for food service establishments, bowling alleys, and theaters in response to COVID-19.143
- On May 12, 2020, the Governor signed an executive order requiring bars, nightclubs and live performance venues to remain shuttered through the end of May and relaxed capacity limits on restaurants that resume dine-in service, increasing the maximum table size from six patrons to 10.144
  - The order also doubled the number of children allowed in a single classroom at a child care facility from 10 to 20.
  - Finally, the executive order allowed summer camps to resume if they follow certain regulations.

**Hawaii**

- On March 25, 2020, Governor David Ige issued a Third Supplementary Proclamation directing all Hawaii residents to remain in their home, except as necessary to participate in essential activities or access or operate essential businesses. The order will remain in effect until April 30, 2020, subject to modification or extension.145
- All businesses or operations not identified as federal critical infrastructure sectors at [https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19](https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19), designated by the Director of HIEMA, or defined as essential below, must cease operations.
- The order authorizes individuals to travel to and from essential businesses to the extent that such businesses cannot operate through remote technology. **Essential businesses** include the following for-profit, nonprofit, or educational entities:
  - **Healthcare services and facilities:** Hospitals, clinics, physician offices, assisted living facilities, and other healthcare facilities and services; 2. Stores that sell groceries and medicine. Grocery stores, pharmacies, licensed medical cannabis dispensaries, certified farmers’ markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes establishments that sell groceries, medicine, including medication not requiring a medical prescription, supplies for children under the age of five and also that sell other non-grocery products, and products necessary to

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maintain the safety, sanitation, health and essential operation of residences and essential businesses and operations;

- **Food, beverage, cannabis production and agriculture**: Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, hunting, gathering, fishing, baking, and other agriculture, including marketing, production, cultivation and distribution of animals and goods for consumption; licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;

- **Educational institutions**: Educational institutions – including public and private pre-K-12 schools, colleges, and universities – for purposes of implementing appropriate learning measures, performing critical research, or performing essential functions, provided that the social distancing requirements identified herein are maintained to the greatest extent possible;

- **Organizations that provide charitable and social services**: Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;

- **Media**: Newspapers, television, radio, and other media services;

- **Gas stations and businesses needed for transportation**: Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities;

- **Financial institutions**: Financial institutions, currency exchanges, consumer lenders, including but not limited to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products;

- **Hardware and supply stores**: Hardware stores and businesses that sell electrical, plumbing, and heating material; 10. Critical trades. Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, essential activities, and essential businesses and operations;

- **Mail, post, shipping, logistics, delivery, and pick-up services**: Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;

- **Laundry services**: Laundromats, dry cleaners, industrial laundry services, laundry rooms in hotels, condominiums, townhomes, apartments, and other multi-unit dwelling structures, and laundry service providers;

- **Restaurants for consumption off-premises**: Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Entities that typically provide food services to members of the public may continue to do so under this order on the condition that the food is provided on a pick-up, delivery or takeaway basis only. Entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus’s propensity to physically impact surfaces and personal property;
o **Supplies to work from home:** Businesses that sell, manufacture, or supply products needed for people to work from home;

o **Supplies for essential businesses and operations:** Businesses that sell, manufacture, or supply other essential businesses and operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass;

o electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;

o **Transportation:** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for essential activities and other purposes expressly authorized in this order;

o **Home-based care and services:** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child’s home to provide care, and other in-home services including meal delivery;

o **Residential facilities and shelters:** Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;

o **Professional services:** Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);

o **Child care services for employees exempted by this Order:** Child care services, licensed or authorized under the law, for the children of employees exempted by this order;

o **Manufacture, distribution, and supply chain for critical products and industries:** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by essential businesses and operations;

o **Critical labor union functions:** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in essential businesses and operations – provided that these checks should be done remotely where possible;

o **Hotels and motels:** Hotels and motels, to the extent used for lodging and delivery or carry-out food services;

o **Funeral services:** Funeral, mortuary, cremation, burial, cemetery, and related services;

o **Government functions:** All first responders, emergency management personnel, emergency dispatchers, health workers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, national guard, and other governmental employees working for or to support essential businesses and operations are exempt. Nothing in this order shall prohibit any person from performing or accessing essential governmental functions.

- Individuals may leave their home for the following necessary activities:
  
  o Travel for health and safety;
- Travel to engage in, receive or obtain goods or services from the essential businesses or operations identified herein;
- Travel to engage in minimum basic operations of non-essential businesses, including the minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, and related functions as well as the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences;
- Travel to care for elderly, minors, dependents, persons with disabilities, or other high risk persons;
- Travel from a person’s home or place of residence to the nearest airport or other facility for departure from the State;
- Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement
- Outdoor exercise activities, including ocean activities such as surfing and swimming, so long as social distancing requirements are maintained;
- Walking pets on a leash.

- In the event of any inconsistency, conflict or ambiguity between this order and any county emergency order, rule, directive or proclamation, the relevant documents shall be read to allow for maximum flexibility so that essential businesses and operations continue unimpeded.
- Any gathering of more than ten people is prohibited unless exempted by this order. All other places of public gathering, whether indoors or outdoors, including but not limited to fitness centers, gyms, locations with amusement rides, carnivals, water parks, aquariums, zoos, museums, arcades, fairs, children’s play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and social clubs shall be closed to the public.
- **Enforcement:** Any person who intentionally or knowingly violates any provision of this order will be guilty of a misdemeanor, and upon conviction, the person shall be fined not more than $5,000, or imprisoned not more than one year, or both.
- On April 17, 2020, the Governor issued an executive order giving greater flexibility for healthcare systems to respond to the ongoing crisis including:
  - Defining the term “healthcare volunteer”
  - Defining “rendering assistance” to the state
  - Immunities for certain civil liabilities
- On April 26, 2020, the Governor signed a 6th supplementary emergency proclamation extending the stay-at-home order across the state through **May 31, 2020.**
- On May 5, 2020, the Governor authorized shopping malls and a variety of retail businesses to reopen provided they minimize contact between employees and customers. However, he clarified that Maui and Oahu will not be reopening their malls and retail outlets.
- On May 12, 2020, the Governor announced a new program to provide rental relief for Department of Hawaiian Home Lands (DHHL) Applicant Waiting List beneficiaries will launch on May 11, 2020, in partnership with Aloha United Way (AUW). DHHL’s COVID-19

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Emergency Rental Assistance Program will provide eligible beneficiaries with rental assistance using $7 million in Native Hawaiian Housing Block Grant (NHHBG) funds.149

- On May 12, 2020, the Governor stated that his office is exploring a plan to improve screening of non-residents arriving at Hawaii airports that may include photographing them.150
- On May 12, 2020, lawmakers announced they plan to plug a projected $1 billion hole in the state budget for the upcoming fiscal year by using money from the rainy day fund, reducing vacancies in state bureaucracies and issuing bonds. 151
- On May 19, 2020, the Governor signed the 8th supplemental emergency proclamation, extending the 14-day quarantine for travelers arriving in the state, as well as for inter-island travelers through June 30. The governor also extended through June 30 the eviction moratorium that prevents evictions from residential dwellings for failure to pay rent.152
- On May 19, 2020, the Governor further detailed his reopening plan, which includes:153
  - Phase 1: Stabilization focusing on healing Hawai‘i by saving lives and flattening the curve in the community. Hawai‘i has transitioned through this phase by re-opening low-risk businesses in the last few weeks.
  - Phase 2: Re-opening Hawai‘i’s Kama‘āina Economy, where the state starts to re-open medium-risk businesses and activities, and later – re-opening high-risk businesses and activities.
  - Phase 3: Long-term recovery – where the state renews and rebuilds its economy through planning and policy discussions, incorporating transitional workforce modernization opportunities, supporting economic diversification initiatives, targeting the development of emerging industries, and advancing long-term resiliency planning. At this level, the state will focus on re-opening highest risk businesses and activities, while remaining cautious and adjusting Safe Practices as needed. This phase is expected to take much longer, since this phase covers the reshaping of Hawai‘i’s economy.
  - Phase 4: Resilience
- On May 19, 2020, the Governor approved the reopening of county beach parks island wide in the County of Hawaii with social distancing restrictions.154

Idaho

- Idaho Gov. Brad Little and the Idaho Department of Health and Welfare issued a statewide Stay-Home Order155 on Wednesday, March 25, for all Idahoans. The order covers the entire state and begins immediately. It will remain in effect for at least 21 days.

154Governor Ige Press Release, https://www.bigislandvideonews.com/2020/05/19/governor-approves-hawaii-county-beach-park-reopenings/
• Gov. Little and public health officials will reassess the statewide situation before the end of the 21-day period to determine what happens next.


• The Stay-Home Order provides guidance on essential services. All people may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses. Individuals experiencing homelessness are exempt, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent. People at high risk of severe illness from COVID-19 and people who are ill are urged to stay in their homes as much as possible (except to seek medical care).

• Essential healthcare operations, including:
  o Hospitals
  o Clinics
  o Dentists
  o Healthcare providers
  o Pharmacies
  o Pharmaceutical and biotechnology companies
  o Mental health providers
  o Ancillary healthcare services
  o Nursing homes, or residential healthcare facilities for seniors, adults and children
  o Home-based care for seniors, adults, or children
  o Veterinary services

• Essential infrastructure, including:
  o Public works construction
  o Commercial construction
  o Construction of housing (in particular affordable housing or housing for individuals experiencing homelessness)
  o Airport operations
  o Law enforcement
  o Fire departments
  o Water
  o Sewer
  o Gas
  o Electrical
  o Oil refining
  o Mining
  o Roads and highways
  o Public transportation
  o Solid waste collection and removal
  o Transfer and sale of real estate
  o Internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, telecommunications relay service, and web-based services)

• Essential services and businesses, including:
  o Childcare programs and services

¹⁵⁶https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_508C_0.pdf
Essential government services including services and programs offered by the Department of Health and Welfare

Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or other needy individuals

- Plumbers
- Electricians
- Exterminators
- Landscapers
- Grocery stores
- Certified farmers’ markets
- Farm and produce stands
- Supermarkets
- Food banks
- Convenience stores
- Gas stations
- Auto supply stores
- Auto repair and related facilities (note: Automobile sales should be allowed but must be done in compliance with the Social Distancing Requirements, and avoiding causing congregation of people.)
- Laundromats
- Dry cleaners
- Laundry service providers
- Hardware stores
- Hotels for purpose of isolation/quarantine or for those providing essential services
- Businesses providing mailing and shipping services, including post office boxes
- Food cultivation including farming, livestock, and fishing
- Firearm businesses
- Other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, liquor, beer, and wine and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences.

- News media
- Education services
- Essential financial services, including:
  - Banks
  - Credit Unions
  - Insurance
  - Services related to financial markets
- Essential transportation services, including:
  - Airlines
  - Taxis and other private transportation providers
  - Transportation providers supporting essential activities
  - Public transportation for essential services
- Essential food services, including:
  - Restaurants and other facilities that prepare and serve food, but only for delivery or carry out.
  - Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. (Schools and
other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site.)

- Other essential services, including:
  - Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities
  - Businesses that supply products needed for people to work from home
  - Businesses that supply other essential businesses with the support or supplies necessary to operate
  - Businesses that ship or deliver groceries, food, goods or services directly to residences
  - Essential tribal operations
  - Essential operations at or related to INL or needed to support or provide supplies to INL

- On April 24, 2020, Governor Little announced a new public-private task force to create a COVID-19 testing strategy for the State of Idaho moving forward. Their immediate focus includes:
  - Safe and efficient screening and testing sites for symptomatic individuals, including those with mild symptoms
  - Screening and testing locations in all regions of the state, including places that serve older individuals, rural and lower income populations, and racial and ethnic minorities
  - Robust COVID-19 testing programs for at-risk healthcare workers

- On April 24, 2020, Governor Little issued two new proclamations:
  - Extending the disaster emergency and extreme emergency declarations
  - Waiving further regulations to improve and maintain access to care. The waivers suspend licensure requirements for out of state telehealth providers, remove financial barriers, and improve access to behavioral health services during this difficult time while keeping the patients and providers as safe as possible.

- On April 30, 2020, the Governor announced that the state will move forward with the first stage of its plan to reopen businesses. Nearly all retail stores and houses of worship will open in the first stage.

- On May 18, 2020, the Governor’s Coronavirus Financial Advisory Committee approved the eligibility expansion for cash grants to the self-employed.

- On May 18, 2020, the Governor announced that protocols are now available for bars/breweries/wineries/distilleries and outdoor pools/splashpads/waterparks to open in Stage 3 of the Idaho Rebounds plan.

**Illinois**

- On March 20, 2020, Governor J.B. Pritzker issued an Executive Order 2020-10, requiring all residents of Illinois to stay at home or at their place of residence except as allowed for activities specified in the Order. Residents are permitted to leave their home or residence for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, described below.

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162 [Executive Order 2020-10,](https://www2.illinois.gov/Documents/ExecOrders/2020/ExecutiveOrder-2020-10.pdf)
- Individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair **Essential Infrastructure**, including:
  - Food production, distribution, and sale;
  - Construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction);
  - Building management and maintenance;
  - Airport operations;
  - Operation and maintenance of utilities, including water, sewer, and gas;
  - Electrical (including power generation, distribution, and production of raw materials);
  - Distribution centers;
  - Oil and biofuel refining;
  - Roads, highways, railroads, and public transportation;
  - Ports;
  - Cybersecurity operations;
  - Flood control;
  - Solid waste and recycling collection and removal; and
  - Internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

- The following **Essential Businesses** are exempt from this Order:
  - **Stores that sell groceries and medicine**: Grocery stores, pharmacies, certified fanners' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, cairned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products).
    - This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and
  - **Food, beverage, and cannabis production and agriculture**: Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; licensed medical and adult use cannabis dispensaries and licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities for the life for animals, including animal shelters, rescues, shelters, kennels and adoption facilities;
  - **Organizations that provide charitable and social services**: Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;
  - **Media**: Newspapers, television, radio, and other media services;
  - **Gas stations and businesses needed for transportation**: Gas stations and auto supply, auto-repair, and related facilities and bicycle shops and related facilities;
  - **Financial institutions**: Banks, currency exchanges, consumer lenders, including but not limited to, payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products;
- **Hardware and supply stores**: Hardware stores and businesses that sell electrical, plumbing, and heating material;
- **Critical trades**: Building and Construction Tradesmen and Tradeswomen, and their trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;
- **Mail, post, shipping, logistics, delivery, and pick-up services**: Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;
- **Educational institutions**: Educational institutions—including public and private pre-K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
- **Laundry services**: Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
- **Supplies to work from home**: Businesses that sell, manufacture, or supply products needed for people to work from home;
- **Supplies for Essential Businesses and Operations**: Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the supplies or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;
- **Transportation**: Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized the Order;
- **Home-based care and services**: Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;
- **Residential facilities and shelters**: Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- **Professional services**: Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);
- **Day care centers for employees exempted by this Executive Order**: Day care centers granted an emergency license pursuant to Title 89, Section 407.400 of the Illinois Administrative Code, governing Emergency Day Care Programs for children of employees exempted by this Executive Order to work as permitted. The licensing requirements for day care homes pursuant to Section 4 of the Child Care Act, 225 ILCS 10/4, are hereby suspended for family homes that receive up to 6 children for the duration of the Gubernatorial Disaster Proclamation.
- **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.

- **Critical labor union functions:** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations - provided that these checks should be done by telephone or remotely where possible.

- **Hotels and motels:** Hotels and motels, to the extent used for lodging and delivery or carry-out food services.

- **Funeral services:** Funeral, mortuary, cremation, burial, cemetery, and related services.

- **Minimum Basic Operations.** For the purposes of this Executive Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:

  - The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
  
  - The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

- **On April 1, 2020, the Governor signed a proclamation extending the stay-at-home order in the state to April 30th.**

- **On April 23, 2020, Governor Pritzker announced that he would sign a modified version of the state’s stay-at-home order that will go into effect May 1.** The order will strengthen the state’s social distancing requirements while allowing residents additional flexibility and provide measured relief to non-essential businesses. Its provisions include:

  - State parks will begin a phased re-opening under guidance from the Department of Natural Resources.
  
  - Greenhouses, garden centers and nurseries may re-open as essential businesses.
  
  - Retail stores not designated as non-essential businesses and operations may re-open to fulfill telephone and online orders through pick-up outside the store and delivery.
  
  - Individuals will be required to wear a face-covering or a mask when in public places where they are unable to maintain six-feet of social distancing.
  
  - Essential businesses and manufacturers will be required to provide face-coverings to all employees who are not able to maintain six-feet of social distancing.
  
  - Educational institutions may allow and establish procedures for pick-up of necessary supplies or student belongings.

- **On April 27, 2020, Governor Pritzker announced that the Attorney General will appeal a judge’s recent ruling that the governor does not have the authority to extend his stay-at-home executive order beyond 30 days.**

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• On May 3, 2020, a U.S. district judge issued a ruling upholding the Governor’s stay-at-home order for Illinois as constitutional.

• On Tuesday, May 5, 2020, Governor J.B. Pritzker announced a five-phase Restore Illinois plan for reopening that will happen by region and based on coronavirus infection rates and hospital capacity.

• This five-phased plan will reopen the state, guided by health metrics and with distinct business, education, and recreation activities characterizing each phase. This is an initial framework that will likely be updated as research and science develop and as the potential for treatments or vaccines is realized.

• The plan is based upon regional healthcare availability, and it recognizes the distinct impact COVID-19 has had on different regions of our state as well as regional variations in hospital capacity.

• Under the Restore Illinois plan, Illinois is divided into four regions: Northeast Illinois, North-Central Illinois, Central Illinois and Southern Illinois. Regions that meet certain healthcare thresholds over the next coming weeks can move to phase 3. Regions will move forward — or backward — through phases based on their infection rates and data.

• All regions in the state are experiencing "flattening of the curve" to some degree or another as the rate of infection begins to slow and stabilize — not enough to fully reopen, but enough so that the stay-at-home order has been modified.

• That means some non-essential businesses — retail, but not salons or barbershops — can reopen, but for online orders or curbside pickup only. Pet groomers have also been allowed to reopen with regulations to keep employees and customers safe.

• Some state parks (a list can be found here) have also reopened. Golf courses can reopen with restrictions and limitations as well.

• If Illinois starts seeing a new spike in coronavirus cases — no matter which phase each region is in — restrictions will be put back in place.

• With IDPH closely monitoring data and information from local health departments and regional health care councils, these things could prompt Illinois to move backwards:
  o Sustained rise in positivity rate
  o Sustained increase in hospital admissions for COVID-19 like illness
  o Reduction in hospital capacity threatening surge capabilities
  o Significant outbreak in the region that threatens the health of the region

• Phase 1: Rapid Spread
  o Under Phase 1, the rate of infection among those tested and the number of patients admitted to the hospital is high or rapidly increasing.
  o Strict stay at home order and social distancing guidelines are put in place, and only essential businesses remain open.
  o Gatherings:
    ▪ Essential gatherings, such as religious services, of 10 or fewer allowed;
    ▪ No non-essential gatherings of any size
  o Travel:
    ▪ Non-essential travel discouraged
  o Health care:
    ▪ Emergency procedures and COVID-19 care only

Education and child care:
- Remote learning in P-12 schools and higher education;
- Child care in groups of 10 or fewer for essential workers

Outdoor recreation:
- Walking, hiking and biking permitted;
- State parks closed

Businesses:
- Manufacturing:
  - Essential manufacturing only
- "Non-essential" businesses:
  - Employees of “non-essential” businesses are required to work from home except for Minimum Basic Operations
- Bars and restaurants:
  - Open for delivery, pickup and drive-through only
- Entertainment:
  - Closed
- Personal care services and health clubs:
  - Closed
- Retail:
  - Essential stores are open with strict restrictions;
  - Non-essential stores are closed

Cases and Capacity:
- Slowing of new case growth
- Availability of surge capacity in adult medical and surgical beds, ICU beds, and ventilators

Testing:
- Ability to perform 10,000 tests per day statewide
- Testing available in region for any symptomatic health care workers and first responders

Illinois has already moved through Phase 1, or the phase of rapid spread. If mitigation efforts are unsuccessful, regions could return to Phase 1.

**Phase 2: Flattening**
- The rate of infection among those tested and the number of patients admitted to the hospital beds and ICU beds increases at an ever slower rate, moving toward a flat and even a downward trajectory.

Gatherings:
- Essential gatherings, such as religious services, of 10 or fewer allowed;
- No non-essential gatherings

Travel:
- Non-essential travel discouraged

Health care:
- Emergency and COVID-19 care continue;
- Elective procedures allowed once IDPH criteria met

Education and child care:
- Remote learning in P-12 schools and higher education;
- Child care in groups of 10 or fewer for essential workers

Outdoor recreation:
- Walking, hiking, and biking permitted;
- Select state parks open;
- Boating and fishing permitted;
- Golf courses open;
- All with IDPH approved safety guidance

- Businesses:
  - Manufacturing:
    - Essential manufacturing only
  - "Non-essential" businesses:
    - Employees of "non-essential" businesses are required to work from home except for Minimum Basic Operations
  - Bars and restaurants:
    - Open for delivery, pickup, and drive through only
  - Personal care services and health clubs:
    - Closed
  - Retail:
    - Essential stores are open with restrictions; Non-essential stores open for delivery and curbside pick-up

- Illinoisans are directed to wear a face covering and practice social distancing when outside the home.

- The determination of moving from Phase 2 to Phase 3 will be driven by the COVID-19 positivity rate in each region and measures of maintaining regional hospital surge capacity. This data will be tracked from the time a region enters Phase 2, onwards.
  - At or under a 20 percent positivity rate and increasing no more than 10 percentage points over a 14-day period, AND
  - No overall increase (i.e. stability or decrease) in hospital admissions for COVID-19-like illness for 28 days, AND
  - Available surge capacity of at least 14 percent of ICU beds, medical and surgical beds, and ventilators

- Testing:
  - Testing available for all patients, health care workers, first responders, people with underlying conditions, and residents and staff in congregate living facilities

- Tracing:
  - Begin contact tracing and monitoring within 24 hours of diagnosis

- **Phase 3: Recovery**
  - For a region to move to Phase 3, its rate of infection among those who have been surveillance tested must be stable or declining. Coronavirus-related hospitalizations and ICU capacity must also remain stable or decrease.
  - No Illinois region can move to Phase 3 before May 30 — despite some Illinois mayors defying the stay-at-home orders to launch their open reopening plans, including East Peoria.
  - Gatherings:
    - All gatherings of 10 people or fewer are allowed with this limit subject to change based on latest data & guidance

- Travel:
  - Travel should follow IDPH and CDC approved guidance

- Health Care:
  - All health care providers are open with DPH approved safety guidance

- Education and child care:
  - Remote learning in P-12 schools and higher education;
  - Limited child care and summer programs open with IDPH approved safety guidance

- Outdoor recreation:
State parks open;
Activities permitted in groups of 10 or fewer with social distancing

Businesses:
- Manufacturing:
  - Non-essential manufacturing that can safely operate with social distancing can reopen with IDPH approved safety guidance
- “Non-essential” businesses:
  - Employees of “non-essential” businesses are allowed to return to work with IDPH approved safety guidance depending upon risk level, telework strongly encouraged wherever possible;
  - Employers are encouraged to provide accommodations for COVID-19-vulnerable employees

Bars and restaurants:
- Open for delivery, pickup, and drive through only

Personal care services and health clubs:
- Barbershops and salons open with IDPH approved safety guidance;
- Health and fitness clubs can provide outdoor classes and one-on-one personal training with IDPH approved safety guidance

Retail:
- Open with capacity limits and IDPH approved safety guidance, including face coverings

The determination of moving from Phase 3 to Phase 4 will be driven by the COVID-19 positivity rate in each region and measures of maintaining regional hospital surge capacity. This data will be tracked from the time a region enters Phase 3, onwards.
- At or under a 20 percent positivity rate and increasing no more than 10 percentage points over a 14-day period, AND
- No overall increase (i.e. stability or decrease) in hospital admissions for COVID-19-like illness for 28 days, AND
- Available surge capacity of at least 14 percent of ICU beds, medical and surgical beds, and ventilators

Testing:
- Testing available in region regardless of symptoms or risk factors

Tracing:
- Begin contact tracing and monitoring within 24 hours of diagnosis for more than 90% of cases in region

Phase 4: Revitalization
- After a region moves through Phase 3 and sees a continued decline in infections, it can move to Phase 4, or Revitalization.
- Gatherings:
  - Gatherings of 50 people or fewer are allowed with this limit subject to change based on latest data and guidance
- Travel:
  - Travel should follow IDPH and CDC approved guidance
- Health care:
  - All health care providers are open
- Education and child care:
  - P-12 schools, higher education, all summer programs, and child care open with IDPH approved safety guidance
- Outdoor Recreation:
  - All outdoor recreation allowed
Businesses:
- Manufacturing:
  - All manufacturing open with IDPH approved safety guidance
- “Non-essential” businesses:
  - All employees return to work with IDPH approved safety guidance;
    Employers are encouraged to provide accommodations for COVID-19-vulnerable employees
- Bars and restaurants:
  - Open with capacity limits and IDPH approved safety guidance
- Personal care services and health clubs:
  - All barbershops, salons, spas and health and fitness clubs open with capacity limits and IDPH approved safety guidance
- Entertainment:
  - Cinema and theaters open with capacity limits and IDPH approved safety guidance
- Retail:
  - Open with capacity limits and IDPH approved safety guidance
  - Face coverings and social distancing are the norm.

Phase 5: Illinois Restored
- With a vaccine or highly effective treatment widely available or the elimination of any new cases over a sustained period, the economy fully reopens with safety precautions continuing.
- The economy full reopens with safety precautions continuing.
- Conventions, festivals and large events are permitted, and all businesses, schools and places of recreation can open with new safety guidance and procedures.

On May 12, 2020, the Governor and the Illinois Department of Commerce and Economic Opportunity (DCEO) today announced Fast-Track Public Infrastructure Grants, an initiative to accelerate work on planned public infrastructure projects around the state. The State is expediting $25 million of existing Rebuild Illinois funding to local public infrastructure projects that are ready to begin work this summer.168

On May 18, Governor Pritzker announced that some regions may begin entering Phase Three on May 29 if they meet the required metrics, including charting a positivity rate of 20% or less and an increase of no more than 10% over a 14-day period.169

On May 18, 2020, Governor Pritzker filed an emergency rule making it a class A misdemeanor for owners of restaurants, bars and other establishments in Illinois to open too soon.170

On May 28, 2020, the Governor has lifted the ban related to worship services.171

On May 29, 2020, the Illinois Department on Aging (IDoA) and Illinois Department of Human Services (IDHS) received $1.7 million from the federal Administration for Community Living to provide services to older adults and persons with disabilities who are disproportionally affected by the ongoing COVID-19 pandemic.172

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170 Governor Pritzker Emergency Rule, https://www.nytimes.com/2020/05/17/us/coronavirus-cases-deaths.html#link-34ac3ab8
Iowa

- On April 6, 2020, the Governor signed a new proclamation continuing the State Public Health Emergency Declaration, ordering additional closures and relaxing additional regulations.\(^{173}\)
- The proclamation orders additional closures effective at 8:00 a.m. on Tuesday, April 7th until Thursday, April 30th:
  - Malls
  - Tobacco or vaping stores
  - Toy, gaming, music, instrument, movie, or adult entertainment stores
  - Social and fraternal clubs, including those at golf courses
  - Bingo halls, bowling alleys, pool halls, arcades, and amusement parks
  - Museums, libraries, aquariums, and zoos
  - Race tracks and speedway.
  - Roller or ice skating rinks and skate parks
  - Outdoor or indoor playgrounds or children’s play centers
  - Campgrounds
- In addition, all unsolicited door-to-door sales are prohibited.
- The following establishments and behaviors are already prohibited by the state’s previous state of emergency proclamation:
  - Mass gatherings as outlined in the proclamation below
  - Restaurants and bars limited to carry out.
  - Fitness centers
  - Swimming pools
  - Salons: All salons, including all establishments providing the services of cosmetology, electrology, esthetics, nail technology, manicuring, and pedicuring, all as defined in Iowa Code § 157.1, shall continue to be closed.
  - Medical spas
  - Barbershops
  - Tattoo establishments
  - Tanning facilities
  - Massage therapy establishments
  - Theaters: All theaters or other performance venues at which live performances or motion pictures are shown shall continue to be closed.
  - Casinos and gaming facilities:
    - Other nonessential retail establishments outlined in the proclamation include: Bookstores; clothing stores; shoe stores; jewelry stores; luggage stores; cosmetic, beauty, or perfume stores; florists; and furniture and home furnishing stores shall continue to be closed. These establishments may still serve the public through online or telephone sales, delivery, or curb-side pick-up. This closure order does not affect other retail establishments, such as discount stores, grocery stores, or pharmacies that sell these goods in addition to other essential food, medical supplies, and household goods.
    - Senior citizen centers and adult daycare facilities: All facilities that conduct adult day services or other senior citizen centers are hereby closed.
  - Social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events of more than 10 people are hereby prohibited at all locations and venues, including but not limited to parades, festivals, conventions, and fundraisers
  - Livestock auctions of food animals with more than 25 people and all other auctions with more than 10 people are prohibited

• Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, the proclamation temporarily suspend the regulatory provisions of Iowa Code § 123.30(3)(c) prohibiting a holder of a class “C” liquor control license from selling unopened bottles of wine or alcoholic liquor for consumption off premises. Class “C” licensees may continue to sell beer for consumption off premises. Beverages may be sold if promptly taken from the premises, such as on a carry-out or drive-through basis, or if the beverage is delivered to customers off the premises. Suspension of this provision will now continue until 11:59 p.m. on April 30, 2020.

• The state of public health disaster emergency shall now expire on April 30, 2020, at 11:59 p.m., unless sooner terminated or extended in writing.

• On May 6, 2020, the Governor signed a new proclamation continuing the Public Health Disaster Emergency. The proclamation permits dental services to resume in compliance with guidelines adopted by the Iowa Dental Board, permits some additional businesses and establishments to reopen throughout Iowa in a limited fashion with appropriate public health measures in place, and provides additional regulatory relief to assist Iowans affected by this disaster.174

• On May 21, 2020, the Cabinet for Health and Family Services (CHFS) Secretary announced that in-home child care programs can open on June 8. Center-based licensed child care programs can reopen to all families on June 15.175

• On May 21, 2020, the Governor announced auctions could be held starting June 1. Horse shows can be held again starting on June 8. Bars, gatherings with 50 people or fewer, and venues that hold 50 people or fewer can reopen June 29 if they meet guidelines.176

Indiana
• On March 23, 2020 Governor Eric Holcomb issued the Stay At Home Executive Order 20-08 which directs the following:
  o All residents are to stay at home from March 24, 2020 at 11:59 pm through April 6, 2020 while utilizing the six foot Social Distancing Requirement when outside the home. Residents may leave homes only for Essential Activities, Essential Governmental Functions, or for Essential Businesses and Operations.
  o Non-essential businesses and operations must cease.
  o Essential Businesses and Operations shall comply with the Social Distancing Requirements by maintaining six-foot social distance for both employees and the general public at all times.
  o All public gatherings of more than 10 people are prohibited, and all places of public amusement shall be closed.
  o Only essential travel and essential activities are permitted.
  o Essential Activities include those for:
    ▪ Health and safety
    ▪ Necessary supplies and services
    ▪ Outdoor activity
    ▪ Performing working providing essential products and services at Essential Businesses or Operations—which includes Essential Governmental Functions, Healthcare & Public Health Operations, Human Services Operations, Essential Infrastructure, and to carry on Minimum Basic Operations (the minimum

177 Indiana Stay at Home Order, https://www.in.gov/gov/3232.htm
necessary activities to maintain the value of the business’ inventory, to preserve the condition of the physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions and for facilitation remote work for employees.)

- Caring for others or a pet
- Elderly people and those vulnerable as a result of illness should take additional precautions and stay inside.

- **Essential Businesses and Operations** for this order shall include:
  - All on the CISA list -- [https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_508C_0.pdf](https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_508C_0.pdf)
  - Stores that sell groceries and medicine
  - Food, beverage and agriculture industries
  - Organization that provide charitable and social services
  - Religious entities
  - Media
  - Gas stations and businesses needed for transportation
  - Financial and insurance institutions
  - Hardware and supply stores
  - Critical trades
  - Mail, post office, shipping, logistics, delivery and pick-up services
  - Educational institutions--for purposes of facilitation distance learning, performing critical research, or performing essential functions--provided that social distancing is adhered to by all.
  - Laundry services
  - Restaurants for consumption off premises
  - Supplies to work from home.
  - Supplies for essential businesses and operations
  - Transportation
  - Home-based care and services
  - Residential facilities and shelters
  - Professional services--such as legal services, accounting services, insurance services, and real estate services
  - Manufacture, distribution and supply chain for critical products and industries
  - Critical labor union functions
  - Hotels and motels
  - Funeral services

- Additional Related Executive Orders include the following:
  - **EO 20-09. Continuity of State Operations.** Provides for the continuing operation of state government from 5 p.m. today through 8 a.m. April 7 with restricted access to government buildings and services.
  - **EO 20-10. Enforcement Directive Regarding Prohibition of In-Person Dining.** Directs that state and local boards of health and the Indiana Alcohol and Tobacco Commission (ATC) take all available administrative and enforcement actions against establishments that continue to offer in-house dining services, in violation of the governor’s executive order of March 16.
    - Health departments will deliver letters ordering restaurants that continue to provide in-person dining to cease such operations. If they do not comply, fines will be levied.
    - For restaurants with alcohol permits that continue to offer in-person dining, the ATC will issue an order in writing for the establishment to cease such operations.
If the activity continues, the ATC will suspend the entity’s liquor license and will consider the non-compliance at the time of permit renewal.

- **EO 20-11. Provisions for carryout consumption of alcohol.** Relaxes the sale of carryout alcoholic beverages for dining establishments. This includes establishments that allow for on-premises consumption only and those that are permitted carryout permits dependent on a percentage of on-premises sales.
  - On April 16, 2020, Governor Holcomb announced the state’s participation in a partnership with 6 other states in the region (Michigan, Ohio, Wisconsin, Minnesota, Illinois, and Kentucky) to develop a plan for reopening the regional economy.  
  - On April 17, 2020, Governor Holcomb issued Executive Order 20-22 which extends the state’s stay at home order through May 1, 2020.  
  - On April 20, 2020, Governor further clarified aspects Indiana’s stay at home order relative to reopening of businesses, including the following:
    - As long as sufficient personal protective equipment (PPE), staff and other supplies are available for the COVID-19 response, hospitals should conduct medically necessary procedures, such as those determining cancer diagnosis and cardiac issues, respiratory procedures, and procedures to reduce significant pain or symptoms making quality of life unacceptable.
    - Any restrictions involving medical procedures will be evaluated every seven days for appropriate and timely modifications that could be implemented.
    - Permitted outdoor activity as described in the executive order includes yard work, gardening, planting and landscaping at residential, commercial and industrial properties and farms.
    - Nurseries and garden centers may be open for business as long as they limit the number of customers in their facility at any given time to achieve the Centers for Disease Control’s required social distancing, limit their hours of operation and consider implementing separate operating hours for the elderly and other vulnerable customers, and comply with the social distancing, sanitation and other mitigation measure to protect its employees and the public.
    - Pet grooming at a pet salon, store or mobile unit is permitted.
  - On April 29, 2020, the Health Commissioner announced that a centralized contact tracing system will begin May 11. All positive patients and close contacts will be asked to contact a call center. The center will complete initial phone interviews. If a person does not contact the center, the center will contact them. The center will also send daily texts or emails to monitor a person’s symptoms.
  - On April 30, 2020, the Workforce Development Commissioner stated that a person who is out of work due to COVID-19 must return to work if called back to remain eligible for benefits. Not returning could be considered a “refusal to work” and potentially disqualify claimants. If the person returns to work but works a reduced number of hours, they can still file for partial benefits. Further, the commissioner clarified that the workforce department does not regulate workplaces, but that it will evaluate on a case by case basis every claim that comes in. If a person

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179 Indiana Executive Order 20-22, [https://www.in.gov/gov/files/Executive%20Order%2020-22%20Extension%20of%20Stay%20at%20Home.pdf](https://www.in.gov/gov/files/Executive%20Order%2020-22%20Extension%20of%20Stay%20at%20Home.pdf)
180 Indiana Stay at Home FAQ, [https://www.in.gov/gov/3232.htm](https://www.in.gov/gov/3232.htm)
claims the employer’s place is unfit, the department will consider that as part of a refusal to work determination.  

- On May 1, 2020, the Governor announced the Back On Track Indiana plan to safely open the economy and remain vigilant about protecting health and wellbeing. The state will move to reopen while continuing to monitor and respond to these four guiding principles:
  - The number of hospitalized COVID-19 patients statewide has decreased for 14 days;
  - The state retains its surge capacity for critical care beds and ventilators;
  - The state retains its ability to test all individuals who are COVID-19 symptomatic as well as health care workers, first responders, and frontline employees; and,
  - Health officials have systems in place to contact all individuals who test positive for COVID-19 and expand contact tracing.

- On May 20, 2020, the Governor announced that Indiana will begin stage 3 of its “Back on Track” plan two days ahead of schedule. Stage 3 was originally slated to begin the day before Memorial Day.

- The following activities may open: community pools, gyms, playgrounds, campgrounds and basketball courts (and similar facilities). Mall common areas and movie theaters will be able to open at 50% capacity, and retail stores can up capacity to 75%.

- On May 28, 2020, the Governor announced that he is currently working with local schools and the Indiana Department of Education (IDOE) to finalize details on what the fall semester will look like for K-12 students and that schools will likely reopen in the fall.

- On May 29, 2020, the Governor announced several new economic recovery initiatives designed to bolster critical relief efforts while encouraging long-term planning and investments to stimulate Indiana’s economy well into the future. Through these initiatives, the state will allocate nearly $44 million to provide support and resources including approximately $37 million in direct funding through grants and investments to small businesses and manufacturers.

- On June 1, 2020, the Governor signed Executive Order 20-29 to lift restrictions on local declarations of emergency that had been instituted as a part of the stay at home and back on track orders pertaining to COVID-19. This order allows local governments to place more stringent travel restrictions than the state has in place.

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**Kansas**

- On March 24, 2020 Governor Laura Kelly issued Executive Order 20-15 establishing the Kansas Essential Function Framework (KEFF) for COVID-19 response efforts.

- The order became effective immediately and expires on May 1, 2020, if not rescinded by the Governor before that time.

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183 [https://calendar.in.gov/site/gov/event/governor-announces-roadmap-to-safely-reopen-indiana/](https://calendar.in.gov/site/gov/event/governor-announces-roadmap-to-safely-reopen-indiana/)
187 [https://calendar.in.gov/site/gov/event/gov-holcomb-takes-action-to-assist-local-communities/](https://calendar.in.gov/site/gov/event/gov-holcomb-takes-action-to-assist-local-communities/)
Governor Kelly also released Executive Order 20-10 temporarily prohibiting certain foreclosures and evictions on mortgage and rental agreements defaults or violations due to financial hardships.

Executive Order 20-15 supersedes all local "stay home" or similar orders prohibiting citizens from leaving their homes in order to slow the spread of COVID-19 and all local governments must follow the KEFF established in this order.

KEFF is a framework for identifying and continuing essential functions that must remain operational during a local "stay home" or similar order to maintain critical services and infrastructure during the COVID-19 pandemic.

A company or other organization in a jurisdiction subject to a "stay home" or similar order that may qualify under one of the essential functions listed in this order should contact the local issuing authority and request an exemption from the restrictions of the local order for its personnel.

- The company or other organization should identify by number the categories of essential functions it performs and provide any brief necessary explanation to establish that it performs those functions.
- Local issuing authorities must grant-and do not have the discretion to deny-exemptions from the restrictions of any local "stay home" or similar order to requesting companies or other organizations for the performance of the following essential functions:
  - KEFF 100 CONNECT
    - Operate Core Information Technology Networks
    - Provide Cable Access Network Services
    - Provide Internet Based Content Information and Communication Services
    - Provide Internet Routing, Access, and Connection Services
    - Provide Positioning, Navigation, and Timing Services
    - Provide Radio Broadcast Access Network Services (includes Traditional Television)
    - Provide Satellite Access Network Services
    - Provide Wireless Access Network Services
    - Provide Wireline Access Network Services
  - KEFF 200 DISTRIBUTE
    - Distribute Electricity
    - Maintain Supply Chains for Essential Functions and Critical Infrastructure (as defined by DHS)
    - Transmit Electricity
    - Transport Cargo and Passengers by Air
    - Transport Cargo and Passengers by Rail
    - Transport Cargo and Passengers by Road
    - Transport Cargo and Passengers by Vessel
    - Transport Materials by Pipeline
    - Transport Passengers by Mass Transit
  - KEFF 300 MANAGE
    - Conduct Elections
    - Operate Media Outlets
    - Develop and Maintain Public Works and Services
    - Educate and Train Essential Functions Personnel
    - Enforce Law

- Maintain Access to Medical Records
- Manage Hazardous Materials and Waste
- Manage Wastewater
- Operate Government
- Perform Cyber Incident Management Capabilities
- Prepare for and Manage Emergencies
- Preserve Constitutional Rights
- Protect Sensitive Information
- Provide and Maintain Critical Infrastructure
- Provide Capital Markets and Investment Activities
- Provide Consumer and Commercial Banking Services
- Provide Funding and Liquidity Services
- Provide Identity Management and Associated Trust Support Services
- Provide Insurance Services
- Provide Medical Care and Services, Including Mortuary Services
- Provide Payment, Clearing and Settlement Services
- Provide Public Safety
- Provide Wholesale Funding
- Store Fuel and Maintain Reserves
- Support Community Health and Mental Health Services

  o **KEFF 400 SUPPLY**
    - Exploration and Extraction of Fuels
    - Fuel Refining and Processing Fuels
    - Generate Electricity
    - Manufacture Equipment Used for Essential Functions or Critical Infrastructure (as defined by DHS)
    - Produce and Provide Agricultural Products and Services
    - Produce and Provide Human and Animal Food Products and Services
    - Produce Chemicals
    - Provide Metals and Materials
    - Provide Housing
    - Provide Information Technology Products and Services
    - Provide Materiel and Operational Support to Defense
    - Research and Development
    - Supply Water

- On April 16, 2020, the Governor has signed an executive order extending the stay-at-home order to May 3, 2020.\(^{190}\)
- On April 30, 2020, the Governor presented her detailed framework for gradually, safely re-opening the economy and getting Kansas back to work. Phase One will take effect on Monday, May 4, 2020, via Executive Order 20-29, when the statewide stay-home order outlined in Executive Order 20-16 officially lifts.\(^{191}\)
- On May 14, 2020, the Governor signed Executive Order 20-31, which establishes a new phase to the “Ad Astra: Plan to Reopen Kansas.” The new “1.5” Phase, effective May 18, 2020, continues reopening efforts while preserving some data-driven restrictions necessary to prevent community transmission of COVID-19.\(^{192}\)

• On May 15, 2020, the Governor signed an executive order that provides temporary relief from certain restrictions concerning shared work programs. The order waives a provision in the law that prohibited a contributing negative account employer to participate in a shared work plan.\(^{193}\)

• On May 15, 2020, the Governor signed an executive order to extend temporary relief for motor carriers from certain rules and regulations until rescinded, on June 15, 2020, or until the statewide State of Disaster Emergency expires, whichever is earlier. It is an extension of measures put in place by Executive Order #20-22.\(^{194}\)

• On May 19, 2020, the Governor announced the Strengthening People and Revitalizing Kansas (SPARK) Taskforce to lead the state’s economic recovery. The Recovery Office team will be responsible for the statewide distribution of significant CARES Act funding. A five-member executive committee will oversee the process, and the office will have a steering committee with an additional 15 members who will form three subcommittees. The three subcommittees will focus on communication and engagement, finance and policy development and implementation and accountability.\(^{195}\)

• On May 19, 2020, the Governor signed Executive Order 20-34, which moves Kansas into Phase 2 of Ad Astra: A Plan to Reopen Kansas.\(^{196}\)

• On May 26, 2020, the Governor announced actions her administration took to respond to the emergency situation COVID-19 they include:\(^{197}\)
  
  - Vetoing House Bill 2054
  - **Signed a new state disaster declaration**
  - Called for a special session starting June 3 and deliver an emergency management bill

**Kentucky**\(^{198}\)

• On March 22, 2020, Gov. Andy Beshear issued Executive Order 2020-246\(^{199}\), an order requiring all in-person retail businesses that are not life sustaining to close effective Monday, March 23, 2020.

  - **Life-sustaining retail businesses that will stay open include:**
    - grocery stores, super markets, specialty food stores, meat markets, fish and seafood markets, fruit and vegetable markets, beer, wine and liquor stores
    - pharmacies and drug stores
    - banks, credit unions, check cashing, wire transfer, and other financial services
    - hardware stores
    - gas stations and convenience stores
    - general merchandise stores, including warehouse clubs and supercenters
    - pet and pet supplies stores
    - automotive parts, repair, accessories, and tire stores

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\(^{199}\) [https://governor.ky.gov/attachments/20200322_Executive-Order_2020-246_Retail.pdf](https://governor.ky.gov/attachments/20200322_Executive-Order_2020-246_Retail.pdf)
- auto, truck, and van rental
- building mater and garden equipment and supplies dealers
- consistent with KRS 39A.100(1)(h) and (3), nothing in the order should be construed to interfere with the lawful sale of firearms and ammunition.
  - Retail businesses that are not life-sustaining may provide local delivery and curbside service of online or telephone orders.
- On March 23, 2020, Governor Beshear signed an Executive Order to cease all elective medical procedures. He previously recommended ceasing these measures, but additional action was necessary due to widespread violations of the original guidance.
  - The order enacts the following directives:
    - All non-emergent, non-urgent in-person medical, surgical, dental, and any other healthcare practice or procedure must have immediately ceased effective close of business on March 18, 2020. Licensed healthcare professionals within the state should exercise their best clinical judgment in the implementation of this restriction.
    - To assist licensed healthcare professions in the exercise of their judgment, the following guidelines are offered:
      - **Emergent** - Any healthcare service that, were it not provided, is at high risk of resulting in serious and/or irreparable harm to a patient if not provided within 24 hours.
      - **Urgent** - Any healthcare service that, were it not provided, is at high risk of resulting in serious and/or irreparable harm to a patient if not provided within 24 hours to 30 days.
      - **Non-Urgent** - Any healthcare service that, were it not provided, is unlikely to result in any serious and/or irreparable harm to a patient if not provided for more than 30 days. (For example, chiropractic medicine.)
    - When considering the above guidance, clinicians are urged to consider whether the service provided would still be retrospectively deemed necessary if the patient (or close contact of the patient) were to become infected by COVID-19 as a result and suffer serious and/or irreparable harm as a result.
    - Under all circumstances where clinically possible, use of telephonic or video communication to provide telemedicine services is strongly urged. Medicare and Medicaid have waived typical telemedicine and HIPAA requirements and one may use non-HIPAA compliant video services such as FaceTime, Skype, and others during the current state of emergency.
    - All healthcare providers are instructed to follow these recommendations when considering what procedures to cancel.
- On March 25, 2020, Governor Beshear issued the Executive Order 2020-257, which prohibits in-person work that is not necessary to protect or sustain life.
- All businesses that are not life-sustaining shall cease operations effective Thursday, March 26, 2020, at 8:00 p.m., except as needed to conduct Minimum Basic Operations, as defined in the Order. The following entities are considered life-sustaining businesses which may remain open:
  - **CISA List**: All businesses operating in the federal critical infrastructure sectors, as outlined at https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19.
  - **Life-sustaining Retail**: In-person retail businesses that provide lifesustaining goods, consistent with Executive Order 2020-246, as well as businesses that supply life-

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sustaining retail and their administrative support operations. In addition, the following additional categories of retail are designated as life-sustaining under this Order:

- Hardware stores and businesses that sell electrical, plumbing, and heating material;
- Agricultural supply and equipment stores;
- Medical product supply and equipment stores; and
- Stores that supply first responders and other critical government and health care workers.

- **Food, beverage, and agriculture:** Food and beverage manufacturing production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities.

- **Organizations that provide charitable and social services:** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or special populations, individuals who need assistance as a result of this emergency, and people with disabilities. These organizations have a special responsibility to implement social distancing to the fullest extent possible, and to take all necessary actions to stop the spread of disease, including by stopping in-person retail operations.

- **Media:** Newspapers, television, radio, and other media services.

- **Gas stations and businesses needed for transportation:** Gas stations and auto-supply, auto-repair, farm equipment, construction equipment, boat repair, and related facilities; bicycle repair shops and related facilities; and motorcycle repair shops.

- **Financial Services:** Depository institutions, including but not limited to banks and credit unions; Non-depository institutions, including but not limited to consumer, industrial and mortgage loan companies, mortgage loan brokers, originators and processors, deferred deposit, check cashers, and payday lending companies, title pledge lenders, and money transmitters; securities institutions, including but not limited to brokers, agents, advisers and issuers; appraisers, financial markets, bond issuers, or institutions selling financial products to the extent they are providing financial services; and pawnbrokers, to the extent they are providing check-cashing or similar financial services, or to the extent they are selling firearms and ammunition pursuant to Paragraph 9 of this Order.

- **Housing, Buildings and Construction:** To ensure Kentuckians can remain Healthy at Home, businesses providing construction or maintenance of residential, commercial, or governmental structures, including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff, security staff, operating engineers, HV AC, painting, landscaping, moving and relocation services, necessary for sustaining the safety, sanitation and operation of structures.

- **Mail, post, shipping, logistics, delivery, and pick-up services:** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, beverages, goods or services to end users or through commercial channels.

- **Laundry services:** Laundromats, dry cleaners, industrial laundry services, and laundry service providers.

- **Restaurants for consumption off-premises:** Carry-out, delivery, and drive-through food and beverage sales may continue, consistent with the March 16, 2020 Order of the Cabinet for Health and Family Services and the Department of Public Health and the March 19, 2020 Order of the Public Protection Cabinet.
Supplies for Life-Sustaining Businesses: Businesses that sell, manufacture, or supply other Life-Sustaining Businesses with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security.

Transportation: Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Kentuckians to safely remain Healthy at Home, and to access Life-Sustaining Businesses.

Home-based care and services: Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, and other in-home services including meal delivery.

Professional services: Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services). Professional services firms must implement telecommuting and remote work to the fullest extent possible, and should only use in-person interaction to support Minimum Basic Operations or where telecommuting is impossible.

Manufacture, distribution, and supply chain for critical products and industries: Manufacturing companies, distributors, and supply chain companies producing and supplying critical products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, mineral extraction, construction, national defense, communications, as well as products used by other Life-Sustaining Businesses, or products that can be used to treat or prevent COVID-19.

Critical labor union functions: Labor Union critical activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Life-Sustaining Businesses, provided that these checks should be done by telephone or remotely where possible.

Hotels and motels: Hotels and motels, to the extent used for lodging and delivery or carry-out food services.

Funeral services: Funeral, mortuary, cremation, burial, cemetery, and related services, subject to restrictions on mass gathering and appropriate social distancing.

Any business may remain open to conduct “Minimum Basic Operations” which include the minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, facilitate telecommuting, and other related functions.

Pursuant KRS Chapter 39A, evictions within the Commonwealth are suspended, and all state, county, and local law enforcement officers in the Commonwealth are directed to cease enforcement of orders of eviction for residential premises for the duration of the State of Emergency under Executive Order 2020-215.

No provision contained within this Order shall be construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.

In-Person Government Services: All in-person government activities at the state, county, and local level that are not necessary to sustain or protect life, or to supporting Life-Sustaining Businesses, are suspended. For purposes of this Order, necessary government activities include activities performed by critical infrastructure workers, including:
Workers in law enforcement, public safety, and first responders;
Workers in public transit, trash pickup and disposal;
Activities necessary to manage and oversee elections;
Operations necessary to enable transactions that support the work of a business's or operation's critical infrastructure workers; and
The maintenance of safe and sanitary public parks so as to allow for outdoor recreation.

- Consistent with KRS 39A.100(1)(h) and (3), nothing in this Order should be construed to interfere with the lawful sale of firearms and ammunition.

- On March 28, 2020, Governor Beshear announced that the Education and Workforce Development Cabinet issued an order expanding unemployment eligibility due to COVID-19.  
  - Individuals typically not covered by unemployment insurance, including self-employed, independent contractors, freelance workers, substitute teachers, childcare workers employed by religious affiliated organizations and non-profits are now authorized to file a claim.
  - Individuals who left their job for “good cause” because of reasonable risk of exposure (self-quarantine) or due to caring for a family member affected by the virus are also eligible.

- On March 28, 2020, Governor Beshear stated in a press briefing that residents may still go to Tennessee for work, to take care of a loved one or even buy groceries if it is closer, but requests that unnecessary travel to Tennessee end.

- On March 30, 2020, Governor Beshear issued Executive Order 2020-258 ordering all residents of Kentucky not to travel into any other state except:
  - When required by employment;
  - To render care as a healthcare professional or volunteer healthcare worker related to the State of Emergency;
  - To obtain groceries, medicine, or other necessary supplies;
  - To seek or obtain care by a licensed healthcare provider;
  - To provide care for the elderly, minors, dependents, persons with disabilities, or other vulnerable persons; or
  - When required by court order.

- This order requires any resident of the Commonwealth to self-quarantine for 14 days after returning to Kentucky from another state for any reason other than the specific circumstances described above.

- On April 2, 2020, Governor Beshear expanded the application of Executive Order 2020-258 to include any individuals traveling into Kentucky from out of state.

- On April 16, 2020, Governor Beshear announced Kentucky’s participation in a partnership with 6 other states in the Midwest (Michigan, Ohio, Wisconsin, Minnesota, Illinois, and Indiana) to develop a plan for reopening the regional economy.

- On April 18, 2020, Governor Beshear announced seven benchmarks that must be met in order to start reopening the state’s economy, which include:
  - 14 days in which cases are decreasing
  - Increased testing capacity and contact tracing

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204 Kentucky Midwest Region Task Force Press Release, [https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prid=130](https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prid=130)
- Personal protective equipment (PPE) availability
- Ability to protect at-risk populations
- Ability to social distance and follow Centers for Disease Control and Prevention (CDC) guidelines on large gatherings
- Preparedness for a possible future spike
- Status of vaccine and treatment

On April 24, 2020, Governor Beshear and Secretary of State Michael Adams reached an agreement on how the state’s primary elections, special elections and local option elections scheduled for June 23, 2020 will operate. The Governor issued Executive Order 2020-96, which outlines:

- The expansion and promotion of absentee ballots
- Prioritizing voting by appointment
- PPE for clerks and poll workers

On April 27, 2020, Governor Beshear announced that by May 11, everybody working for an essential business that is reopening should be wearing a mask.

On April 27, 2020, Governor Beshear detailed Phase I of reopening the state’s health care industry, which allows practitioners to resume non-urgent/emergent health care services, diagnostic radiology and lab services in:

- Hospital outpatient settings;
- Health care clinics and medical offices;
- Physical therapy settings, chiropractic offices and optometrists;
- Dental offices (but with enhanced aerosol protections)

This initial Phase I does not apply to long-term care settings, prisons and other industries or other settings, nor does it apply to elective surgeries or procedures.

Phase 2 is set to begin Wednesday, May 6. At that time, outpatient surgeries and other invasive procedures can resume, though hospital and care facilities will have to meet strict guidelines.

Phase 3 is scheduled to begin Wednesday, May 13. Hospitals and care facilities may begin doing non-emergency surgeries and procedures at 50% of their pre-COVID-19-era patient volume.

Officials declared their intention to begin the final stage, Phase 4, Wednesday, May 27. At that point, most of the restrictions on types of procedures and volume will be left to the facilities to determine. However, oversight and guidelines meant to ensure that capacity remains in the system will continue.

On April 29, 2020, Governor Beshear unveiled a tentative reopening schedule for a variety of businesses allowed to resume operations. The plan would require businesses to adhere to the 10 rules to reopening, along with industry specific requirements. The Governor also identified the following industries that will not be able to reopen yet as restaurants, gyms, movie theaters, campgrounds, youth sports, summer camps, day cares (except for essential health care workers) and public pools.

On May 4, 2020, Governor Beshear announced the new businesses that would be eligible to reopen operations under Phase 1 starting May 11th, they include:

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210 Governor Beshear Press Release, https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prId=152
• Manufacturing, distribution and supply chain businesses
• Construction
• Vehicle or vessel dealerships
• Office-based businesses (at 50% pre-pandemic capacity)
• Horse racing (no fans in attendance)
• Pet care, grooming and boarding
• Photography

On May 4, 2020, the Kentucky Department for Public Health (KDPH) Commissioner announced Health Care Phase 2 will begin Wednesday, May 6, 2020, outpatient and ambulatory surgery and invasive procedures may resume.\footnote{Governor Beshear Press Release, https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prid=152}

On May 6, 2020, the Governor announced his administration is changing its travel restrictions to better comply with judicial findings and more closely mirror the guidance of neighboring states. The Governor issued a new executive order that continues to ban anyone with a positive or presumptively positive case of COVID-19 from entering Kentucky, except as ordered for medical treatment. It also keeps in place requirements of social distancing on public transportation.\footnote{Governor Beshear Press Release, https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prid=154}

On May 6, 2020, the Kentucky Department for Public Health (KDPH) Commissioner stated that Health Care Phase 2 is authorized to begin with outpatient and ambulatory surgery and invasive procedures.\footnote{Governor Beshear Press Release, https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prid=154}

On May 8, 2020, the Governor outlined the requirements to begin reopening major segments of the economy and society including houses of worship, manufacturing, construction, government offices and agencies, retail and funeral services.\footnote{Governor Beshear Press Release, https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prid=154}

On May 28, 2020, the Governor with the Department of Local Governments announced more than $5 million in grants to six local governments for water and sewer projects across Kentucky.\footnote{Governor Beshear Press Release, https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prid=186}

On May 29, 2020, the Governor announced an official order temporarily authorizing circuit court clerk offices to process expired driving credential renewals and replacement requests remotely.\footnote{Governor Beshear Press Release, https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prid=188}

On May 29, 2020, the Governor and Cabinet for Health and Family Services Secretary announced the Commonwealth of Kentucky has awarded the state’s Medicaid Managed Care Organization (MCO) contract to five health care companies that will manage benefits for the state’s Medicaid enrollees.\footnote{Governor Beshear Press Release, https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prid=190}

Louisiana

• On March 22, 2020, Governor John Bel Edwards issued the Shelter at Home order directing all residents of the state of Louisiana to shelter in place, except to participate in essential activities,
operate essential businesses, or participate in essential infrastructure. An activity is deemed essential if the purpose of the activity includes one the following:

- Obtaining food, medicine, and other similar goods necessary for the individual or a family member of the individual.
- Obtaining non-elective medical care and treatment and other similar vital services for an individual or a family member of the individual.
- Going to and from an individual's workplace to perform a job function necessary to provide goods or services being sought in the above provisions, or as otherwise deemed essential worker functions. Guidance provided by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) on what workers are essential is outlined at [https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19](https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19).
- Going to and from the home of a family member.
- Going to and from an individual's place of worship.
- Engaging in outdoor activity, provided individuals maintain a distance of six feet from one another and abide by the 10 person limitation on gathering size established in this proclamation.

- In addition to businesses that are closed to the public pursuant to Proclamation Number 30 JBE 2020, the following nonessential businesses shall be closed to the public and members:
  - All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, trampoline parks, aquariums, zoos, museums, arcades, fairs, pool halls, children's play centers, playgrounds, theme parks, any theaters, concert and music halls, adult entertainment venues, racetracks, and other similar businesses.
  - All personal care and grooming businesses, including but not limited to, barber shops, beauty salons, nail salons, spas, massage parlors, tattoo parlors, and other similar businesses.
  - All malls, except for stores in a mall that have a direct outdoor entrance and exit that provide essential services and products as provided by CISA guidelines.
  - Businesses closed to the public pursuant to this provision shall not be prohibited from conducting necessary activities such as payroll, cleaning services, maintenance or upkeep as necessary.

- The following business categories are consistent with the CISA guidance regarding Critical Infrastructure, and may continue to operate:
  - Food production, distribution, and sale;
  - Construction, including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction;
  - Construction Engineers;
  - Building management and maintenance;
  - Airport operations
  - Operation and maintenance of utilities, including water, sewer, and gas;
  - Electrical, including power generation, distribution, and production of raw materials;
  - Distribution centers;
  - Oil and biofuel refining;
  - Roads, highways, railroads, and public transportation;
  - Ports;

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- Cybersecurity operations;
- Flood control;
- Solid waste and recycling collection and removal;
- Internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services)
- **Organizations that provide charitable and social services:** businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.
- **Hardware and supply stores:** hardware stores and businesses that sell electrical, plumbing, and heating material.
- **Critical trades:** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to:
  - Plumbers
  - Electricians
  - Exterminators
  - Cleaning and janitorial staff for commercial and governmental properties
  - Security staff
  - Operating engineers
  - HVAC
  - Painting
  - Moving and relocation services
- **Supplies for Essential Businesses and Operations:** businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate including:
  - Computers, Audio and video electronics, Household appliances, IT and telecommunication equipment, hardware, paint, flat glass, electrical, plumbing and heating material, sanitation equipment, personal hygiene products, food, food additives, ingredients and components, medical and orthopedic equipment, optics and photography equipment, diagnostics, food and beverages, chemicals, soaps and detergent, and firearm and ammunition suppliers and retailers for purposes of safety and security
- **Residential facilities and shelters:** residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, and domestic abuse shelters.
- **Manufacture, distribution, and supply chain for critical products and industries:** manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as:
  - Pharmaceutical
  - Technology
  - Biotechnology
  - Healthcare
  - Chemicals
  - Sanitization
  - Waste pickup and disposal
  - Agriculture
  - Food and beverage
  - Transportation
  - Energy
- Steel and steel products
- Petroleum and fuel
- Mining
- Construction
- National defense
- Communications
- Other products used by other Essential Businesses and Operations.
  - **Hotels and motels:** hotels and motels, to the extent used for lodging and delivery or carry-out food services.

- Any business not covered by the guidance from the CISA discussed in Section 3 and not ordered temporarily closed in Section 4 shall reduce operations to continue with minimum contact with members of the public and essential employees, while requiring proper social distancing. Further, the 10-person limitation on gathering size shall apply to such business operations.
- Early learning centers and child care facilities adhering to the guidance issued by the Louisiana Department of Education and Office of Public Health may continue to operate.
- This order will remain in effect until April 13, 2020, subject to extension.
- On March 31, 2020, Governor Edwards issued Proclamation No. 38, which eases medical licensure regulations for out of state medical professionals and directs funerals to occur as expeditiously as possible.220
- On April 2, 2020, Governor Edwards extended the shelter in place proclamation through April 30, 2020.221
- On April 20, 2020, the Louisiana Department of Health issued a revised order for medical and surgical procedures. The revised guidelines go into effect April 27th and state that medical and surgical procedures shall only be performed under the following conditions:222
  - To treat an emergency medical condition;
  - To avoid further harms from an underlying condition or disease; and
  - To treat time sensitive conditions.
- On April 16, 2020, Governor Edwards announced the creation of Resilient Louisiana, a state commission charged with evaluating Louisiana’s economy amid the COVID-19 pandemic and issuing recommendations for resilient business-related activities and commerce in the months ahead.223
  - The 18-member panel includes Lt. Gov. Billy Nungesser, and will be co-chaired by Louisiana Economic Development Secretary Don Pierson and health care leader Terrie Sterling, a Baton Rouge consultant and retired Franciscan Missionaries of Our Lady Health System executive.
  - The commission will include a task force structure dedicated to strengthening specific sectors of Louisiana’s economy.
  - Task forces will be focused on solutions for such critical sectors as Energy and Manufacturing; Health Care, including improved delivery of medical care, health equity and enhanced facilities; Tourism, including hotels, gaming and related hospitality entities; Rural Development; Education and Workforce, with attention given to the training needs of displaced workers; and Economic and Community Development, including strategies for making regions and communities more resilient in the face of future health care threats and other risks.
- Additional members of the commission include:

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State Sen. Ronnie Johns, Senate Commerce chair, designee of Louisiana Senate President Page Cortez.
Scott Hensgens, PAR chairman; managing partner, Breazeala, Sachse & Wilson.
Tyron Picard, CABL chairman; founding principal, The Picard Group.
Tim Temple, C100 Louisiana vice chair; president and CEO, Temptan LLC.
Bill Hogan, representing Louisiana bankers; president and CEO, Century Next Bank.
Louis Reine, representing labor unions; Louisiana AFL-CIO president.
Michael R. LaFitte II, representing small businesses; owner, Shreveport Haberdashery.
Walt Leger III, representing tourism; senior vice president, general counsel, New Orleans & Company.
Ti Martin, representing restaurants; co-proprietor, Commander’s Palace.
Sonia Perez, representing Cybersecurity & Infrastructure Security Agency-essential industry; president, AT&T Louisiana.
Commissioner of Administration Jay Dardenne (ex-officio member).
Secretary Kimberly Robinson, Louisiana Department of Revenue (ex-officio member).
Dr. Jim Richardson, John Rhea Alumni Professor of Economics, LSU (ex-officio member)

On April 27, 2020, Governor Edwards announced that he will extend the stay-at-home order until May 15, 2020.224 The extended order also includes the following amendments:
- Malls will remain closed to the public, but stores may open for curbside delivery.
- Restaurants will be allowed to open their outside areas for patrons to eat meals only, without tableside service.
- All employees of a business who have contact with the public must wear a mask.
- Additionally, both the CDC and the Louisiana Department of Health strongly urge individuals to wear masks when in public.

On May 14, 2020, Governor Edwards formally declared that Louisiana will enter into Phase One of its Roadmap to a Resilient Louisiana on Friday, May 15, when the Stay at Home order will be lifted and more businesses will be allowed to open with strict social distancing, enhanced sanitation and required masks for employees helping the public.

Maine225
- On March 24, 2020, Governor Janet Mills issued an Executive Order requiring all non-essential businesses and operations to cease activities at sites that are public facing and thereby allow customer, vendor or other in-person contact; or are at sites that require more than 10 workers to convene in space where social distancing is not possible.
- The Order takes effect at 12:01 AM on March 25, 2020, and terminates at 12:00 AM on April 8, 2020, unless amended, rescinded, or renewed.
- Non-Essential Businesses and Operations include, but are not limited to, shopping malls, theaters, casinos, fitness and exercise gyms, spas, barber shops, hair salons, tattoo and piercing parlors, parlors, massage facilities, nail technicians, cosmetologists and estheticians, electrolysis services, laser hair removal services, and similar personal care and treatment facilities and services.

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224 Louisiana Extended Shelter in Place Order, https://gov.louisiana.gov/home-order-extended-may15/
Non-Essential Businesses and Operations may continue activities that:

1. do not allow customer, vendor or other visitor in-person contact;
2. do not require more than 10 workers to convene in space where social distancing is not possible; and
3. are facilitated to the maximum extent practicable by employees working remotely.

Such permitted activities may include taking orders by phone, email or other remote means and preparing such orders by delivery; maintaining the value of the business's inventory; preserving the condition of the business's physical plant and equipment; ensuring security; and processing payroll, employee benefits and related functions.

All Essential Businesses and Operations shall continue their activities consistent with the guidance on social distancing set for the below. Essential Businesses and Operations include:

2. food processing and agriculture;
3. fishing and aquaculture;
4. industrial manufacturing;
5. construction and maintenance of essential infrastructure;
6. trash collection and transfer stations;
7. grocery and household goods (including convenience stores);
8. forest products;
9. essential home repair,
10. hardware and auto repair;
11. pharmacy and other medical, psychiatric, and long-term care facilities;
12. group homes and residential treatment facilities;
13. biomedical, life science, behavioral health, health care, dental care, and long-term services and supports providers and organizations;
14. child care providers;
15. post offices and shipping outlets;
16. banks and credit unions;
17. gas stations and laundromats;
18. veterinary clinics,
19. animal welfare and animal feed and supply stores;
20. truck delivery and distribution of goods;
21. public transportation;
22. legal, business, professional, environmental permitting and insurance services;
23. hotel and commercial lodging;
24. all utilities such as electricity, water, wastewater, and telecommunications.

Essential Businesses and Operations shall to maximum extent practicable have their employees work remotely and otherwise comply with social distancing requirements set forth below, including maintaining six-foot social distancing for both employees and members of the public at all times, including but not limited to, when customers are standing in line.

As urged in Maine Center for Disease Control and Prevention guidance on March 15, 2020, non-urgent medical and dental procedures, elective surgeries, and appointments should be postponed based on consultations between individuals and providers; the use of telehealth and telephone consultation is strongly encouraged.

On April 14, 2020, the Governor signed a proclamation extending Maine’s state of civil emergency for another thirty days through May 15, 2020.
On April 28, 2020, Governor Mills presented the Plan to Restart Maine’s Economy. The staged plan builds on the Governor’s current Executive Orders, which already allows grocery stores, pharmacies, financial institutions, home repair services, child care agencies, and car repair services, among others (PDF) to operate, and then allows for the safe reopening of those businesses not currently operating. The upcoming four stages as contemplated by the Governor’s plan are:

**Stage 1 (May):** Beginning May 1st, Stage 1 continues the prohibition on gatherings of more than 10 people, the quarantine of all people entering or returning to Maine for a period of 14 days, and the special precautions for older Mainers and others at risk of COVID-19. It calls for people who are able to work from home to continue to do so, including State employees. It will also newly require that Maine people wear cloth face coverings in public settings where physical distancing measures are difficult to maintain, and continue strict requirements for long-term care facilities. Guidance on cloth face coverings will be issued in the coming days. Stage 1 also allows for the limited expansion of certain business, religious, and quality of life activities, with appropriate safety precautions. These include:

- Health care from Maine-licensed providers, with recommendations that they prioritize care for patients with time-sensitive conditions; assure the safety of patients, staff, and communities; manage the use of essential resources such as personal protective equipment and testing supplies; and pace re-opening services to the level of community COVID-19 activity, maintaining capacity in our hospitals for potential outbreaks
- Personal services: Barber shops, hair salons, and pet grooming
- Limited drive-in, stay-in-your-vehicle religious services
- Drive-in movie theaters
- Outdoor recreation: guided outdoor activities (hunting & fishing) and restricted use of golf and disc golf courses
- State parks, state-owned public land trails, and historic sites; although certain coastal state parks will remain closed
- Auto dealerships and car washes

**Stage 2 (June):** Tentatively beginning June 1st, Stage 2 contemplates revising the limitation on gatherings from less than 10 people to less than 50 people. It also calls for people who can work from home to continue to do so but allows for employees in certain fields to begin to reenter the office as needed, including State employees. It maintains the 14 day quarantine for all people entering or returning to Maine and the special precautions for older Mainers and others at risk of COVID-19. With appropriate safety precautions, Stage 2 would allow for some degree of opening with reservations, capacity limits, and other measures for:

- Restaurants
- Fitness and exercise centers and nail technicians
- Retail stores for broader in-store shopping
- Lodging and campgrounds for Maine residents and those who have met the 14 day quarantine requirement
- Day camps for Maine children and those who have met the 14 day quarantine requirement
- Coastal State parks

**Stage 3 (July & August):** Tentatively beginning July 1st, Stage 3 contemplates maintaining the prohibition on gatherings of more than 50 people and other Stage 1 and Stage 2 restrictions, including the 14-day quarantine on people entering Maine. With appropriate safety precautions, Stage 3 would allow for some degree of opening for:

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- Lodging, such as hotels, campgrounds, summer camps, or RV parks for Maine residents and visitors. The Administration is developing guidelines to assist them in safely reopening, and reservations should not be taken until those guidelines are issued.
- Outdoor recreation such as charter boats and boat excursions
- Bars
- Personal services such as spas, tattoo and piercing parlors, and massage facilities, among others

**Stage 4 (Timeline Undetermined):** Stage 4 contemplates lifting restrictions and allowing all businesses and activities to resume with appropriate safety precautions.

The stages outlined above are advanced as a framework for planning. Innovations or expanded testing and other capacity could accelerate this pace, as could a determination that certain parts of Maine, such as some rural areas, may be able to ease restrictions safely. At the same time, a surge in COVID-19 in parts or all of Maine could result in significant adjustments to this plan and a return to more restrictions.

- On April 28, 2020, the Governor shared a plan to gradually and safely restart Maine’s economy. The plan establishes four gradual stages of reopening, the first of which begins May 1st. The stages focus on the ability of a business to operate or an activity to occur in a manner that protects public health and safety. The Maine CDC will be tracking three primary metrics in its evaluation of whether or not to progress through the stages: 1) a downward trajectory of influenza-like illnesses and COVID-like syndromic cases; 2) a downward trajectory of documented cases and newly hospitalized patients; and 3) the capacity of Maine’s hospital systems to treat all patients without crisis care and the ability of the state to engage in a robust testing program.\(^{227}\)

- On April 29, 2020, the Governor signed an executive order extending the stay-at-home order until May 31st. However, it now allows citizens to visit businesses or participate in activities deemed safe to open under Stage 1 of the reopening plan.\(^{228}\)

- On May 14, 2020, the Governor announced that, effective immediately, Maine lodging providers can begin accepting future reservations for stays with an arrival date of June 1st and beyond for Maine residents and for non-residents who comply with the State’s 14-day quarantine requirement.\(^{229}\)

- On May 19, 2020, the Governor announced the following updates to the plan to restart Maine’s economy:\(^{230}\)
  - Maine residents may enjoy campgrounds beginning Memorial Day weekend;
  - The Administration is delaying the full reopening of gyms, fitness centers, and nail salons in light of emerging research and experiences in other states of COVID-19 transmission related to these establishments.

- On May 27, 2020, the Governor announced that she is postponing the full reopening of restaurants for dine-in services in York, Cumberland, and Androscoggin counties. The decision to limit their reopening comes amidst an increase in hospitalizations as well as an increase in case counts in these three counties.\(^{231}\)

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• On May 30, 2020, the Governor has directed the Maine Department of Corrections (MDOC) to offer to purchase perishable and non-perishable food from restaurants in York, Cumberland, and Androscoggin counties that are unable to open to indoor dining as a result of measures to protect public health and mitigate the spread of COVID-19.\(^{232}\)

**Maryland**

• On March 23, Maryland Governor Hogan issued Order 20-03-23-01 closing all non-essential businesses and other establishments.\(^{233}\) The Office of Legal Counsel also issued interpretive guidance related to the Order.\(^{234}\)

• **Essential businesses or entities providing services or functions include but not limited to:**
  o Chemical sector includes but is not limited to pharmaceutical manufacturers, chemical manufacturers, and distributors of chemicals and pharmaceuticals.
  o Commercial Facilities sector includes but is not limited to lodging, building and property maintenance companies, including without limitation plumbers, electricians, HVAC service companies, roofers, environmental services companies, exterminators, arborists, and landscapers, janitorial firms, companies that sell supplies and materials for maintenance of commercial and residential buildings, including “big box” home improvement supply stores, plumbing distributors, electrical distributors, and HVAC distributors, laundromats, dry cleaners, and laundry services, commercial and residential construction companies, and self-storage facilities.
  o Communications sector includes but is not limited to broadcasting companies and stations, cable TV companies, telephone (cellular and landline) companies, and internet service providers.
  o Critical Manufacturing sector includes but is not limited to manufacturing of steel, iron, and aluminum product, engines, motors, turbines, generators, and power transmission equipment, earth-moving, mining, agricultural, and construction equipment; parts for water, electric, and telecommunications utility infrastructure; land, air, and water vehicles, and related parts; medical equipment, personal protective equipment, cleaning and sanitation equipment and supplies.
  o Defense Industrial Base sector includes but is not limited to companies that research, develop, manufacture, or integrate weapons, defense, or intelligence systems or assets, as well as private contractors that support defense and intelligence agencies.
  o Emergency Services sector includes but is not limited to law enforcement, emergency medical services, emergency management, fire and rescue services, and private ambulance companies.
  o Energy sector includes but is not limited to companies engaged in electricity production (excluding hydroelectric and nuclear, which are included in other sectors), companies engaged in the production, refining, storage, transportation, distribution, and sale of oil, gas, and propane products, including gas stations and truck stops, and companies that provide utility maintenance services.
  o Financial Services sector includes but is not limited to banks and credit unions, non-bank lenders, payroll processing companies, payment processing companies, armored car companies, insurance companies, securities and investment companies, and accounting and bookkeeping firms.
  o Food and Agriculture sector includes but is not limited to grocery stores, farmer’s markets, convenience stores, alcoholic beverage stores and distributors, distilleries, and wineries, institutional food service and supply companies, farms, food manufacturing and


processing, pet supply stores, veterinary hospitals, clinics, and kennels, companies that manufacture, maintain, and sell agricultural equipment, companies that manufacture, or support the manufacturing of paper products.

- Government Facilities sector also encompasses private persons and entities that support the judicial system including but not limited to lawyers and law firms, court reporters, and bail bondsmen.
- Healthcare and Public Health sector includes but is not limited to hospitals, healthcare systems and clinics, offices of health care providers, including physicians, dentists, and pharmacists, physical, occupation, and speech therapists. Behavioral health facilities and professionals, including psychologists, mental health counselors, and substance abuse counselors, rehabilitation facilities, diagnostic facilities, including radiology, imaging, and laboratory facilities, health plans, payors, and billing companies, funeral homes and crematoriums, senior living facilities, including independent living, assisted living, and skilled nursing, manufacturers and distributors of medical equipment and supplies, medical cannabis growers, processors, and dispensaries, home health care companies, and pharmacies.
- Information Technology sector includes but is not limited to companies that design, develop, distribute, host, sell, and support information technology software and hardware, and companies that provide network routing, access, and configuration services.
- Transportation Systems sector includes but is not limited to airlines and operators of commercial aircraft (manned and unmanned), airports, air strips, heliports, and seaplane bases, railroads, motor carriers, carriers of marine freight, including ocean carriers and inland carriers, marine, rail, truck, and intermodal terminals, and operators thereof, stevedores, longshoremen, baggage handlers, and others who handle cargo at transportation hubs; courier, package delivery, mail service, and mail management companies; warehousing and distribution companies, pipeline owners, operators and maintenance companies, assessors of transportation assets, including railcars and truck trailers, companies that supply parts, or provide maintenance and repair services for transportation assets and infrastructure, including aircraft, marine vessels, locomotives, rail cars, trucks, buses, cars, heavy equipment, roads, bridges, tunnels, airports, air strips, marine terminals, railroads, automotive supply stores and repair shops.
- Water and Wastewater Systems sector includes but is not limited to municipal, community, and other drinking water and wastewater systems and facilities, well drillers, companies that provide maintenance and inspection services for water and wastewater assets, including treatment works, residential water treatment systems, piping, pumps, tanks, drains, conveyances, and monitoring systems, and water testing companies.
- Supporting Firms. The federal critical infrastructure sectors include firms providing the following to any other business, organization, or facility included in the federal critical infrastructure sectors: Staffing and/or payroll services; essential raw materials, products, or services.
- Door-to-Door Solicitation. Door-to-door solicitation (even by businesses that are permitted to remain open) is likely to violate social-distancing guidelines and should be discontinued.

**Non-essential services and sectors include but are not limited to:**

- Casinos, racetracks, simulcast betting facilities, enclosed malls, certain recreational establishments, and certain retail businesses are subject to specific provisions of this and other Orders and are required to close.
- Restaurants and bars are subject to specific provisions of the Order, and are required to close (except for carry-out, delivery, and drive-through sales)
- Others not designated under the Order as essential.
On March 29, the Governor issued a Stay-at-Home Order ("SIP Order") effective March 30 at 8:00 EST. Under the SIP Order, residents must remain in their residence except to conduct or participate in essential activities, including obtaining necessary supplies, maintaining health/safety, caring for family/friends, and outdoor exercise activities.\textsuperscript{235}

On April 15, 2020, the Governor announced that face masks must be worn while inside any retail establishment, including grocery stores, pharmacies or convenience stores, or while riding on any public transit.\textsuperscript{236}

On April 24, 2020, Governor Hogan announced his Maryland Strong: Roadmap to Recovery,\textsuperscript{237} which outlines building blocks for recovery related to expanding testing capacity, increased hospital surge capacity, ramping up supply of PPE, and improving contact tracing operations. To determine when a recovery can begin, Maryland officials will focus on the rate of hospitalizations and the number of patients admitted to ICU. If these numbers continue to plateau, Maryland could be ready to begin the recovery in early May.

**STAGE ONE** calls for lifting the stay-at-home order, and involves business, community, religious, and quality of life improvements. Examples of changes that could be implemented in this stage include:

- Reopening of small shops and certain small businesses
- Curbside pickup and drop-off for businesses
- Elective medical and dental procedures at ambulatory, outpatient, and medical offices
- Limited attendance outdoor religious gatherings
- Recreational boating, fishing, golf, tennis, hiking, and hunting
- Reopening of car washes
- Limited outdoor gym and fitness classes
- Outdoor work with appropriate distancing measures
- Some personal services

**STAGE TWO** will likely be a longer stage of the initial recovery, but will also be the stage when a large number of businesses and activities come back online. Any businesses that reopen during this period would need to comply with strict physical distancing and appropriate safety protocols. Examples of changes that could be implemented in this stage include:

- Raising the cap on social gatherings
- Indoor gyms and fitness classes
- Childcare centers
- Normal transit schedules
- Indoor religious gatherings
- Reopening of restaurants and bars with restrictions
- Elective and outpatient procedures at hospitals

**STAGE THREE** will involve instituting higher-risk activities, but there is no realistic timeline yet for achieving this level. Examples of changes that could be implemented in this stage include:

- Larger social gatherings
- Reopening of high-capacity bars and restaurants
- Lessened restrictions on visits to nursing homes and hospitals
- Reopening of entertainment venues
- Larger religious gatherings

**Regional Approach.** The Roadmap contemplates offering some flexibility to health officers of county and municipal governments, and considering regional differences in COVID-19 conditions.

In each stage, the state will evaluate which localities meet appropriate gating criteria in the jurisdiction and/or region. In the event a locality has satisfied the gating criteria, county health officers will be permitted to expand the permitted activities and businesses under parameters of the current stage identified by the state.

On May 6, 2020, the Governor announced the resumption of elective medical procedures and the broadening of permitted outdoor activities.238

On May 26, 2020, the Governor announced that Adventist HealthCare Fort Washington Medical Center became the first hospital in the nation to install STAAT Mod(TM) (Strategic, Temporary, Acuity-Adaptable Treatment) modular units to care for COVID-19 and other critically ill patients.239

On May 27, 2020, the Governor announced that due to successful Stage One reopenings across the state and improvements in key data and metrics, the State of Maryland can now safely move forward with the completion of Stage One of the ‘Maryland Strong: Roadmap to Recovery,’ which includes the resumption of outdoor dining and outdoor activities such as youth sports and youth day camps, and the reopening of outdoor pools and drive-in movie theaters.240

Massachusetts


All businesses and other organizations that do not provide COVID-19 Essential Services shall close their physical workplaces and facilities ("brick-and-mortar premises") to workers, customers, and the public as of 12:00 noon on March 24, 2020 and shall not re-open to workers, customers, or the public before 12:00 noon on April 7, 2020.

Essential Services include:

- **Health Care/ Public Health / Human Services:**
  - Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
  - Medical Professionals and caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists, other providers of mental and behavioral health care, personal care attendants, home health aides and home care workers).
  - Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarins, respiratory therapists, etc.)
  - Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Medical Clinics, Community Mental Health Centers, Methadone/OBOT Clinics, 24 hour Diversionary and Residential Behavioral Health Providers, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Nursing

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Facilities, Rest Homes, Assisted Living Residences, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Residential Treatment Schools, Rural Health Clinics and Federally Qualified Health Centers and Community Health Centers, State Hospitals, and licensed medical marijuana retailers

- Workers in other 24/7 community resident services serving children and youth, and individuals with developmental, intellectual, physical and/or cognitive disabilities
- Manufacturers, technicians, logistics and warehouse operators, and distributors of or necessary to the supply chain of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information
- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services and workers at funeral homes, crematoriums, and cemeteries
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident

- **Law Enforcement, Public Safety, First Responders**
  - Personnel in emergency management, law enforcement, Emergency Management Systems, fire, and corrections, including front line and management required to maintain operations,
  - Emergency Medical Technicians
  - 911 call center employees, including telecommunicators, dispatchers and managers
  - Fusion Center employees
  - Hazardous material responders from government and the private sector.
  - Workers, including contracted vendors, who maintain digital systems infrastructure supporting law enforcement and emergency service operations.

- **Food and Agriculture**
Workers supporting groceries, pharmacies and other retail, including farmers markets and farm stands, that sells food and beverage products, including liquor stores

Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees

Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging

Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically

Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs

Workers supporting the seafood and fishing industry

Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers

Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail

Company cafeterias - in-plant cafeterias used to feed employees; food service workers in residential schools with students who are unable to leave campus

Workers in food testing labs in private industries and in institutions of higher education

Workers essential for assistance programs and government payments

Employees of companies engaged in the production of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids

Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants and associated regulatory and government workforce

Organizations and workers responsible for the care and custody of animals, pets and livestock

Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products

Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

**Energy:** includes following subsectors and employees, further defined in the order:
- Electricity industry:
- Petroleum workers:
- Natural and propane gas workers
- Steam workers.

**Waste and Wastewater:** Employees needed to operate and maintain public and private drinking water and wastewater/drainage infrastructure, further defined in the order.

**Transportation and Logistics:** Employees supporting or enabling transportation functions, further defined in the order.
• **Public Works**: workers who support the operation, inspection, and maintenance of essential public works, further defined in the order.

• **Communications and Information Technology**
  - **Communications**: employees that support the maintenance and operation of communications infrastructure, further defined in the order.
  - **Information Technology**: employees that support the maintenance and operation of IT infrastructure, further defined in the order.

• **Other Community-Based Essential Functions and Government Operations**
  - Workers to ensure continuity of building functions, including local and state inspectors and administrative support of inspection services who are responsible for the inspection of elevators, escalators, lifts, buildings, plumbing and gas fitting, electrical work, and other safety related professional work
  - Security staff to maintain building access control and physical security measures
  - Elections personnel
  - Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
  - Trade Officials (FTA negotiators; international data flow administrators)
  - Weather forecasters
  - Workers that maintain digital systems infrastructure supporting other critical government operations
  - Workers at operations centers necessary to maintain other essential functions
  - Workers who support necessary credentialing, vetting and licensing operations for transportation workers including holders of Commercial Drivers Licenses
  - Workers who are critical to facilitating trade in support of the national, state and local emergency response supply chain
  - Educators and staff supporting public and private emergency childcare programs, residential schools for students with disabilities, K-12 schools, colleges, and universities for purposes of facilitating distance learning, provision of school meals, or performing other essential student support functions, if operating under rules for social distancing
  - Hotel workers
  - Critical government workers, as defined by the employer and consistent with Continuity of Operations Plans
  - Construction Workers who support the construction, operation, inspection, and maintenance of construction sites and construction projects (including housing construction)
  - Workers that provide services for or determine eligibility for public benefits such as subsidized health care, food and feeding programs, residential and congregate care programs, shelter, in-home supportive services, child welfare, juvenile justice programs, adult protective services and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals (including family members)
  - Workers in sober homes
  - Professional services (such as legal and accounting services) and payroll and employee benefit services, when necessary to assist in compliance with legally mandated activities and critical sector services or where failure to provide such services during the time of the order would result in significant prejudice
  - Commercial retail stores that supply essential sectors, including convenience stores, pet supply stores, auto supplies and repair, hardware and home improvement, and home appliance retailers
  - Laundromats and laundry services
• Workers and instructors supporting academies and training facilities and courses for the purpose of graduating students and cadets that comprise the essential workforce for all identified critical sectors
• Workers at places of worship
• **Critical Manufacturing:** Workers necessary for the manufacturing of materials and products needed for medical supply chains including personal protective equipment and hygiene products, transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base.

• **Hazardous Materials**
  • Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
  • Workers who support hazardous materials response and cleanup
  • Workers who maintain digital systems infrastructure supporting hazardous materials management operations

• **Financial Services**
  • Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
  • Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
  • Workers who support financial operations, such as those staffing data and security operations centers

• **Chemical**
  • Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
  • Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items
  • Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products
  • Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections
  • Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing

• **Defense Industrial Base:** Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military.
• If the function of your business is not listed above, but you believe that it is essential or it is an entity providing essential services or functions, you may request designation as an essential business.
• On April 28, 2020, the Governor extended the essential services emergency order to May 18th and launched a Reopening Advisory Board that will produce a plan to the Governor by May 18, 2020.  


• On May 1, 2020, the Governor issued an order requiring the use of masks or face coverings in public places and announced expanded community health center testing capacity.  


• On May 12, 2020, the Governor’s Administration filed a supplemental budget bill for Fiscal Year 2020 which will authorize $1 billion in spending necessary to cover incurred and expected costs during the public health crisis, and it is expected that this spending will result in no net cost to the Commonwealth, after anticipated federal reimbursement and other federal funding sources.  


• On May 11, 2020, the Governor announced a four-phase approach to reopening the Massachusetts economy and published Mandatory Workplace Safety Standards that will apply across all sectors and industries once reopening begins.  


• The goal of the phased reopening, based on public health guidance, is to methodically allow certain businesses, services, and activities to resume, while protecting public health and limiting a resurgence of new COVID-19 cases.

  o **Phase 1 will be “Start:”** limited industries resume operations with severe restrictions
  o **Phase 2 will be “Cautious:”** additional industries resume operations with restrictions and capacity limits
  o **Phase 3 will be “Vigilant:”** additional industries resume operations with guidance
  o **Phase 4 will be the “New Normal:”** development of vaccine and/or therapy enables resumption of new normal.

• Governor Baker announced that Phase One of reopening may begin on **May 18**. The following entities will permitted to reopen under certain restrictions:  

  o Places of worship with guidelines and outdoor services are encouraged
  o Essential businesses, manufacturing and construction
  o Hospitals and community health centers can start with high priority preventative care and treatment for high-risk patients
  o Public transit riders on the MBTA will be required to wear masks

• **On May 25**, the following entities will be permitted to reopen with restrictions:  

  o Personal services – hair salons, barbershops, pet grooming (curbside drop off/pick up) – all by appointment only
  o Car washes – exterior washing only
  o Laboratories and life sciences facilities
  o Offices (not in Boston) but must be less than 25% maximum occupancy; work from home strongly encouraged
Retail for remote services and curbside pick up
Beaches, parks, drive-in theaters, athletic fields and courts, outdoor adventure activities, most fishing, hunting and boating, along with outdoor gardens, zoos, reserves and public installations – all with guidelines
Day Care: Childcare operating at reduced capacity and on an emergency basis for children of workers with no safe alternative to group care

On June 1, offices will be permitted to reopen in Boston.
The state will issue a checklist for each industry. Businesses will have to check off everything and keep a written copy of its COVID-19 plan. The state will not inspect businesses before reopening, but if there is a problem, or if asked, businesses must be able to provide this paperwork.

Michigan
Effective on March 24, 2020 at 12:01am Gov. Gretchen Whitmer issued a "Stay Home, Stay Safe" order and it will continue through April 13, 2020 at 11:59 pm.
All public and private gatherings of any number of people occurring among persons not part of a single household are prohibited.
For purposes of this order, workers who are necessary to conduct minimum basic operations are those whose in-person presence is strictly necessary to allow the business or operation to maintain the value of inventory and equipment, care for animals, ensure security, process transactions (including payroll and employee benefits), or facilitate the ability of other workers to work remotely.
Businesses and operations must determine which of their workers are necessary to conduct minimum basic operations and inform such workers of that designation. Businesses and operations must make such designations in writing, whether by electronic message, public website, or other appropriate means. Such designations, however, may be made orally until March 31, 2020 at 11:59 pm.
For purposes of this order, critical infrastructure workers are those workers described by CISA. Such workers include some workers in each of the following sectors:
- Health care and public health.
- Law enforcement, public safety, and first responders.
- Food and agriculture.
- Energy.
- Water and wastewater.
- Transportation and logistics.
- Public works.
- Communications and information technology, including news media.
- Other community-based government operations and essential functions.
- Critical manufacturing.
- Hazardous materials.
- Financial services.
- Chemical supply chains and safety.
- Defense industrial base.
In addition to workers defined by CISA, the following businesses and operations that employ critical infrastructure workers may continue in-person operations:
- Health care and public health.
- Perform necessary government activities, including workers in law enforcement, public safety, and first responders.

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249 Michigan Executive Order 2020-21, [https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-522626--00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-522626--00.html).
• Public transit, trash pick-up and disposal, activities necessary to manage and oversee elections, operations necessary to enable transactions that support the work of a business’s or operation’s critical infrastructure workers, and the maintenance of safe and sanitary public parks so as to allow for outdoor recreation.

• Necessary to conduct minimum basic operations are those whose in-person presence is strictly necessary to allow the business or operation to maintain the value of inventory and equipment, care for animals, ensure security, process transactions (including payroll and employee benefits), or facilitate the ability of other workers to work remotely.

• Provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities (including both and religious and secular nonprofit organizations).

• Perform critical labor union functions, including those who administer health and welfare funds and those who monitor the well-being and safety of union members who are critical infrastructure workers, provided that any administration or monitoring should be done by telephone or remotely where possible.

• Child care workers (including workers at disaster relief child care centers), but only to the extent necessary to serve the children or dependents of critical infrastructure workers as defined in this order. This category includes individuals (whether licensed or not) who have arranged to care for the children or dependents of critical infrastructure workers.

• Suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate the work of its critical infrastructure workers.
  - Designated suppliers, distribution centers, and service providers may in turn designate additional suppliers, distribution centers, and service providers whose continued operation is necessary to enable, support, or facilitate the work of their critical infrastructure workers.

• Insurance industry, but only to the extent that their work cannot be done by telephone or remotely.

• EXEMPTIONS: Individuals may leave their home or place of residence, and travel as necessary:
  - To engage in outdoor activity, including walking, hiking, running, cycling, or any other recreational activity consistent with remaining at least six feet from people from outside the individual’s household.
  - To perform tasks that are necessary to their health and safety, or to the health and safety of their family or household members (including pets).
  - To secure medication or to seek medical or dental care that is necessary to address a medical emergency or to preserve the health and safety of a household or family member (including procedures that, in accordance with a duly implemented nonessential procedures postponement plan, have not been postponed).
  - To obtain necessary services or supplies for themselves, their family or household members, and their vehicles.
  - To purchase groceries, take-out food, gasoline, needed medical supplies, and any other products necessary to maintain the safety, sanitation, and basic operation of their residences.
  - To care for a family member or a family member’s pet in another household.
  - To care for minors, dependents, the elderly, persons with disabilities, or other vulnerable persons.
  - To visit an individual under the care of a health care facility, residential care facility, or congregate care facility, to the extent otherwise permitted.
  - To attend legal proceedings or hearings for essential or emergency purposes as ordered by a court.
o To work or volunteer for businesses or operations (including both and religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.

o To return to a home or place of residence from outside this state.

o To leave this state for a home or residence elsewhere.

o To travel between two residences in this state.

o As required by law enforcement or a court order, including the transportation of children pursuant to a custody agreement.

**SANCTIONS AND JURISDICTION:**

- Businesses, operations, suppliers, distribution centers, and service providers that abuse their designation authority shall be subject to sanctions to the fullest extent of the law.

- Nothing in this order should be taken to supersede another executive order or directive that is in effect, except to the extent this order imposes more stringent limitations on in-person work, activities, and interactions. Consistent with prior guidance, a place of religious worship, when used for religious worship, is not subject to penalty.

- Consistent with MCL 10.33 and MCL 30.405(3), a willful violation of this order is a misdemeanor.

On March 31, 2020, the Governor announced updates to the list of businesses deemed to provide “COVID-19 Essential Services” and extended the non-essential business emergency order to May 4.

On April 8, 2020, the Governor filed legislation to provide health care workers and facilities protections from civil liability while they are on the front lines of response to this public health emergency.

Gov. Whitmer issued Executive Order No. 2020-42 temporarily suspending activities that are not necessary to sustain or protect life. The Order rescinds Executive Order 2020-21 and take effect on April 9, 2020 at 11:59 pm until April 30, 2020.

This Order must be construed broadly to prohibit in-person work that is not necessary to sustain or protect life.

All individuals currently living within the State of Michigan are ordered to stay at home or at their place of residence.

All public and private gatherings of any number of people occurring among persons not part of a single household are prohibited.

No person or entity shall operate a business or conduct operations that require workers to leave their homes or places of residence except to the extent that those workers are necessary to sustain or protect life or to conduct minimum basic operations.

**Essential Workers:** Workers who are necessary to sustain or protect life are defined as “critical infrastructure workers,” as described by the Director of the U.S. Cybersecurity and Infrastructure Security Agency in his guidance of March 19, 2020 on the COVID-19 response (available here).

This order does not adopt any subsequent guidance document released by this same agency.

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252 State of Michigan Executive Order No. 2020-42, Temporarily Suspending Activities That Are Not Necessary To Sustain Or Protect Life, Superseding Executive Order No. 21, [https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-525182--.00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-525182--.00.html).

Consistent with the March 19, 2020 guidance document, critical infrastructure workers include some workers in each of the following sectors:

- Health care and public health.
- Law enforcement, public safety, and first responders.
- Food and agriculture.
- Energy.
- Water and wastewater.
- Transportation and logistics.
- Public works.
- Communications and information technology, including news media.
- Other community-based government operations and essential functions.
- Critical manufacturing.
- Hazardous materials.
- Financial services.
- Chemical supply chains and safety.
- Defense industrial base.
- Child care workers (including workers at disaster relief child care centers), but only to the extent necessary to serve the children or dependents of workers required to perform in-person work as permitted under this order. This category includes individuals (whether licensed or not) who have arranged to care for the children or dependents of such workers.
- Workers at suppliers, distribution centers, or service providers.
- Any suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate another business’s or operation’s critical infrastructure work may designate their workers as critical infrastructure workers, provided that only those workers whose in-person presence is necessary to enable, support, or facilitate such work may be so designated.
- Any suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate the necessary work of suppliers, distribution centers, or service providers described in the section above may designate their workers as critical infrastructure workers, provided that only those workers whose in-person presence is necessary to enable, support, or facilitate such work may be so designated.
- Any suppliers, distribution centers, or service providers further down the supply chain whose continued operation is necessary to enable, support, or facilitate the necessary work of their suppliers, distribution centers, or service providers may likewise designate their workers as critical infrastructure workers, provided that only those workers whose in-person presence is necessary to enable, support, or facilitate such work may be so designated.
  - Suppliers, distribution centers, and service providers that abuse their designation authority under this subsection shall be subject to sanctions to the fullest extent of the law.
- Workers in the insurance industry, but only to the extent that their work cannot be done by telephone or remotely.
- Workers and volunteers for businesses or operations (including both religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.
- Workers who perform critical labor union functions, including those who administer health and welfare funds and those who monitor the well-being and safety of union members who are critical infrastructure workers, provided that any administration or monitoring should be done by telephone or remotely where possible.
Workers at retail stores who sell groceries, medical supplies, and products necessary to maintain the safety, sanitation, and basic operation of residences, including convenience stores, pet supply stores, auto supplies and repair stores, hardware and home maintenance stores, and home appliance retailers.

Workers at laundromats, coin laundries, and dry cleaners.

Workers at hotels and motels, provided that the hotels or motels do not offer additional in-house amenities such as gyms, pools, spas, dining, entertainment facilities, meeting rooms, or like facilities.

Workers at motor vehicle dealerships who are necessary to facilitate remote and electronic sales or leases, or to deliver motor vehicles to customers, provided that showrooms remain closed to in-person traffic.

- **Minimum Basic Operations.** For purposes of this order, workers who are necessary to conduct minimum basic operations are those whose in-person presence is strictly necessary to allow the business or operation to maintain the value of inventory and equipment, care for animals, ensure security, process transactions (including payroll and employee benefits), or facilitate the ability of other workers to work remotely.
  - Businesses and operations must determine which of their workers are necessary to conduct minimum basic operations and inform such workers of that designation.
  - **Businesses and operations must make such designations in writing, whether by electronic message, public website, or other appropriate means.**
  - Workers need not carry copies of their designations when they leave the home or place of residence for work.

- **Business Restrictions.**
  - For stores of less than 50,000 square feet of customer floor space:
    - Limit the number of people in the store (including employees) to 25% of the total occupancy limits established by the State Fire Marshal or a local fire marshal.
  - For stores of more than 50,000 square feet:
    - Limit the number of customers in the store at one time (excluding employees) to 4 people per 1,000 square feet of customer floor space. The amount of customer floor space must be calculated to exclude store areas that are closed under the provisions below.
    - Close areas of the store—by cordonning them off, placing signs in aisles, posting prominent signs, removing goods from shelves, or other appropriate means—that are dedicated to the following classes of goods:
      - Carpet or flooring.
      - Furniture.
      - Garden centers and plant nurseries.
      - Paint.
  - By April 13, 2020, refrain from the advertising or promotion of goods that are not groceries, medical supplies, or items that are necessary to maintain the safety, sanitation, and basic operation of residences.
  - Create at least two hours per week of dedicated shopping time for vulnerable populations, which for purposes of this order are people over 60, pregnant women, and those with chronic conditions like heart disease, diabetes, and lung disease.
  - **Enforcement.** The director of the Department of Health and Human Services is authorized to issue an emergency order varying the capacity limits described in this order.

- **Short-Term Rentals.**
  - No one shall advertise or rent a short-term vacation property except as necessary to assist in housing a health care professional or volunteer aiding in the response to the COVID-19 crisis.
Essential Travel. Exceptions. Individuals may leave their home or place of residence, and travel as necessary:

- To engage in outdoor physical activity, consistent with remaining at least six feet from people from outside the individual’s household. Outdoor physical activity includes walking, hiking, running, cycling, kayaking, canoeing, or other similar physical activity, as well as any comparable activity for those with limited mobility.
- To perform their jobs as critical infrastructure workers after being so designated by their employers.
- To conduct minimum basic operations after being designated to perform such work by their employers.
- To perform necessary government activities, as described in this order.
- To perform tasks that are necessary to their health and safety, or to the health and safety of their family or household members (including pets). Individuals may, for example, leave the home or place of residence to secure medication or to seek medical or dental care that is necessary to address a medical emergency or to preserve the health and safety of a household or family member (including procedures that, in accordance with a duly implemented nonessential procedures postponement plan, have not been postponed).
- To obtain necessary services or supplies for themselves, their family or household members, their pets, and their vehicles.
- Individuals must secure such services or supplies via delivery to the maximum extent possible. As needed, however, individuals may leave the home or place of residence to purchase groceries, take-out food, gasoline, needed medical supplies, and any other products necessary to maintain the safety, sanitation, and basic operation of their residences.
- Individuals should limit, to the maximum extent that is safe and feasible, the number of household members who leave the home for any errands.
- To care for a family member or a family member’s pet in another household.
- To care for minors, dependents, the elderly, persons with disabilities, or other vulnerable persons.
- To visit an individual under the care of a health care facility, residential care facility, or congregate care facility, to the extent otherwise permitted.
- To attend legal proceedings or hearings for essential or emergency purposes as ordered by a court.
- To work or volunteer for businesses or operations (including both religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.
- To attend a funeral, provided that no more than 10 people are in attendance at the funeral.
- To return to a home or place of residence from outside this state.
- To leave this state for a home or residence elsewhere. However, travel between two residences in this state after April 10, 2020 is not permitted.
- As required by law enforcement or a court order, including the transportation of children pursuant to a custody agreement.
- All other travel is prohibited, including all travel to vacation rentals.

Enforcement and Jurisdiction.

Businesses, operations, suppliers, distribution centers, and service providers that abuse their designation authority shall be subject to sanctions to the fullest extent of the law.

There is a link via the state website for FAQs pertaining to this order at https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-525278--,00.html.
• On April 17, 2020, Governor Whitmer signed Executive Order 2020-54 and 2020-53 to extend previous orders that suspended evictions and enhanced restrictions on price gouging.254
• On April 20, 2020, Governor Whitmer signed Executive Order No. 2020-55, creating the Michigan Coronavirus Task Force on Racial Disparities.255
• On April 24, 2020, Governor Whitmer signed executive order 2020-59, extending her “Stay Home, Stay Safe” order. The order also requires people to wear homemade masks when they are in enclosed public spaces and eases some restrictions on the public (e.g. allows motorized boating).
• On April 26, 2020, Governor Whitmer signed Executive Order 2020-60 to establish strategies to reduce exposure between customers and employees. The order also provides temporary relief by suspending licensing requirements and regulations for food service industries.
• On April 27, 2020, Governor Whitmer signed Executive Order 2020-63, which extends validity of existing personal protection orders that would otherwise expire.
• On April 30, 2020, the Governor signed Executive Order 2020-65 to extend and clarify a previous Executive Order, which ordered all K-12 school buildings to close for instructional purposes to students for the remainder of the school year.
• On April 30, 2020, the Governor signed the following:
  • Executive Order 2020-66, which terminates the existing state of emergency and disaster declarations.
  • Executive Order 2020-67, which clarifies that a state of emergency remains in effect until May 28.
  • Executive Order 2020-68, which declares a state of emergency and a state of disaster.
• On May 1, 2020, the Governor signed Executive Order 2020-70 which allows the May 7 resumption of some types of work that present a very low risk of infection (e.g., construction and work performed outdoors).
• On May 2, 2020, the Governor signed Executive Order 2020-71, which extends existing safety measures to protect consumers and employees at grocery stores and pharmacies until May 29, and extends temporary relief from licensing requirements for food sellers and pharmacies.
• On May 18, 2020, Governor Whitmer signed executive order 2020-91 to ensure robust protections for Michigan workers and requires all businesses to adhere to strict safety guidelines to protect their workers, their patrons, and their communities from infection. To foster compliance, the governor also signed Executive Directive 2020-6 to appoint a Director of COVID-19 Workplace Safety within the Department of Labor and Economic Opportunity.256
• On May 18, 2020, Governor Whitmer signed Executive Order 2020-92, allowing for the reopening, in two regions, of retail businesses, office work that cannot be done remotely, and restaurants and bars with limited seating.257
• On May 19, 2020, Governor Whitmer signed Executive Order 2020-93, which continues to allow pharmacists to dispense emergency refills of prescriptions for up to 60 days’ worth of supply for patients and require insurers to cover early refills for up to 90 days’ worth of supply during the ongoing pandemic.258

On May 21, 2020, the Governor signed Executive Order 2020-96 to reopen retail businesses and auto dealerships by appointment only.\(^{259}\)

On May 21, 2020, the Governor signed Executive Order 2020-97, updating a prior rule on workplace safety. Per the amended order, reopened outpatient health-care facilities, including clinics, primary care physician offices, and dental offices, will have to adopt strict protocols to prevent infection.\(^{260}\)

On May 26, 2020, the Governor signed Executive Order 2020-104, which expands the types of medical personnel that can order a test, and creates a new category of community testing sites that offer testing to anyone with reason to be tested without an advance order, and without charging an out-of-pocket cost to any resident. Under this, anyone who leaves their home for work, or has symptoms of COVID-19 (even mild symptoms), may receive a test at a community testing location without securing a doctor’s order in advance.\(^{261}\)

On May 26, 2020, the Governor launched an online dashboard that visually illustrates COVID-19 risks and trends in Michigan, providing residents with important information about the pandemic status where they live and work. The dashboard, designed and created by faculty at U-M School of Information and School of Public Health, presents risk and capacity indicators that inform implementation of the MI Safe Start Plan.\(^{262}\)

On May 28, 2020, the Governor sent a letter to President Trump requesting an extension of Title 32 authority in order to use Michigan National Guard forces to combat the spread through July 31.\(^{263}\)

On June 1, 2020, the Governor signed Executive Order 2020-110, rescinding her Safer at Home order and moving the entire state to phase four of the MI Safe Start Plan.\(^{264}\)

### Minnesota

On March 25, 2020, Governor Tim Walz signed Executive Order 20-20\(^ {265}\) directing Minnesotans to stay at home and limit movements outside of their home beyond essential needs. The order takes effect at 11:59pm on Friday, March 27 and ends at 5:00pm on Friday, April 10.

On March 16, 2020, Gov. Walz issued Executive Order 20-04\(^ {266}\) ordering the temporary closure of bars, restaurants, and other places of public accommodation. On March 25, 2020, he extended this order under Executive Order 20-18\(^ {267}\) until May 1, 2020 at 5:00 pm. Liquor stores will remain open.

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\(^{259}\) Governor Whitmer Press Release, [https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-529861-00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-529861-00.html)

\(^{260}\) Governor Whitmer Press Release, [https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-529861-00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-529861-00.html)

\(^{261}\) Governor Whitmer Press Release, [https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-530120-00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-530120-00.html)

\(^{262}\) Governor Whitmer Press Release, [https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-530119-00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-530119-00.html)

\(^{263}\) Governor Whitmer Press Release, [https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-530342-00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-530342-00.html)

\(^{264}\) Governor Whitmer Press Release, [https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-530627-00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-530627-00.html)

\(^{265}\) Minnesota Stay at Home order, Executive Order 20-20, [https://mn.gov/governor/assets/EO%202020-20%20FINAL_tcm1055-424864.pdf](https://mn.gov/governor/assets/EO%202020-20%20FINAL_tcm1055-424864.pdf).


\(^{267}\) Minnesota Executive Order 20-18, Continuing the Closure of Bars, Restaurants, and Other Places of Public Accommodation, [https://mn.gov/governor/assets/EO%202020-18%20FINAL_tcm1055-424863.pdf](https://mn.gov/governor/assets/EO%202020-18%20FINAL_tcm1055-424863.pdf).
• **Definitions.** As used in this Executive Order, “workers” and “personnel” are broadly defined to include employees, contractors, vendors, and volunteers.

• Minnesotans may leave their residences only to perform any of the following activities, and should practice social distancing while doing so:
  - Health and safety activities, such as obtaining emergency services or medical supplies.
  - Outdoor activities, such as walking, hiking, running, biking, hunting or fishing.
  - Necessary supplies and services, such as getting groceries, gasoline or carry-out food.
  - Essential and interstate travel, such as returning to a home from outside this state.
  - Care of others, such as for a family member, friend or pet in another household.
  - Displacement, such as moving between emergency shelters if you are without a home.
  - Relocation to ensure safety, such as relocating to a different location if your home has been unsafe due to domestic violence, sanitation or essential operations reasons.
  - Tribal activities and lands, such as activities by members within the boundaries of their tribal reservation.

• Workers who work in critical sectors during this time are exempt from the stay-at-home order. **These critical services exemptions apply only to travel to and from an individual’s home or residence and place of work and an individual’s performance of work duties that cannot be done at their homes or residence.** These exemptions are based on federal guidance from the CISA guidelines, with some Minnesota-specific additions. This includes, but is not limited to, jobs in:
  - Health care and public health.
    - Healthcare and public health workers listed in the CISA Guidance.
    - Providers of, and workers supporting, reproductive health care, childbirth services, mental health care, and substance use treatment.
    - Workers supporting manufacturers, technicians, logistics and warehouse operators, and distributors of personal care, hygiene, and healthcare products.
    - Workers providing home care and human services workers from government or non-profit providers who are delivering food, prescriptions, case management services, mental health and substance abuse therapy, or who are otherwise caring for a client.
    - Workers providing or supporting home-based care for adults, seniors, and children, including but not limited to people who are blind, deaf, deafblind, or hard of hearing and people with disabilities, including physical disabilities, developmental disabilities, intellectual disabilities, substance use disorders, or mental illness. This includes workers who must travel to a person’s home to provide care or other in-home services including meal delivery and one-on-one interpreting services for people who are blind, deaf, deafblind, or hard of hearing. This includes personal care attendants, paid employees of government and non-profit providers, or volunteers representing government and non-profit providers.
    - As applicable, such healthcare and public health workers are subject to the restrictions on elective surgeries and procedures as set forth in Executive Orders 20-09 and 20-17.

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270 Minnesota Executive Order 20-17, Clarifying Application of Executive Order 20-09 to Veterinary Surgeries and
- Law enforcement, public safety and first responders.
  - Law enforcement and public safety workers and first responders listed in the CISA Guidance.
  - All corrections personnel.
  - State and county probation officers and supervision agents.
  - Victims’ advocates.
  - Animal control officers.
  - Humane officers.
  - All workers who support electronic security and life-safety services.
- Transportation.
  - This category is limited to the transportation and logistics workers listed in the CISA Guidance, and
  - State, county, and local government agencies and agency workers.
  - Private sector workers, who support or enable transportation functions, including engineers, dispatchers, maintenance and repair technicians (including workers at maintenance and repair shops), warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel).
  - Workers engaged in roadway construction, maintenance, and utility projects.
  - Public transit workers.
  - Bicycle shops and distribution facilities.
  - Automobile sales that are necessary to allow for essential travel, when conducted by appointment, and only when CDC and MDH guidelines, including social distancing, can be met.
- Child care.
  - This category includes workers in child care centers, family child care, schools, and other facilities. Such providers are encouraged to remain open to provide child care services for workers in the Critical Sectors listed in this Executive Order as possible and insofar as public health guidance can be followed.
- Food and agriculture.
  - This category is limited to food and agriculture workers listed in the CISA Guidance, including agricultural equipment repair services. For clarity, and for the purposes of this Executive Order, references to “beverages” include alcoholic beverages.
- News media.
  - This category is limited to communications and information technology workers listed in the CISA Guidance, and
  - All workers who support news services of all kinds, including newspapers, radio, television, and other forms of news media.
- Energy.
  - This category is limited to energy workers listed in the CISA Guidance.
- Public Works.
  - This category is limited to public works workers listed in the CISA Guidance, and
  - Construction material suppliers and workers providing services necessary to maintain construction material sources.
- Water and wastewater.
  - This category is limited to water and wastewater workers listed in the CISA Guidance, including State Parks workers who maintain water and wastewater infrastructure, in addition to workers who perform work related to residential
wells and septic tanks, and workers who supply bottled water or home filtration systems in areas where that is a health necessity.

- Critical manufacturing.
  - This category is limited to critical manufacturing workers listed in the CISA Guidance, and
  - Iron ore mining and processing operations.
  - Supplier/vendor industries essential to such mining and processing operations.

- Other community-based government operations and essential functions.
  - This category is limited to the other community-based and government essential functions listed in the CISA Guidance, and
  - Workers who support the following functions and services:
    - Election support services and election administration workers
    - Housing, shelter, and homelessness-prevention staff of state and local agencies and organizations responsible for ensuring safe and stable housing. This includes workers necessary to provide repairs, maintenance, and operations support to residential dwellings.
    - Workers performing all other governmental functions which are necessary to ensure the health, safety, and welfare of the public, to preserve the essential elements of the financial system of government, and to continue priority services as determined by a political subdivision of the State. All political subdivisions of the State will determine the minimum personnel necessary to maintain these governmental operations.
    - Workers supporting building code enforcement necessary to maintain public safety and health of essential infrastructure and any construction as required in response to the COVID-19 peacetime emergency including but not limited to construction of health care facilities and essential businesses and services, or construction as required for emergency repairs and safety purposes.

- Hazardous materials.
  - This category is limited to hazardous materials workers listed in the CISA Guidance.

- Financial services.
  - Workers at banks, credit unions, insurance companies, insurance agencies, and other financial services workers identified in the CISA Guidance.

- Chemical.
  - This category is limited to chemical workers listed in the CISA Guidance.

- Defense industrial base.
  - This category is limited to defense industrial base workers listed in the CISA Guidance.

- Tribal Governments.
  - Tribal officers and workers deemed essential by the relevant Tribal government, regardless of residence.

- Construction and critical trades.
  - Workers in the skilled trades such as electricians, plumbers, HVAC and elevator technicians, and other related construction of all kind. This category also includes exterminators, cleaning and janitorial staff for commercial and governmental properties, moving and relocation services, security staff, operating engineers, and all other service providers who provide services that are necessary to maintain the safety, sanitation, and essential operation of homes and residences and the Critical Sectors listed in this Executive Order.
o Hotels, residential facilities and shelters.
  - This category includes workers supporting hotels and motels, facilities and
    shelters for adults, seniors, and children, including victims of domestic violence,
    people with developmental disabilities, intellectual disabilities, substance abuse
    disorders, or mental illness. Such facilities and shelters include halfway houses
    and residential treatment programs. This category also includes workers needed
    to keep apartment complex buildings and other congregate residences or homes
    operational and sanitary.

o Shelters for displaced individuals.
  - This category is limited to workers supporting emergency shelters, drop-in
    centers, and encampments, as well as outreach workers. Governmental and other
    entities are strongly urged to make 24-hour shelter available as soon as possible,
    to the maximum extent practicable, and in compliance with CDC guidance.

o Charitable and social services organizations.
  - This category is limited to workers supporting organizations that are engaged in
    hunger relief work, and those that provide food, shelter, prescription delivery,
    mental health and substance abuse treatments, and other social services, as well
    as other necessities of life for individuals in need of such services, older adults
    who live alone, people with disabilities, and those who need assistance as a result
    of this emergency.

o Legal services.
  - This category is limited to workers who are necessary to provide essential legal
    services. Essential legal services include:
    - Advice and representation needed to aid the delivery of all critical
      government services.
    - Advice and representation required to ensure the immediate and critical
      health, safety, and liberties of Minnesotans.
    - Advice and representation related to the continuation of the Critical
      Sectors identified in this Executive Order.
    - Supporting housing and shelter-related efforts.

o Notaries.
  - This category is limited to notaries performing services that cannot be deferred
    and which cannot be accomplished via remote services under Minnesota Statutes
    2019, section 358.645.

o Critical Labor Union Functions.
  - This category includes labor union essential activities, including the
    administration of health and welfare funds, and monitoring the well-being and
    safety of members providing services in the Critical Sectors.

o Laundry services.
  - This category is limited to workers who support laundromats, dry cleaners,
    industrial laundry services, and laundry service providers for other Critical
    Sectors.

o Animal shelters and veterinarians.
  - This category is limited to veterinarians and workers at animal care facilities or
    Department of Natural Resources workers who provide food, shelter, veterinary
    services, and other necessities of life for animals. Workers in this category are
subject to the restrictions on elective surgeries and procedures as set forth in Executive Orders 20-09 and 20-17.

- Real Estate Transactions.
  - This category is limited to workers who facilitate and finance real estate transactions and real estate services, including appraisers and title services.

- Essential Supply Stores.
  - This category is limited to workers at businesses that sell products, tools, materials, or supplies necessary for:
    - Critical Sectors listed in this Order to continue their essential operations
    - Workers to work from home.
    - The maintenance of the safety, sanitation, and essential operation of homes or residences.

- Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Any person who willfully violates such an order or rule is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed $1,000 or by imprisonment for not more than 30 days.

- Executive Order No. 20-16 issued by Governor Walz on March 23, 2020, orders any Minnesota business, nonprofit, or non-hospital health care facility, whether veterinary, dental, construction, research, institution of higher learning, or other, in possession of PPE, ventilators, respirators, or anesthesia machines (including any consumable accessories to these devices) that are not required for the provision of critical health care services or essential services and were not produced by the organization for the purpose of sale, must undertake an inventory of such supplies no later than March 25, 2020.271
  - Any Minnesota business, nonprofit, or non-hospital health care facility must submit this inventory using the form emailed to them for this purpose or available at: https://mn.gov/ppe.
  - Any Minnesota business, nonprofit, or non-hospital health care facility must refrain from using any such consumable equipment other than for use in delivering critical health care services or essential services requiring such equipment, and must either donate it to a local coordinating entity or prepare for the possibility of being asked to donate or sell it for use by critical health care workers.
  - The following entities are not subject to this Executive Order:
    - Nursing homes
    - Any facility that currently provides inventory information into the MnTrac system.
    - More specifically, the following must submit inventory if you are:
      - a hospital,
      - already provide an inventory of equipment through MnTrac,
      - are not in possession of any PPE or ventilators,
      - do not possess a ventilator and only possess PPE that is required for the provision of critical health care services or other essential services requiring such equipment, or
      - do not possess a ventilator and only have PPE that you have produced for the purpose of sale.
  - This link provided by the state answers PPE inventory questions. https://mn.gov/mmb-stat/results-first/ppe-inventory-faq-20-03-24.pdf

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271 Minnesota Executive Order 20-16, https://mn.gov/governor/assets/FINAL%20EO%2020-16%20PPE%20Inventory%20Filed%20032320_tcm1055-424510.pdf
• On April 8, 2020, the Governor extended the Stay Home Order until May 4 and included more occupations in his designation of what is essential.272
• On May 5, 2020, the Governor signed Executive Order 20-51, providing a roadmap for safely restarting elective surgeries.273
• On May 27, 2020, the Governor signed 21 bills into law, including measures to support farmers and meat processing plants through COVID-19.274
• On May 27, 2020, the Governor signed Executive Order 20-63, which outlines the second phase of Stay Safe MN.275

Mississippi
• On March 24, 2020, Governor Tate Reeves issued Executive Order 1463 directing Mississippi residents to avoid social and other non-essential gatherings in groups of more than 10 people where the gatherings in a single space at the same time where individuals are in close proximity to each other, suspending in-person dining at restaurants, with the exception of take out or delivery services, and prohibiting visitation to hospitals, nursing homes and retirement or long-term care facilities unless to provide critical assistance, to visit residents receiving imminent end-of-life care, or as otherwise directed by the healthcare facility.276
  - This directive does not apply to operations of locations like airports, medical and healthcare facilities, retail shopping including grocery and department stores, offices, factories and other manufacturing facilities or any Essential Business or Operation as identified below.
• Any order, rule, regulation or action by any governing body, agency or political subdivision of the state that imposes any additional freedom of movement or social distancing limitations on Essential Business or Operation, restricts scope of services or hours of operation of any Essential Business or Operation, or which will or might in any way conflict with or impede the purpose of this Executive Order is suspended and unenforceable.
• Any Essential Business or Operation providing essential services or functions may operate at such level as necessary to provide such essential services or functions. Essential Businesses and Operations include:
  - Essential Government functions including public safety and first responders, law enforcement, fire prevention and response, courts and court personnel, military, emergency management personnel, corrections, probation and parole, child protection, child welfare, EMTs, 911 call center employees, all workers and vendors that support law enforcement and emergency management operations and services;
  - Essential healthcare operations including hospitals/clinics, research and laboratory operations, nursing homes, residential health care facilities, congregate care facilities, assisted living facilities, elder care, medical wholesale and distribution, home health workers and aides, medical supply and equipment manufacturers and providers, medical waste disposal, hazardous waste disposal, other ancillary healthcare services;
  - Essential infrastructure including utilities including power generation, nuclear facilities, utility poles and components, fuel and transmission, petroleum producers, suppliers and distributors, supply chain companies, telecommunications, electronic security and life safety services, wireless communication, communications sales and customer support, telecommunication and data centers, cybersecurity operations, flood control, operation of

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272 Minnesota Executive Order Extension, https://mn.gov/governor/news/#/detail/appId/1/id/427372
273 Minnesota Executive Order 20-51, https://mn.gov/governor/news/#/detail/appId/1/id/430928
274 Governor Walz Press Release, https://mn.gov/governor/news/#/detail/appId/1/id/433559
275 Governor Walz Press Release, https://mn.gov/governor/news/#/detail/appId/1/id/433558
dams, aviation, airports, ports, roads and highways, mass transit, automotive sales and repair, vehicle rental services, taxi and network providers (such as Uber and Lyft), freight and passenger rail, pipelines, transportation infrastructure, public water and waste water, hazardous waste disposal, hotels and commercial lodging services;

- Manufacturing including food processing and production, pharmaceuticals, food additives, medical equipment, medical devices and supplies, technology, biotechnology, chemical products, telecommunications products, automotive production and suppliers, healthcare, energy, steel and steel products, fuel and petroleum exploration and production, lubricants, greases and engine oils, mining, national defense, sanitary and cleaning products, household products, personal care products, products used by any other Essential Business or Operation;

- Agriculture and farms including food cultivation, livestock, cattle, poultry and seafood operations, livestock auctions, feedlots, dealers and brokers of livestock, livestock transporters, farmer's markets, feed stores, repair of agricultural equipment, gas, diesel and petroleum suppliers, aquaculture, horticulture, chemicals including pesticides, herbicides and fertilizer, producers and distributors, forest products businesses, including those involved in forestry operations, logging, manufacture of lumber and paper products, meat processing facilities, rendering facilities and transporters, feed processing facilities, veterinary services;

- Essential retail including all supermarkets, food and beverage stores, food providers, convenience stores, pharmacies, hardware and building materials, gas stations, restaurants or bars (but only to the extent that (1) not more than 10 people are gathered in such restaurants or bars in a single space at the same time where individuals are in seated or otherwise in close proximity to each other or (2) for curb side pick-up, carryout or delivery);

- Essential services including trash collection, mail and shipping services, home repair, automotive sales and repair, warehouse, distribution and fulfillment centers, laundromats/laundry service;

- Media including newspapers, digital news sites, television, radio and other media services;

- Education including educators supporting public and private K-12 schools, colleges and universities, educational institutions, for purposes of facilitating distance learning, performing critical research or other essential functions including public schools preparing and transporting free and reduced meals to eligible students within their respective districts.

- Financial services including banks and related financial institutions, insurance, payroll, accounting, processing financial transactions, services related to financial markets;

- Professional services including legal services, accounting services, insurance services, real estate services (including appraisal and title services);

- Providers of basic necessities to economically disadvantaged populations including businesses, religious and secular non-profit organizations, food banks, foster care, homeless shelters and congregate care facilities;

- Construction and construction related services including building and construction, lumber, building materials and hardware, electricians, plumbers, exterminators, cleaning and janitorial, HVACR and water heating industry, painting, moving and relocating services, other skilled trades, and other related construction firms and professionals for maintaining essential infrastructure;

- maintaining essential infrastructure;

- Essential services necessary to maintain the safety, sanitation and essential operations of residences and essential businesses and essential business operations, including law enforcement, fire prevention and response, firearm and ammunition manufacturers and
retailers, building code enforcement, security, emergency management and response, building cleaning including disinfection, automotive sales and repair, mortuaries and cemeteries;

- Defense Industrial Base including employers and personnel who support the essential products and services required to meet national security commitments to the Federal Government and the U. S. Military, including personnel working for companies and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense and government-owned/contractor-operated and government-owned/government-operated facilities.

- Vendors that provide essential services or products, including logistics and technology support, child care programs and services, medical waste disposal, hazardous waste disposal, services needed to ensure the continuing operation of Essential Business or Operation, operation of government agencies, and to provide for the health, safety and welfare of the public;

- Religious entities including religious and faith-based facilities, entities and groups, religious gatherings provided that they adhere to the CDC and the Mississippi Department of Health recommendations and guidance to prevent the spread of COVID-19;

- Categories of workers and related industries identified by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) in its "Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response" https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19 as it may be amended; and

- Other categories as may be identified and deemed essential by the Mississippi Department of Health, the Mississippi Emergency Management Agency and/or other appropriate agency of the State of Mississippi.

- On March 31, 2020, Governor Reeves issued Executive Order 1465 directing all residents in Lauderdale County to shelter in place, except to perform essential activities or operate essential businesses.277

- Non-essential businesses are mandated to cease operation, except for Minimum Basic Operations. Minimum Basic Operations include those activities necessary for the business to maintain the condition of the facilities, premises, and equipment, value of the business inventory, payroll, employee benefits, security, and to facilitate employees of the business operation to continue working remotely.

- Essential businesses, as defined above in Executive Order 1463, may remain open and provide essential services and functions.

- Essential Healthcare Operations identified in Executive Order 1463 shall be construed broadly to avoid disruption of the delivery of healthcare. This does not include fitness or exercise gyms, dance studios, clubs, tattoo parlors, spa, salons, barber shops, and other similar personal care and grooming facilities.

- Restaurants and bars may remain open to provide drive thru, curbside, or delivery service.

- Residents may leave their homes only to perform the following Essential Activities:
  - To engage in activities or perform tasks necessary to their health and safety;
  - To obtain necessary food, services, or supplies for themselves or members of their household;
  - To engage in individual outdoor activity and recreation;
  - To perform work providing essential products and services at Essential Businesses or to carry out Minimum Basic Operations.

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• Nothing in the order shall limit the authority of any local or county authority from adopting orders that are more strict than this order, provided that they do not impose restrictions that prevent any Essential Business identified in Executive Order 1463 from operating at such a level necessary to provide essential services and functions.

• **Enforcement:** The order may be enforced by all state, county, and local law enforcement, as well as other government entities, to the fullest extent. Violations of the order are subject to penalty of $500.00 or imprisonment not to exceed 6 months.

• On April 1, 2020, Governor Reeves issued Executive Order 1466 directing all residents of Mississippi to shelter in place, except to perform necessary activities and operate essential businesses as defined by the order.278

• All non-essential businesses shall cease operation and all activities except Minimum Operations. Minimum Operations include the activities necessary for a business to maintain the condition of facilities, premises and equipment, value of business inventory, payroll, employee benefits, security, and to facilitate employees of the business or operation to continue to work remotely from their residences.

• All essential businesses identified in Executive Order 1463 above may remain in operation at such level as necessary to provide essential services and functions.

• Consistent with Executive Order No. 1463 as Supplemented, all public and private social and other non-essential gatherings in groups of more than 10 people in a single space at the same time where individuals are in close proximity (less than 6 ft.) to each other shall be cancelled or rescheduled.

• All places of amusement and recreation, whether indoors or outdoors, including but not limited to amusement parks and rides, museums, playgrounds, children's party and play facilities, all parks including all beaches, lakes and reservoirs (but not including walking trails), movie theaters, bowling alleys, and social clubs shall be closed to the public.

• Individuals may leave their residences only to perform the following Essential Activities:
  
  o To engage in activities or perform tasks necessary to their health and safety, or the health and safety of their family or household members (including pets) or the health and safety of those persons who are unable to or should not leave their home.
  
  o To obtain necessary food, services or supplies for themselves and members of their household needed to maintain the safety, sanitation and essential operation of the home or residence, or to deliver those services or goods to those persons who are unable to or should not leave their home.
  
  o To engage in individual outdoor activity and recreation.
  
  o To perform work providing essential products and services at Essential Businesses or Operations (as defined in Executive Order No. 1463 as Supplemented) or to carry out activities permitted in this Executive Order, including Minimum Operations.

• **County and Local Municipal Authority:** Nothing in the order shall limit or alter the authority of any local or county authority from adopting orders, rules, regulations, resolutions, and actions that are more strict than established herein, provided that they do not impose restrictions that prevent any Essential Business or Operation as identified in Executive Order No. 1463 as Supplemented from operating at such level necessary to provide essential services and functions during this COVID-19 State of Emergency.

• **Enforcement:** This order may be enforced by all State, County and Local law enforcement, as well as by other governmental entities (such as State and local departments of health) to the fullest extent under Mississippi law including, inter alia, Miss. Code. Ann. §§ 33-15- 1 l(b)(5) and 33-15-l l(b)(6).

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Violations of this order are punishable by a fine not exceeding $500 or imprisonment for not exceeding six (6) months or both.

- On April 6, 2020, Governor Reeves issued Executive Order 1467 modifies 1 Miss. Admin. Code Pt. 5, R. 1.5 for the duration of the State of Emergency and for fourteen days thereafter in order to waive the physical presence requirement of notary publics, under certain conditions.  
- On April 10, 2020, Governor Reeves signed an Executive Order restricting all non-essential elective surgeries and medical procedures.
- On April 10, 2020, Governor Reeves signed an Executive Order which creates additional protections from civil liability for healthcare workers and facilities assisting outside their normal operations in response to this public health emergency.
- On April 17, 2020, Governor Reeves extended the state’s stay-at-home order by one week.
- On April 18, 2020, Governor Reeves announced the creation announced the creation of the Governor’s Commission for Economic Recovery, known as Restart Mississippi.
  - The commission's chairman is Joe Sanderson, CEO of the poultry company Sanderson Farms.
  - The commission includes two membership tiers, including the "executive team," and the "impact committee."
- On April 26, 2020, Governor Reeves issued Executive Order 1477, which encourages residents to stay home, but eases some restrictions on essential business closures.
- All vulnerable individuals, including all elderly individuals (age 65 or older per CDC guidelines) and individuals with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised as such by chemotherapy for cancer or any other condition requiring such therapy, are encouraged to continue the shelter in place pursuant to Executive Order 1466, as extended and amended by Executive Order 14 73.
- Consistent with Executive Order No. 1463 as Supplemented, all public and private social and other non-essential gatherings in groups of more than 10 people in a single space at the same time where individuals are in close proximity (less than 6 ft.) to each other shall be cancelled or rescheduled.
- All businesses and non-profit entities operating within the State of Mississippi may remain open/re-open subject to the following limitations to minimize person to person interactions and associated risk of transmission of COVID-19:
  - Consistent with Executive Orders 1458 and 1463, all businesses and non-profits are encouraged to utilize, to the maximum extent possible, work from home or other telework procedures.
  - Businesses and non-profit entities shall take all reasonable measures to ensure compliance with the Mississippi State Department of Health's and CDC's regulations, orders and guidelines to prevent the spread of COVID-19, including, but not limited to, social distancing, sending sick employees home and actively encouraging sick employees

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279 Mississippi Executive Order 1467, https://www.sos.ms.gov/content/executiveorders/ExecutiveOrders/1467.pdf
280 Mississippi Executive Order 1470, https://www.sos.ms.gov/content/executiveorders/ExecutiveOrders/1470.pdf
281 Mississippi Executive Order 1471, https://www.sos.ms.gov/content/executiveorders/ExecutiveOrders/1471.pdf
to stay home, separating and sending home employees who appear to have respiratory illness symptoms, adopting and enforcing regular and proper hand-washing and personal hygiene protocols and daily screening of employees and volunteers for COVID-19 related symptoms before beginning shift.

- Retail businesses shall adopt reasonable measures to prevent the spread of COVID-19 including but not limited to, limiting the number of customers in their stores at one time to no greater than 50% of store capacity in order to ensure compliance with social distancing protocols, and frequent cleaning of high-contact surfaces (such as retail counters, door handles, credit card machines). Retail businesses are encouraged to make hand sanitizer available to their customers upon entry of their stores.

- To the extent possible, all common areas where employees or customers are likely to congregate and interact shall be closed or strict social distancing protocols should be enforced (maintaining a minimum of 6 feet distance between individuals and no gatherings in groups of more than 10 people).

- Non-essential business travel should be minimized, and for any such travel individuals should adhere to CDC guidelines regarding isolation following travel.

- To the extent possible, special accommodations should be made for employees that are members of a vulnerable population to reduce their potential exposure to COVID-19.

- Restaurants and bars will remain open but are limited to drive-thru, curbside, and/or delivery service.

- Except as permitted by Paragraph I(b) of Executive Order 1473 for the limited operation of beaches, state park lakes, state lakes and reservoirs, all places of amusement and recreation, whether indoors or outdoors, including but not limited to amusement parks and rides, museums, playgrounds, children's party and play facilities, all parks including all beaches, lakes and reservoirs (but not including walking trails), movie theaters, bowling alleys, and social clubs shall remain closed to the public.

- Fitness and exercise gyms, dance studios, clubs, tattoo parlors, spas, salons, barber shops, and all other personal care and personal grooming facilities shall remain closed to the public but may continue Minimum Operations limited to retail sales by drive-thru, curbside and/or delivery services pursuant to Paragraph I(d)(ii) of Executive Order 1466, as amended by Paragraph I(a) of Executive Order 1473.

- Healthcare professionals and healthcare facilities may continue to perform all procedures that are medically necessary to correct a serious medical condition of, or to preserve the life of, a patient who without immediate performance of the surgery_ or procedure would be at risk for serious adverse medical consequences or death.

  - Healthcare professionals and healthcare facilities may also resume performing non-emergent, elective medical procedures and surgeries, as clinically appropriate, in accordance with the guidance provided by the Mississippi State Department of Health, including the following:

  - Every effort should continue to be made to deliver care without being in the same physical space, such as utilizing telehealth, phone consultations, and physical barriers between providers and patients.

  - The medical procedure or surgery should fall within Tier 2 or Tier 3 of the Non-Emergent, Elective Medical Services and Treatment Recommendations issued by CMS on April 7, 2020. These recommendations may be found at


    - For all in-patient procedures and surgeries, the healthcare facility where the surgery or procedure is performed must reserve at least 25% of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients.
- The non-emergent elective medical procedure or surgery should require the use of minimal disposable personal protective equipment, and the healthcare professional and healthcare facility will not request any personal protective equipment from any public source, whether federal, state or local, for the duration of the COVID-19 disaster in order to perform such procedure or surgery.
- Regardless of symptoms, all healthcare professionals and healthcare facilities shall screen all patients for recent illness, travel, fever, or recent exposure to COVID-19, and to the extent that is possible, begin testing all patients prior to the procedure or surgery consistent with guidance from the Mississippi State Department of Health.
- To the extent possible pre-procedure and pre-surgery COVID-19 screening shall occur outside of the facility, and waiting rooms and common areas shall limit capacity and seating to ensure social distancing (maintaining a minimum of 6 feet distance between individuals).
- There shall be no visitors in the healthcare facility except for one spouse or caregiver who resides with the patient will be allowed into the facility at the time the patient is admitted or discharged.
- Healthcare professionals and healthcare facilities may also resume performing non-emergent, elective dental procedures and surgeries, as clinically appropriate and in accordance with the guidelines established by the Mississippi State Department of Health including conserving disposable personal protective equipment.
- Consistent with Executive Order 1463, hospitals, nursing homes and retirement or long-term care facilities shall not allow visitors unless to provide critical assistance, to visit residents receiving imminent end-of-life care, or as otherwise directed by the healthcare facility, provided in the professional opinion of the supervising physician or other supervising healthcare professional at such facility that such visit can be accomplished without unreasonable risk to staff or other residents of such facilities. In lieu of in-person visits, electronic visits are encouraged.

**County and Local Municipal Authority:** Nothing in this Executive Order shall limit or alter the authority of any local or county authority from adopting orders, rules, regulations, resolutions, and actions that are more strict than established herein, provided that they do not impose restrictions that prevent any Essential Business Operations as identified in Executive Order No. 1463 as Supplemented from operating at such level necessary to provide essential services and functions during this COVID-19 State of Emergency.

- This order shall remain in effect until May 11, 2020.
- On May 12, 2020, the Governor announced additional social distancing measures for seven counties identified as hotspots throughout the state.\(^{285}\)
- On May 15, 2020, the Governor signed Executive Order 1486 which will allow more businesses to open, including dance studies, parks, and fishing tournaments.\(^{286}\)
- On May 19, 2020, the Governor released social distancing and sanitation guidelines for in-person worship services to safely resume across the state.\(^{287}\)
- On May 27, 2020, the Governor announced that all businesses in the state can reopen as of June 1.\(^{288}\)

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\(^{286}\) [Governor Reeves Press Release](https://www.thelocalvoice.net/oxford/mississippi-governor-signs-executive-order-allowing-tattoo-parlors-and-other-businesses-to-reopen/)


Missouri

On April 3, 2020, Governor Parson issued a shelter in place order directing all residents of the state of Missouri to stay home, with certain exceptions for essential activities. Individuals may leave their resident to access food, prescriptions, health care, and other necessities, to engage in outdoor activity, and go to and from an individual’s place of worship, provided that limitations on social gatherings and social distancing are properly adhered to.289

Any entity that does not employ individuals to perform essential worker functions, as set forth in guidance provided by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) outlined at https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_Version_2.0_Updated.pdf shall adhere to the limitations on social gatherings and social distancing set forth in the order.

- Businesses that are not covered by the guidance from the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) discussed in the Order may remain open but must comply with the social gathering and social distance requirements of the Order. This means that no more than 10 individuals can occupy a single space, this includes both employees and customers. Individuals must also maintain at least 6 feet of distance between themselves and others.290

- Entities that do not employ individuals to perform essential worker functions may request a waiver from the limitation on social gatherings from the Director of the Department of Economic Development, on a form prescribed by the Director. For offices and workplaces that remain open, individuals shall practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19.

Pursuant to CISA guidance relative to the critical infrastructure workforce, “essential workers” exempt from social gathering requirements under the order include, but are not limited to:

- Healthcare workers and caregivers
- Law enforcement, fire fighters, and first responders
- Government operations
- Mental health and Social Service workers
- Pharmacy employees
- Workers supporting groceries, pharmacies and other retail sales of food and beverage products
- Restaurant carryout and quick-serve food operations and food delivery employees
- Farmworkers
- Electricity and Utility Industry Employees
- Critical Manufacturing Employees (medical supply chains, energy, transportation, food, chemicals)
- Petroleum, Natural and Propane Gas Workers
- Transportation and Logistics Workers
- Communications and Information Technology Employees

Social Gathering Restrictions for Essential Retail Businesses: Any entity that employs individuals to perform essential worker functions and that is engaged in retail sales to the public, shall limit the number of individuals in any particular retail location as follows:

- Twenty-five (25) percent or less of the entity’s authorized fire or building code occupancy, as set by local authorities, for a retail location with square footage of less than ten thousand square feet (10,000 ft²);

Ten (10) percent or less of the entity’s authorized fire or building code occupancy, as set by local authorities, for a retail location with square footage of ten thousand square feet (10,000 ft²) or more.

In accordance with the guidelines from the President and the CDC, schools shall close and remain closed. Nothing in this Order shall prohibit daycares, child care providers, or schools from providing child care for working families in accordance with CDC guidelines found at https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-for-childcare.html.

In accordance with the guidelines from the President and the CDC, every person in the State of Missouri shall avoid eating or drinking at restaurants, bars, or food courts; provided, however, that the use of drive-thru, pickup, or delivery options is allowed throughout the duration of this Order.

In accordance with the guidelines from the President and the CDC, people shall not visit nursing homes, long-term care facilities, retirement homes, or assisted living homes unless to provide critical assistance.

Pursuant to section 192.290, RSMo, this Order shall be observed throughout the state and enforced by all local and state health authorities; provided however, nothing herein shall limit the right of local authorities to make such further ordinances, rules, regulations, and orders not inconsistent with this Order which may be necessary for the particular locality under the jurisdiction of such local authorities.

**Enforcement:** Local public health authorities are hereby directed to carry out and enforce the provisions of this Order by any legal means.

On April 27, 2020, Governor Parson announced the first phase of the “Show Me Strong Recovery” Plan to reopen economic and social activity starting May 4, 2020.291

- During phase one of the plan, citizens may begin returning to economic and social activities but must adhere to social distancing requirements, including maintaining six feet of space between individuals in most cases. There are currently no limitations on social gatherings as long as necessary precautions are taken and six feet of distance can be maintained between individuals and/or families.

- Additionally, all businesses can be open provided that the social distancing guidelines set forth in the new health order are followed. Some businesses will be required to take additional precautions to protect their employees and the public, such as occupancy limits at retail locations.

On April 27, 2020, the Department of Health and Senior Services issued the Economic Reopening Health Order which provides further guidance on reopening plans.292

The order provides the following:

- When individuals leave their homes or places of residence to work, to access food, health care, necessities, or to engage in other activities, they should at all times practice social distancing. Individuals may go to and from an individual’s place of worship, provided that limitations on social distancing are properly adhered to.

- In accordance with the guidelines from the President and the Centers for Disease Control and Prevention (CDC), every person and business in the State of Missouri shall abide by social distancing requirements, including maintaining six feet (6') of space between individuals. This provision shall not apply to family members or individuals performing

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job duties that require contact with other people closer than six feet (6’). Individuals performing job duties that require contact with other people closer than six feet (6’) should take enhanced precautionary measures to mitigate the risks of contracting or spreading COVID-19. This provision shall apply in all situations, including, but not limited to, when customers are standing in line or individuals are using shared indoor or outdoor spaces.

- In accordance with the guidelines from the President, the CDC, and the Centers for Medicaid and Medicare Services, people shall not visit nursing homes, long-term care facilities, retirement homes, or assisted living homes unless to provide critical assistance or in end-of-life circumstances. Elderly or otherwise vulnerable populations should take enhanced precautionary measures to mitigate the risks of contracting COVID-19.

- Any entity that employs individuals that is engaged in retail sales to the public, shall limit the number of individuals in any particular retail location as follows:
  - Twenty-five (25) percent or less of the entity’s authorized fire or building code occupancy, as set by local authorities, for a retail location with square footage of less than ten thousand square feet (10,000 ft²);
  - Ten (10) percent or less of the entity’s authorized fire or building code occupancy, as set by local authorities, for a retail location with square footage of ten thousand square feet (10,000 ft²) or more.

- In accordance with the guidelines from the President and the CDC, schools shall remain closed for the remainder of the 2019-2020 academic school year. At the discretion of the school district, nothing in this Order shall prohibit school teachers, school staff, students, and parents from reentering school buildings in order to work, retrieve personal belongings, or return school property as long as limitations on social distancing are properly adhered to.

- Summer school may proceed under guidelines set forth by the Department of Elementary and Secondary Education. Notwithstanding section 2 of this Order, nothing in this Order shall prohibit daycares, child care providers, or schools from providing child care in accordance with CDC guidelines. Further, this Order does not prohibit schools from providing Food and Nutritional Services for those children that qualify.

- Restaurants may offer dining-in services, provided that the limitations on social distancing and other precautionary public health measures, including proper spacing of at least six feet (6’) between tables, lack of communal seating areas to parties that are not connected, and having no more than ten (10) people at a single table, are properly adhered to. The continued use of drive-thru, pickup, or delivery options is encouraged throughout the duration of this Order.

- State office buildings shall be open to the public as soon as practicable, and essential state functions shall continue. The State Capitol Building shall remain open to the public during meetings or proceedings of the General Assembly.

- Pursuant to section 44.101, RSMo, this Order shall not be construed to prohibit or restrict the lawful possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during the declared state of emergency, subject to the provisions set forth herein.

- Pursuant to section 192.290, RSMo, this Order shall be observed throughout the state and enforced by all local and state health authorities; provided however, nothing herein shall limit the right of local authorities to make such further ordinances, rules, regulations, and orders not inconsistent with this Order which may be necessary for the particular locality under the jurisdiction of such local authorities. Local public health authorities are hereby directed to carry out and enforce the provisions of this Order by any legal means.
This Order shall be in effect beginning 12:01 A.M., Monday, May 4, 2020, and shall remain in effect until 11:59 P.M., Sunday, May 31, 2020, unless extended by further order of the Director of the Department of Health and Senior Services with said extensions not to exceed the duration of the effective period of Executive Order 20-09.

Montana

On March 26, 2020, Montana Governor Steve Bullock issued a shelter in place order, directing all residents of the state of Montana to stay home to the greatest extent possible. All residents are authorized to leave their homes only for essential activities or to operate essential businesses, as defined below.

Essential activities for which residents may leave their homes include the following:

- **For health and safety:** to engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
- **For necessary supplies and services:** To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
- **For outdoor activity:** to engage in outdoor activity, provided that individuals comply with social distancing, as defined below, such as, by way of example and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
- **For certain types of work:** to perform work providing essential products and services at Essential Businesses or Operations or to otherwise carry out activities specifically permitted in this Directive, including Minimum Basic Operations. To take care of others.
- **To care for a family member, friend, or pet** in another household, and to transport family members, friends, or pets as allowed by this directive.

All non-essential businesses and operations are required to close except to perform “minimum basic operations,” as defined in the order. Businesses may also continue operations consisting exclusively of employees or contractors working remotely from their place of residence.

- **Minimum Basic Operations** include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:
  - The minimum necessary activities to maintain the value of the business’s inventory, preserve the condition of the business’s physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
  - The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

Individuals may leave their homes to participate in the work in the following sectors:

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- **Health Care and Public Health Operations**: Individuals may leave their residence to work for or obtain services through Health Care and Public Health Operations. Health Care and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical cannabis dispensaries and licensed cannabis cultivation centers; reproductive health care providers; eye care centers, including those that sell glasses and contact lenses; home Health Care services providers; mental health and substance use providers; other Health Care facilities and suppliers and providers of any related and/or ancillary Health Care services; and entities that transport and dispose of medical materials and remains.
  - Specifically included in Health Care and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products. Health Care and Public Health Operations also includes veterinary care and all Health Care services provided to animals.
  - Health Care and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of Health Care, broadly defined.
  - Health Care and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.

- **Human Services Operations**: Individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by DPHHS, or Medicaid, that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public. Human Services Operations includes, but is not limited to: long-term care facilities; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

- **Essential Infrastructure**: Individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure. Essential Infrastructure includes, but is not limited to: food production, distribution, storage, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction); building management and maintenance; airport operations; aircraft fueling services; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; cybersecurity operations; flood control; operation of dams, locks, ditches, canals, diversions, and levees; solid waste and recycling collection and removal; and internet.
video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

- **Governmental Functions:** All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, fire protection personnel, wildland fire fighters, housing and shelter personnel, military, government employees involved in training the above functions, and other government employees are categorically exempt from this Directive.
  - State government employees are categorically exempt from this order. Local governments are permitted to designate which functions and employees are essential and exempt, apart from those positions and functions named above.

- **Essential businesses and operations** that may remain open include:
  - **Stores that sell groceries and medicine.** Grocery stores, pharmacies, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations;
  - **Food and beverage production and agriculture:** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and wholesale or retail distribution of animals and goods for consumption; licensed medical cannabis dispensaries and licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including veterinary and animal health services, animal shelters, rescues, shelters, kennels, and adoption facilities; businesses that provide equipment, transportation, seed, feed, fertilizer, or other products or services critical to food and livestock production;
  - **Organizations that provide charitable and social services:** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities; d. Media. Newspapers, television, radio, and other media services; e. Gas stations and businesses needed for transportation. Gas stations and auto supply, auto repair, and related facilities and bicycle shops and related facilities; f. Financial and real estate services and institutions. Banks, consumer lenders, including but not limited, to pawnbrokers, accountants, consumer installment lenders and sales finance lenders, credit unions, appraisers, realtors or others providing real estate services, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products;
  - **Hardware and supply stores:** Hardware stores and businesses that sell electrical, plumbing, and heating material;
  - **Critical trades:** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators,
cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;

- **Mail, post, shipping, logistics, delivery, and pick-up services**: Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;

- **Educational institutions**: Educational institutions—including public and private pre-K-12 schools, colleges, and universities—for purposes of facilitating remote learning, performing critical research, or performing other essential functions consistent with prior directives on school closures and the continued provision of certain services, provided that social distancing of six-feet per person is maintained to the greatest extent possible.

- **Laundry services**: Laundromats, dry cleaners, industrial laundry services, and laundry service providers;

- **Restaurants for consumption off-premises**: Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Directive on the condition that the food is provided to students or members of the public on a pickup and takeaway basis only.

- **Supplies to work from home**: Businesses that sell, manufacture, or supply products needed for people to work from home; n. Supplies for Essential Businesses and Operations. Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;

- **Transportation**: Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Directive;

- **Home-based care and services**: Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child’s home to provide care, and other in-home services including meal delivery;

- **Residential facilities and shelters**: Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;

- **Professional services**: Professional services, such as legal services, accounting services, insurance services, information technology services, real estate services (including appraisal and title services);
- **Manufacture, distribution, and supply chain for critical products and industries:** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, Health Care, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, forest products, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.

- **Critical labor union functions:** Labor union essential activities including the administration of health and welfare funds and personnel checking on the wellbeing and safety of members providing services in Essential Businesses and Operations – provided that these checks should be done by telephone or remotely where possible.

- **Hotels and motels:** Hotels and motels, to the extent used for lodging and delivery or carry-out food services.

- **Funeral services:** Funeral, mortuary, cremation, burial, cemetery, and related services.
  - This directive is in effect statewide in Montana. In the interest of uniformity of laws and to prevent the spread of disease, all inconsistent emergency county health ordinances are preempted by this directive, but only to the extent they are less restrictive. Counties may adopt more restrictive ordinances.
  - This directive will remain in effect until April 10, 2020.
  - On April 7, 2020, the Governor extended, through April 24, directives he previously issued to protect residents.

- On April 13, 2020, the Governor issued a directive to provide emergency rental assistance to help families with limited financial resources make ends meet during this unprecedented economic situation. The program also includes relief funds specifically for households with children eligible for TANF.  

- On April 22, 2020, Governor Steve Bullock issued a directive implementing Executive Orders 2-2020 and 3-2020 and providing guidance for the phased reopening of Montana and establishing conditions for Phase One.

- This Directive provides for the phased reopening of Montana. It establishes guidance applicable to all phases and provides direction for Phase One, including lifting the Stay at Home Directive and reopening non-essential businesses. It also provides local school boards the flexibility to make decisions about the remainder of the academic year.

- Executive Orders 2-2020 and 3-2020 declare that a state of emergency exists in Montana due to the global outbreak of COVID-19 Novel Coronavirus.

- For the duration of the emergency, § 10-3-104(2)(a), MCA, provides authority to the Governor to “suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or orders or rules of any state agency if the strict compliance with the provisions of any statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster.” Further, the statute authorizes the Governor to “control ingress and egress to and from an incident or emergency or disaster area, the movement of persons within the area, and the occupancy of premises within the area.” Section 10-3-104(2)(c), MCA.


• As with prior Directives, nothing in this Directive prohibits local public health authorities from adopting more restrictive approaches based on local need.

**Stay at Home Directive to Expire**

- As detailed in this Directive, the Stay at Home Directive is extended for individuals until Sunday, April 26 and for non-essential businesses until Monday, April 27, except as provided herein (e.g., bar and restaurant closures extended to May 4).
- This Directive supersedes the Stay at Home Directive and any other gubernatorial Directive, to the extent there is any conflict.

**Other Directives to Continue**

- The March 30 Directive providing mandatory quarantine for certain travelers arriving in Montana from another state or country and all of its terms are extended through the end of the emergency, unless modified by subsequent Directive.
- The March 30 and April 13 Directives providing measures to limit foreclosures, evictions, and disconnections from service and all of their terms are extended through May 24, unless modified by subsequent Directive, except as follows:
  - For individuals who are members of a vulnerable population and who, pursuant to this Directive, remain sheltered at home, the protections of the March 30 and April 13 Directives will expire 30 days after the individual ceases to shelter at home or at the end of the emergency, whichever is sooner.
    - The rent assistance program remains in effect for the duration of the emergency.
- All Directives set to expire at the end of the emergency retain their effective date and terms except to the limited extent their provisions are in conflict with the terms of this Directive.

**Progression Between Phases**

- The approach to reopening Montana will occur in phases, beginning under this Directive with Phase One.
- The duration of each phase will be regularly evaluated in close consultation with public health and emergency management professionals. Factors considered in moving from one phase to the next include the ability for public health professionals to monitor new cases adequately and conduct contact tracing. Hospitals must maintain the ability to treat all patients safely, both COVID-19 patients and those with other health conditions. Montana must maintain its ability to screen and test all people with COVID-19 symptoms and maintain sufficient levels of personal protective equipment.
- Negative indicators in these areas may result in the need to re-implement certain restrictions or take other protective measures.

**Guidance Applicable to All Phases**

- Individuals should continue to practice good hygiene by adhering the following guidelines:
  - Wash your hands with soap and water or use hand sanitizer, especially after touching frequently used items or surfaces.
  - Avoid touching your face.
  - Sneeze or cough into a tissue, or the inside of your elbow.
  - Disinfect frequently used items and surfaces as much as possible.
  - Strongly consider using non-medical face coverings while in public, especially in circumstances that do not readily allow for appropriate physical distancing (e.g., grocery/retail stores, pharmacies, public transportation).
- People who feel sick should stay at home.
  - Do not go to work or school.
  - Contact and follow the advice of your medical provider.
  - Follow local health department guidance on isolation and quarantine.
Employers should:
- Develop and implement appropriate policies, in accordance with federal, state, and local regulations and guidance, and informed by industry best practices, regarding:
  - Social distancing and protective equipment.
  - Temperature checks and/or symptom screening.
  - Testing, isolating, and contact tracing, in collaboration with public health authorities.
  - Sanitation.
  - Use and disinfection of common and high-traffic areas.
- Monitor workforce for indicative symptoms. Do not allow people with symptoms of COVID-19 to work.
- Collaborate with public health officials when implementing policies and procedures for workforce contact tracing following an employee’s COVID-19 positive test result.

Phase One: Individuals
- The Stay at Home Directive is extended for individuals until April 26. Effective Sunday, April 26:
  - All vulnerable individuals should continue to follow the stay at home guidance.
    - Members of households with vulnerable residents should be aware that by returning to work or other environments where distancing is not practical, they could carry the virus back home. Precautions should be taken to isolate from vulnerable residents.
    - “Vulnerable Individuals” is defined as people over 65 years of age, people with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, or asthma, and people whose immune system is compromised such as by chemotherapy for cancer or other conditions requiring such therapy.
  - All individuals, apart from members of a household, should:
    - When in public (e.g., parks, outdoor recreation areas, shopping areas), maintain at least six feet of physical distance from others.
    - Avoid gathering in groups of more than 10 people in circumstances that do not readily allow for appropriate physical distancing.
    - Minimize non-essential travel and adhere to Montana guidelines regarding quarantine.

Phase One: Employers
- Except as otherwise specified in this Directive, the mandatory closure of non-essential businesses provided in the Stay at Home Directive is extended until April 27.
  - Following the expiration of the Stay at Home Directive, businesses are no longer designated essential or non-essential, except as otherwise provided in this Directive.
- Effective Monday, April 27, employers should:
  - Continue to encourage telework whenever possible and feasible with business operations.
    - When telework is not feasible, employers are encouraged to accommodate alternative work schedules such as shift work and staggered scheduling in order to adhere to social distancing guidelines.
  - Close common areas where personnel are likely to congregate and interact, or enforce strict social distancing protocols.
  - Minimize non-essential business travel.
• Make special accommodations for members of a vulnerable population or those with vulnerable household members.

➤ Businesses that reopen must adhere to the reopening guidelines for Phase One:
  • Health assessments must be conducted for all employees at the beginning of each shift.
  • In establishments where customers wait in a line, non-social household customers should remain physically distanced.
  • Waiting areas where adequate physical distancing cannot be maintained must be closed.
  • Customers should be encouraged to call for a reservation or an appointment, or establishments should use an online wait listing application.
  • Physical distancing of 6 feet must be maintained between non-social-congregate customers, this may require:
    • A reduction in capacity;
    • A reduction of seating in service and waiting areas;
    • Management of waiting areas and waiting lines; or
    • Systems that reduce the amount of contact time between customers and staff.

➤ PHASE TWO: ALL SETTINGS
  • Non-social-congregate group size has increased from 10 people to 50 people.
  • All other provisions remain the same as Phase One for general business operations.

➤ PHASE THREE: ALL SETTINGS
  • Return to normal operations.

• Phase One: Specific Types of Employers/Activities
  ➤ Effective Sunday, April 26:
    • Places of worship can become operational with reduced capacity and where strict physical distancing protocols can be maintained between non-household members.
      • Places of worship should avoid gathering in groups of more than 10 people in circumstances that do not readily allow for appropriate physical distancing.
  ➤ Effective Monday, April 27:
    • Main Street and retail businesses can become operational with reduced capacity and where strict physical distancing protocols can be maintained.
      • Businesses that reopen must adhere to the reopening guidelines for Phase One provided in Appendix A, attached.
    • Outdoor recreation can become operational if sites adhere to strict physical distancing between groups and exercise frequent sanitation protocols if public facilities are open.
      • Individuals and businesses engaged in outdoor recreation must adhere to the outdoor recreation guidelines for Phase One provided in Appendix A, attached.
    • Organized youth activities can consider becoming operational if physical distancing guidelines can be implemented.
      • Organized youth activities should avoid gathering in groups of more than 10 people in circumstances that do not readily allow for appropriate physical distancing.
  ➤ Effective Monday, May 4:
- Restaurants, bars, breweries, distilleries, and casinos can become operational on or after May 4, 2020 under strict physical distancing and reduced capacity protocols in accordance with State guidelines.
  - These businesses will be required to close their doors and have all patrons out by 11:30 p.m. Breweries and distilleries shall follow existing laws on closing time.
  - The expansions for delivery and takeout services, as provided both in the March 24 and March 26 Directives, are extended through the end of the emergency.
  - In addition, restaurants, bars, breweries, distilleries, and casinos that reopen must adhere to the general and specific guidelines:
    - A specific cleaning plan must be implemented, and employees must be trained in proper sanitation practices. Materials will be available on the Montana Department of Public Health and Human Services (DPHHS) food and consumer services website.
    - All surfaces occupied must be cleaned between customers, including tables, chairs, booths, and highchairs.
    - Table items including, condiments, menus, napkins, and décor, should be removed from the table unless they can be adequately cleaned between customers.
    - Menus must be cleaned between customers.
    - Growlers and refillable or reusable containers must be cleaned prior to being refilled.
    - Gaming machines must be adequately cleaned between customers.
- PHASE ONE: RESTAURANTS
  - Capacity must be limited to 50% of normal operating capacity to allow for adequate group spacing.
  - Tables must be limited to six people per table.
  - Establishments must provide for 6 feet of physical distancing between groups and or tables by:
    - Increasing table spacing, removing tables, or marking tables as closed;
    - Providing for a physical barrier between tables; or
    - Back-to-back booth seating provides adequate separation.
  - In-house dining for quick service restaurants should remain closed, if all guidelines can’t be met, including the cleaning of every table between customers.
  - Sitting or standing at bars or counters is not allowed.
  - In bars, drinks and food must be served to customers at a table.
  - Self-service buffets must be closed.
  - Drink refills are not allowed.
  - Self-service cups, straws and lids should be behind a counter and handed to customers
  - Self-service condiments should be eliminated.
  - Gaming machines that are operational must be separated by 7-foot center to center. Machines must be placed out of service if adequate spacing cannot be assured.
- PHASE TWO: RESTAURANTS
- Capacity may be increased to 75% of normal operating capacity.
- Tables must be limited to 10 people per table.
- Establishments must continue to provide for physical distancing between groups or tables but may increase capacity.
- In-house dining for quick service restaurants should remain closed if all guidelines can’t be met, including the cleaning of every table between customers.

- **PHASE THREE: RESTAURANTS**
  - Continue to practice social distancing when practical.
  - Establishments should begin to resume normal occupancy while continuing to follow the guidelines for all facilities.

- Effective immediately through the end of the emergency, unless modified by subsequent Directive:
  - Gyms, pools, and hot tubs remain closed.
  - Other places of assembly remain closed (e.g., movie and performance theaters, concert halls, bowling alleys, bingo halls, and music halls).
  - Senior living or assisted living facilities must continue to prohibit visitors. Those who do interact with residents and patients must ensure strict protocols regarding hygiene and protection are followed.
    - This includes daily screening of staff for symptoms and preventing ill workers from working.
  - Child care facilities can remain operational but should follow state and local guidelines regarding operational levels and occupancy. The operational requirements in the April 1, 2020 Directive on child care remain in effect.

- **Local Control of School Closure Beginning May 7**
  - All non-residential public schools are closed through May 6 and will continue to be eligible for a waiver of pupil-instruction time and receive associated state funding through the funding mechanism described in prior Directives.
  - Beginning May 7, all schools have the option to return to in-classroom teaching delivery, at the discretion of local school boards.
    - The intent of this provision is to allow local control over decisions about the provision of quality public education to students in Montana, while assuring that school districts will continue to receive full funding support from the state to provide learning.
    - The mechanism for a gubernatorial waiver of student-instruction time will expire.
    - However, nothing in this Directive prevents a local school board from declaring a local emergency as provided in § 20-9-806, MCA. Local boards and their districts that do so will continue to receive all state funding, including transportation funding.
  - The State recognizes that if a school reopens for in-person instruction, reopening will require the district to make adjustments and create plans, policies, and procedures. Schools that plan to reopen should consult the school reopening guidelines provided.
    - In addition, if schools plan to reopen they should consider:
      - Implementing an alternative educational delivery model that includes a mix of in-person and remote learning.
      - Providing focused individual education, especially for at-risk students.
      - How to reconnect and meet the educational needs of students who fall behind in a remote learning environment.
The importance of maintaining the connection between students, teachers, and parents.

The important role that schools play in the health of students, families, and communities.

Graduation environments that can meet the social distancing requirements.

Frequent disinfecting of door handles, desks and other common spaces.

Require handwashing in regular intervals.

Keep libraries, gyms, and playgrounds off limits unless they can be sanitized between groups.

Provide hand sanitizer.

Implement temperature checks and / or symptom screening when practical.

Require anyone (students or staff) with COVID COVID-19 symptoms to stay home.

Consider breaking larger classes into smaller groups.

Students may alternate school days or attend for half days.

Consider use of face coverings by all staff and students

Keep students with the same group and in the same classroom, with teachers rotating when practical.

Consider students eating lunch in the classroom to help limit mixing of students.

Cancel extracurricular activities.

Prevent any non-school staff, including parents, from entering school buildings.

Consider reducing bus loads to allow for one student per seat.

Schools that reopen will need to take into consideration that some teachers and staff will fall into the at-risk category because of their age or other health risks. These individuals should have additional accommodations including: teaching classes remotely, utilizing a larger classroom where social distancing can be maintained, or given an option not to return until the risks are reduced.

Students who are high risk or who have family members who are high risk should not be penalized for failing to attend and should continue to receive remote support.

Accommodations should also be extended to students and staff who are required to quarantine due to exposure or potential exposure.

**PHASE ONE AND TWO: RECREATION GUIDELINES**

- Public lands, fishing access sites, and parks are encouraged to continue to provide outdoor recreation opportunities for local and regional users provided that users can adhere to strict social distancing guidelines and facilities follow frequent sanitizing protocols. Areas that cannot practicably implement social distancing requirements or sanitation needs will remain closed. Limited campground offerings, group use facilities and playgrounds, may be opened at the discretion of local and state managers. Local, state and federal officials are strongly encouraged to coordinate on all reopening decisions. Guides and outfitters may offer services consistent with any ongoing quarantine travel restrictions provided they adhere to social distancing guidelines and
sanitation protocols. Visitors should check the status of any closures and restrictions before traveling.

- **PHASE THREE: RECREATION GUIDELINES**
  - Campground, group group-use facilities, playgrounds and visitor centers are fully open.

- **PHASE ONE: PERSONAL CARE (SALONS, MASSAGE, BODY ART, ETC.)**
  - Operations that require close personal contact for an extended period result in exposing staff and customers to greater levels of risk. These situations require additional safety and health precautions.
  - Screen customers prior to appointment for symptoms of fever, shortness of breath or a cough. Customers that have any of these symptoms must be rescheduled.
  - Utilize a face mask for staff and for customers when practical.
  - Stylist / artist / service service-provider and customer would be a “station” that would be 6 feet away from other “stations”.
  - Provide for 6 feet of physical distancing between stations, this may require:
    - A reduction in capacity;
    - Increasing spacing, removing stations, or marking stations as closed;
    - Providing for a physical barrier between stations;
    - A reduction of seating in service and waiting areas; or
    - Systems that reduce the amount of contact time between customers and staff.

- **PHASE TWO: PERSONAL CARE (SALONS, MASSAGE, BODY ART)**
  - Establishments should continue provide for physical distancing between stations.

- **PHASE THREE: PERSONAL CARE (SALONS, MASSAGE, BODY ART)**
  - Continue to practice physical distancing when practical.
  - Establishments may resume normal occupancy while continuing to follow the guidelines for all facilities.

- **Directive Is Public Health Order and Enforceable By County Attorney**
  - This Directive, along with any prior Directive that implements and references the public health authorities of the Department of Public Health and Human Services (DPHHS) provided in Title 50, constitutes a “public health . . . order[]” within the meaning of § 50-1-103(2), MCA, and is enforceable by the Attorney General, DPHHS, a county attorney, or other local authorities under the direction of a county attorney.

- **Local Public Health Agencies to Assist in Administration of this Public Health Order**
  - Local public health agencies are directed to assist in the administration of this Directive, consistent with § 50-1-202(2)(a), MCA.

- **Less-Restrictive Local Ordinances Preempted**
  - This Directive is in effect statewide in Montana. In the interest of uniformity of laws and to prevent the spread of disease, all inconsistent emergency county health ordinances are preempted by this Directive, but only to the extent they are less restrictive.

- **Limitations**
  - This Directive is effective immediately and expires at the end of the emergency, except where specified.
  - This Directive shall be implemented consistent with applicable law and subject to the availability of appropriations.
  - Nothing in this Directive shall be construed to limit, modify, or otherwise affect the authority granted by law to the Governor, any department, agency, political subdivision, officer, agent, or employee of the State of Montana except as expressly provided in this Directive or other Directives now in effect implementing Executive Orders 2-2020 and 3-2020.
➢ If any provision of this Directive or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Directive, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Directive are declared to be severable.

➢ This Directive is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State of Montana, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

- On April 30, 2020, the Governor outlined a framework to ramp up testing capacity in Montana over the next several months with a goal to eventually conduct 60,000 tests per month and prioritize testing for vulnerable populations.296

**Nebraska**

- On April 9, 2020, Governor Ricketts proclaimed April 10-30, 2020 as “21 Days to Stay Home and Stay Healthy in Nebraska”. The Governor also announced a new statewide Directed Health Measure that orders certain businesses where six feet of social distance cannot be maintained to close through April 30th, 2020.297

- Pursuant to the directive the following gatherings of ten or more people are prohibited:
  - schools, daycare facility (including in-home facilities), gymnasium fitness center, auditorium, stadium, arena, large event conference room, meeting hall, library, or any other confined indoor or outdoor space. This also includes weddings and funerals, as well as parades, fairs, festivals, concerts, auto racing and other indoor and outdoor events.
  - Venues such as fitness centers/clubs, gymnasiums, gyms, health clubs, and health spas shall ensure that a minimum distance of six (6) feet be maintained between all patrons.
  - Food and beverage sales at restaurants, bars, taverns, private clubs, and any dine-in establishments are restricted to carry-out, drive-through, and delivery only. This does not apply to and/or exempts food service in health care facilities.298

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298 Nebraska Directed Health Measure, [https://www.dropbox.com/s/xh4pyr4w56g3tdh/DHM%204.9.2020.pdf?dl=0](https://www.dropbox.com/s/xh4pyr4w56g3tdh/DHM%204.9.2020.pdf?dl=0)
On April 20, 2020, Governor Ricketts announced the state’s first step to relax the health measures implemented to slow COVID-19’s spread, which includes resuming elective surgeries as long as hospitals and healthcare facilities meet requirements for available bed capacity and have adequate supplies of personal protective equipment.299

Health care providers elective surgeries to resume on May 4, 2020, under certain guidelines.

- Hospitals may resume elective surgeries if they maintain 30% general bed availability, 30% ICU bed availability, 30% ventilator availability, AND have a two-week supply of necessary personal protective equipment (PPE) in their specific facility.
- Procedural guidelines for resuming elective procedures will be at the discretion of the hospital or health clinic.

On April 24, 2020, Governor Pete Ricketts announced upcoming changes that ease some restrictions on social gatherings and business operations in Nebraska as of May 4, 2020.300

Nebraska continues to have ample capacity to care for the state’s residents. As of April 24th, 48% of hospital beds, 42% of ICU beds, and 74% of ventilators are available for use statewide.

Directed Health Measures (DHMs)

- The current State DHM for Douglas County will be extended through May 3, 2020. The local DHMs from the Sarpy/Cass Health Department and the Douglas County Health Department will also be extended through May 3rd.
- The statewide closure until April 30th of all beauty/nail salons, barber shops, massage therapy services, gentleman’s clubs, bottle clubs, indoor movie theatres, indoor theatres, and tattoo parlors/studios is extended to May 3rd.
  - That date will be extended further for some areas.
- As of May 4, 2020 the State will have 19 separate DHMs, one for each local health department (LHD). They will be effective through May 31, 2020.

Statewide DHM Changes

- Places of worship (churches, synagogues, mosques, temples, etc.)
  - Places of worship will have relaxed DHM requirements statewide beginning on May 4th.
  - They will need to ensure six feet of separation between different household units.
  - It will not be permissible to pass items among worshippers.
  - A guidance document will be provided with the new DHMs to give instructions to faith communities on how to comply with the updated health measures.

Regional DHM Changes

- Regional updates will apply to all of the following LHDs as of May 4, 2020:
  - Douglas County Health Dept.
  - Sarpy/Cass Dept. of Health
  - East Central District Health Dept.
  - Four Corners Health Dept.
  - Loup Basin Public Health Dept.
  - North Central District Health Dept.
  - Northeast Nebraska Public Health Dept.
  - Panhandle Public Health District
  - Southeast District Health Dept.
  - Southwest Nebraska Public Health District

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Salons
- As of May 4th, beauty/nail salons, barber shops, massage therapy services, and tattoo parlors/studios in the above LHDs will be permitted to open. These establishments will be added to the list of gatherings subject to the DHM.
- The new DHM will require both workers and patrons of these establishments to wear masks.
- For districts other than those listed above, these establishments will remain closed past May 3rd.

Restaurants
- As of May 4th, restaurants will be allowed to serve dine-in customers if all of the following conditions are met:
  - The restaurant limits seating to 50% of the rated occupancy maximum at all times.
  - The restaurant seats parties at least six feet apart.
  - All dining parties are restricted to no more than six persons (groups larger than six will need to sit at separate tables).
  - Self-serve buffets and salad bars are prohibited. Restaurant staff must serve food directly to customers or implement buffet orders from the customer table. No customer self-service will be allowed.
  - Bar seating is not permitted.
  - Patrons may only consume alcohol on the premises if also consuming a meal.
- Bars that do not serve food will remain limited to carry-out sales and delivery only.
- For districts other than those listed above, restaurants will remain limited to delivery, drive-thru, or carryout past May 3rd.

Childcare Facilities
- As of May 4th, childcare facilities will be permitted to have up to 15 kids per room/space.
  - All other state provisions, statutes, and regulations (including child-to-staff ratios) still apply.
  - For districts other than those listed above, childcares will remain restricted to 10 children per room/space.

Other Establishments
- Bars, gentlemen’s clubs, bottle clubs, indoor movie theaters, indoor theaters/playhouses will remain closed statewide until May 31st, though the State may revise the DHM prior to that date.
- On April 27, 2020, Governor Pete Ricketts announced the formation of a business task force, to be chaired by Nebraska Department of Economic Development Director Tony Goins, to restore growth to Nebraska’s economy.301

Business Task Force
- The State of Nebraska is working closely with business leaders to restore growth to the economy.
- To date, the task force has engaged advisors in various industry associations, such as cosmetology, restaurants, and retail.
- The task force is also working closely with the Chambers of Commerce to compose guidelines that prioritize safety.

• On April 29, 2020, the Governor **discussed** best practices to resume elective surgeries at dental offices and dining in restaurants with industry leaders and practitioners across the state. During this, the Governor also **announced** new guidance for restaurants.

• On April 30, 2020, the Governor **issued** an Executive Order which, among other things, retroactively extends eligibility for pandemic-related unemployment benefits.

• On May 21, 2020, the Governor announced that new directed health measures for Phase I and Phase II will take effect on June 1 for certain districts in the state.  

• On May 26, 2020, the Governor announced an executive order waiving the requirement for older Nebraskans to renew their driver’s licenses in-person.  

**New Hampshire**

• Gov. Chris Sununu recently issued executive orders requiring food and beverage sales to be restricted to carry-out, delivery, curbside pickup, and drive through only.  

• Gov. Sununu also issued an order prohibiting gatherings of 10 people or more for social, spiritual and recreational activities, including but not limited to, community, civic, public, leisure, faith based, or sporting events, parades, concerts, festivals, conventions, fundraisers, and similar activities.  

• On March 26, 2020, Governor Sununu issued Executive Order 17, directing all residents to remain in their homes except to perform certain essential activities. The order will remain in effect until May 4, 2020, subject to extension.  

• The order requires the temporary closure of non-essential businesses. Essential businesses are defined by state issued guidance to include the following categories:
  - Law Enforcement, Public Safety, First Responders
  - Food and Agriculture
  - Health Care/ Public Health / Human Services
  - Energy (Electricity industry, Petroleum workers, Natural and propane gas workers, Steam workers
  - Waste and Wastewater
  - Transportation and Logistics
  - Public Works
  - Communications and Information Technology Communications
  - Other Community-Based Essential Functions
  - Manufacturing
  - Hazardous Materials
  - Financial Services
  - Chemical
  - Defense Industrial Base
  - Real Estate Transactions/Agents/Brokers
  - Other Retail – Curbside Pick Up or Delivery

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• On April 4, 2020, the Governor signed Executive Order 26, which extends Emergency Orders 2, 6 and 16 until Monday, May 4, 2020.309
• On April 6, 2020, the Governor signed Emergency Order 27, which restricts all lodging providers within the state to provide lodging only for vulnerable populations and essential workers.
• On April 14, 2020, the New Hampshire Division of Public Health issued an order requiring the use of a face covering for all essential visitors of long-term care, assisted living, residential care, and similar facilities. 310
• On April 21, 2020, Governor Sununu announced the formation of the Governor’s Economic Re-Opening Task Force, which will develop a plan and oversee the state and private sector actions needed to reopen New Hampshire’s economy while minimizing the adverse impact on public health.311
• On May 1, 2020, the Governor announced that he is implementing Stay at Home 2.0, which is in effect until May 31. Additionally, the Governor provided guidance to certain industries that can begin to phase-in services during the month of May.312
• On May 1, 2020, the Governor issued Emergency Order #40 which extends and modifies the closure of non-essential businesses and requires residents to stay home.313
• On May 5, 2020, the Governor issued Emergency Order #41 which adds additional Medicaid eligibility for the uninsured, such as allowing for the coverage of COVID testing.314
• On May 19, 2020, the Governor issued Exhibit H to Emergency Order #29 which provides changes for professional licenses through continuing education requirements, notarization requirements, electronic signatures, and other measures.315
• On May 27, 2020 – The Governor issued Emergency Order #48 which supports special education requirements to support remote instruction.316

New Jersey
• On March 21, 2020, Governor Phil Murphy issued Executive Order No. 107, which directs all residents of New Jersey to stay home and mandates the closure of all non-essential retail businesses, with certain exceptions for essential activities and services.
• The following essential retail businesses are excluded from the directive and may remain open during their normal business hours:
  o Grocery stores, farmer’s markets and farms that sell directly to customers, and other food stores, including retailers that offer a varied assortment of foods comparable to what exists at a grocery store;

- Pharmacies and alternative treatment centers that dispense medicinal marijuana;
- Medical supply stores;
- Retail functions of gas stations;
- Convenience stores;
- Ancillary stores within healthcare facilities;
- Hardware and home improvement stores;
- Retail functions of banks and other financial institutions;
- Retail functions of laundromats and dry-cleaning services;
- Stores that principally sell supplies for children under five years old;
- Pet stores;
- Liquor stores;
- Car dealerships, but only to provide auto maintenance and repair services, and auto mechanics;
- Retail functions of printing and office supply shops; and
- Retail functions of mail and delivery stores.

- All restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, are permitted to operate their normal business hours, but are limited to offering only food delivery and/or take-out services in accordance with their existing liquor licenses.

- All recreational and entertainment businesses must close to the public as long as this Order remains in effect. All New Jersey residents shall remain home or at their place of residence unless they are doing the following essential activities:
  - Obtaining goods or services from essential retail businesses;
  - Obtaining takeout food or beverages from restaurants, other dining establishments, or food courts;
  - Seeking medical attention, essential social services, or assistance from law enforcement or emergency services;
  - Visiting family or other individuals with whom the resident has a close personal relationship, such as those for whom the individual is a caretaker or romantic partner; reporting to, or performing, their job;
  - Walking, running, operating a wheelchair, or engaging in outdoor activities with immediate family members, caretakers, household members, or romantic partners while following best social distancing practices with other individuals, including staying six feet apart;
  - Leaving the home for an educational, religious, or political reason;
  - Leaving because of a reasonable fear for his or her health or safety; or
  - Leaving at the direction of law enforcement or other government agency in effect.

- On March 28, 2020, Governor Murphy signed an Executive Order directing health care facilities to report data concerning their capacity and supplies on a daily basis. Executive Order No. 111 mandates health care facilities designated by the New Jersey Office of Emergency Management to report data concerning their capacity and supplies on a daily basis by 10:00 a.m., starting on Sunday, March 29, 2020, and continuing for the duration of this Order. The health care facilities that shall be required to report this data include, but are not limited to, the following:
  - Licensed acute care hospitals;
  - Long-term care facilities;
  - Hospital systems, including specialty hospitals; and

All emergency modular field treatment and other facilities established during this state of emergency.

- The New Jersey Office of Emergency Management, in consultation with the Commissioner of DOH, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to this list, including but not limited to the addition of other entities encompassed by the definitions of “health care facility” under N.J.S.A. 26:2H-2 and --13-2.
- The New Jersey Office of Emergency Management, in consultation with the Commissioner of DOH, shall specify what data concerning capacity and supplies, including bed capacity, ventilators, and PPE, must be submitted to satisfy the requirements.
- This order further expands Executive Order No. 109 ordered by Governor Murphy on March 23, 2020 which required any business or non-hospital health care facility, including but not limited to dental facilities, construction facilities, research facilities, office-based healthcare or veterinary practices, and institutions of higher learning, in possession of PPE, ventilators, respirators, or anesthesia machines that are not required for the provision of critical health care services should undertake an inventory of such supplies and send that information to the State by no later than 5:00 p.m. on Friday, March 27, 2020.
- The Office of Emergency Management shall establish a process by which entities subject to this provision can submit this information.
- On April 4, 2020, the Governor announced an Administrative Order allowing municipalities and counties to impose additional restrictions on short-term rentals.
- On April 8, 2020, the Governor signed Executive Order No. 122, ceasing all non-essential construction projects and imposing additional mitigation requirements on essential retail businesses and essential industries to limit the spread. The order also outlines specific protections and policies for all essential retail, manufacturing, and warehousing businesses, as well as businesses engaged in essential construction projects.
- On April 4, 2020, the Governor announced an Administrative Order allowing municipalities and counties to impose additional restrictions on short-term rentals.
- On April 11, 2020, Gov. Murphy issued Executive Order No. 125 on April 11 that requires both riders and transit workers to wear cloth face coverings when on New Jersey Transit (NJ Transit) buses and trains and limits number of riders a vehicle can carry at one time.
- On April 13, 2020, the Governor signed Executive Order No. 126, prohibiting cable and telecommunications providers from terminating Internet and voice service due to nonpayment until 30 days after the current public health emergency has ended.
- On April 24, 2020, Governor Murphy signed Executive Order No. 128, allowing tenants to direct their landlords to use their security deposits to offset rent or back rent.
- On April 24, 2020, Governor Murphy announced an Administrative Order protecting access to hotels and motels for individuals without safe, permanent housing.
- On April 27, 2020, Governor Phil Murphy announced The Road Back: Restoring Economic Health Through Public Health, the state’s initial framework for restarting the state economy.

The following six principles and key metrics will guide the process for lifting restrictions:

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320 New Jersey Administrative Order 2020-8, [http://d31zlhk6di2h5.cloudfront.net/20200404/76/54/49/6d/782ba5a402ce762190ffdf92/AO_2020-8.pdf](http://d31zlhk6di2h5.cloudfront.net/20200404/76/54/49/6d/782ba5a402ce762190ffdf92/AO_2020-8.pdf)
325 New Jersey Administrative Order 2020-9, [http://d31zlhk6di2h5.cloudfront.net/20200424/b7/cb/1b/ce/b43a111240a42d0194ce7531/AO_2020-9.PDF](http://d31zlhk6di2h5.cloudfront.net/20200424/b7/cb/1b/ce/b43a111240a42d0194ce7531/AO_2020-9.PDF)

Last Updated: 6-3-20
Principle 1: Demonstrate Sustained Reductions in New COVID-19 Cases and Hospitalizations
- 14-day trend lines showing appreciable and sustained drop in cases, hospitalizations, and other metrics;
- Hospitals stepping down from functioning under crisis standards of care.

Principle 2: Expand Testing Capacity
- At least double current diagnostic testing capacity;
- Prioritize testing for health care workers, essential personnel, and vulnerable populations;
- Create a flexible testing plan accessible to all residents;
- Expand partnerships with institutions of higher education, private-sector labs, and the federal government.
- Ensure that those who test positive are linked to a health care provider.

Principle 3: Implement Robust Contact Tracing
- Recruit and deploy an army of personnel who will identify and follow-up with contacts;
- Leverage technological data and innovative solutions to increase efficiency;
- Coordinate the approach of local and state health officials, which will have a coordinated county/regional component.

Principle 4: Secure Safe Places and Resources for Isolation and Quarantine
- To the greatest extent possible, provide individuals who do test positive in the future with a safe and free place to isolate and protect others from COVID-19;
- Ensure that quarantined contacts are provided supportive services, if needed.

Principle 5: Execute a Responsible Economic Restart
- Create the Governor’s Restart and Recovery Commission to advise on the process and recommend responsible and equitable decisions;
- Plan for a methodical and strategic return to work based on level of disease transmission risk and essential classification;
- Continuation of social distancing measures where feasible and appropriate;
- Leverage any available federal funds and programs to support health care, individual, and small business recoveries.

Principle 6: Ensure New Jersey’s Resiliency
- Learn from the lessons of COVID-19 and prepare for the possibility of a resurgence;
- Ensure hospitals, health care systems, and other health delivery facilities have inventories of personal protective equipment and ventilators;
- Build our own state personal protective equipment and ventilator stockpile;
- Create a playbook for future administrations for the next pandemic.

- New Jersey’s shelter in place order will remain in effect until further notice.
- On April 28, 2020, the Governor signed an executive order creating the Governor’s Restart and Recovery Commission charged with advising the administration on the timing and preparation for the state’s recovery plan.326
- On April 29, 2020, the Governor signed Executive Order No. 132, allowing county and municipal clerks to accept initiative and referendum petitions electronically, and allowing signatures for these petitions to be collected electronically.327

On April 29, 2020, the Governor signed Executive Order No. 133, reopening state parks and golf courses, and restoring the authority of county governments to determine whether county parks will be open or closed.328

On May 2, 2020, the Governor announced an Administrative Order declaring construction of new religious facilities or involving existing religious facilities to be essential construction projects.

On May 2, 2020, the Governor signed Executive Order No. 136, extending statutory deadlines required under environmental laws during a public health emergency, which suspends timeframes for certain permit decisions and reporting, and will ensure greater opportunities for public engagement.

On May 3, 2020, the Governor, in partnership with other states in the Northeast Pact, announced a joint multi-state agreement to develop a regional supply chain for personal protective equipment, other medical equipment and testing.

On May 6, 2020, the Governor signed Executive Order No. 138 which extends the Public Health Emergency for 30 days unless renewed.329

On May 6, 2020, the Governor announced an Administrative Order clarifying recreational and entertainment activities.330

On May 18, 2020, the Governor signed Executive Order No. 147, allowing certain outdoor activities at recreational businesses, including archery ranges, batting cages, golf driving ranges, horseback riding, shooting ranges, and tennis clubs as well as community gardens to open with required social distancing measures in place.331

On May 19, 2020, the Governor’s Administration announced that the Division of Consumer Affairs has authorized licensed New Jersey pharmacists to widely administer COVID-19 tests to customers.332

On May 19, 2020, the Department of Health issued guidelines on the conditions for hospitals and ambulatory surgery centers to begin resuming elective surgeries.333

On May 19, 2020, the Governor announced an Administrative Order authorizing in-person sales to resume at car dealerships, motorcycle dealerships, boat dealerships, and bike shops, by appointment only and with social distancing measures in place.334

On May 21, 2020, the Departments of Health, Agriculture, and Labor and Workforce Development issued guidance on working conditions as well as testing/treatment procedures to assist agricultural businesses and farm workers in minimizing the risk and potential exposure to COVID-19.335

New Mexico

On March 23, 2020, New Mexico Department of Health Secretary Kathy Kunkel announced a new public health emergency order suspending operations of all businesses and nonprofit entities except for those deemed essential, and further restricting mass gatherings due to the COVID-19 pandemic. This order is in place through 8 a.m. April 10, 2020, unless otherwise amended.
• All New Mexicans must immediately heed the directive to stay home except as needed to maintain continuity of functions critical to public health and safety.
• This list does not include government services, which are unaffected by this order. State government has already implemented telework policies for all employees who are able to work from home; local governments have been strongly encouraged to do the same.
• The following is a list of private operations deemed essential per that order:
  o Healthcare/Public Health
    ▪ Hospitals
    ▪ Walk-in-care health facilities
    ▪ Emergency veterinary and livestock services
    ▪ Pharmacies
    ▪ Medical and wholesale and distribution
    ▪ Home health care workers or aides for the elderly
    ▪ Emergency dental facilities
    ▪ Nursing homes
    ▪ Residential health care facilities
    ▪ Research facilities
    ▪ Congregate care facilities
    ▪ Intermediate care facilities for those with intellectual or developmental disabilities
    ▪ Supportive living homes
    ▪ Home health care providers
    ▪ Medical supplies and equipment manufacturers and providers
    ▪ Medical cannabis
  o Emergency Services
    ▪ Law enforcement personnel
    ▪ First Responders
    ▪ Firefighters
    ▪ Emergency management personnel
    ▪ Dispatch operators
    ▪ Court personnel
  o Childcare
    ▪ Facilities necessary to provide services to those workers employed by essential businesses and essential non-profit entities.
  o Indigent Care
    ▪ Homeless shelters
    ▪ Food banks
    ▪ Other services providing care to indigent or needy populations
  o Infrastructure Operations
    ▪ Public works construction
    ▪ Commercial and residential construction and maintenance
    ▪ Utilities, including their contractors and suppliers, involved in water and waste-water supply
    ▪ Sewer, trash and recycling collection, processing and disposal
    ▪ Road and highway repair and construction
    ▪ Solid waste collection and removal
    ▪ Nuclear material research and enrichment
    ▪ Data and internet providers
    ▪ Data centers
    ▪ Telecommunications systems
  o Food and Agriculture
- Farms, ranches and other food cultivation, processing or packaging operations
- Grocery stores and supermarkets
- All food and beverage stores
- Food banks
- Farmers’ markets
- Vendors who sell food
- Convenience stores
- Other businesses that generate most of their revenue from the sale of canned food, dry goods, fresh fruits and vegetables, pet food, fresh meats, fish and poultry, and any other household consumer products
- Businesses that store, ship or deliver groceries, food, goods or services directly to residences or retailers
- Restaurants, but only for delivery or carryout

  o Energy
- Gas and oil drilling and refining
- Electrical production and distribution
- Natural resources extraction or mining operations
- Utilities, including their contractors and suppliers, engaged in power generation, fuel supply and transmission

  o Manufacturing
- Food processing
- Chemicals
- Fertilizer
- Pharmaceuticals
- Sanitary products
- Household paper products
- Telecommunications
- Microelectronics/semiconductors
- Primary metals
- Machinery
- Electrical equipment
- Appliance
- Components
- Transportation equipment

  o Defense Research
- Laboratories
- Defense and national security-related operations supporting the U.S. government or a U.S. government contractor

  o Transportation
- Airport operations
- Airlines
- Taxis and other private transportation providers
- Gas stations
- Automobile repair facilities
- Retailers who generate most of their revenue from the sale of automobile repair products

  o Service Sector
- Plumbers
- Electricians
- Security services
- Custodial services
- Other skilled trades necessary to maintaining the safety and sanitation of residences
- Businesses providing mailing and shipping services, including post office boxes

  - Professional Services
    - Legal services as necessary to assist in compliance with legally mandated activities
    - Accounting services as necessary to assist in compliance with legally mandated activities

  - Financial Services
    - Banks
    - Credit unions
    - Insurance providers
    - Payroll services
    - Brokerage services
    - Investment management firms

  - Media
    - Television
    - Radio
    - Newspaper operations

  - Miscellaneous
    - Essential manufacturing
    - Laboratories and defense and national security-related operations supporting the U.S. government or a contractor to the U.S. government
    - Hardware stores, nurseries and businesses that generate most of their revenue from the sale of home-improvement goods
    - Laundromats and dry cleaner services
    - Funeral homes, crematoriums and cemeteries
    - Real estate services including brokers, title companies and related services

- On March 20, 2020, the Governor announced New Mexico’s Medicaid Program is requiring managed care organizations to reimburse doctors, behavioral health providers and other health care professionals for telephone and video patient visits. Additionally, managed care organizations are now required to:
  - Waive all prior authorizations for members to obtain COVID-19 testing and treatment services;
  - Expand nurse advice lines to operate 24/7;
  - Coordinate with home care providers to ensure coordinated care for those patients requiring telemedicine services;
  - Allow for replacement of durable medical equipment through telemedicine; and,
  - Reimburse for prescriptions dispensed in amounts up to a 90-day supply.

- On March 23, 2020, the Centers for Medicare & Medicaid Services (CMS) approved New Mexico’s request for a Section 1135 Medicaid waiver. The approved waiver enables New Mexico to provide flexibilities in Medicaid provider screening and enrollment, forgo certain pre-admission screening and annual resident review assessments, lift prior authorization requirements, and extend fair hearing and appeals timelines.

- On March 24, 2020, the state Supreme Court ordered a temporary moratorium on evictions for inability to pay rent due to economic displacement.

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• On April 28, 2020, the state Supreme Court postponed the bar examination in July for law school graduates and attorneys seeking to practice in New Mexico, rescheduling it for September.338
• On April 28, 2020, the state Supreme Court ordered the establishment of a working group to develop recommendations to conduct the bar exam in small groups to comply with social distancing requirements if those remain in place in September.339
• On May 1, 2020, the New Mexico Economic Recovery Council voted unanimously to endorse a preliminary plan for reopening the New Mexico economy, starting with a preparation phase that begins May 1.
• On May 5, 2020, the Department of Health Secretary amended the state public health emergency order clarifying retailers and businesses shall require employees to wear face coverings as the state eases into Phase 1 of reopening.340

New York341
• Executive Order 202.6 directs that all businesses and not-for-profit entities in New York State, shall utilize, to the maximum extent possible, any telecommuting or work from home procedures available.
• On Friday, March 20, 2020, Gov. Cuomo ordered that 100 percent of the state’s non-essential work force is now required to shelter in place.
• Essential businesses or entities providing essential services or functions include:
  o Essential health care operations including research and laboratory services;
  o Essential infrastructure including utilities, telecommunication, airports and transportation infrastructure;
  o Essential manufacturing, including food processing and pharmaceuticals;
  o Essential retail including grocery stores and pharmacies;
  o Essential services including trash collection, mail, and shipping services;
  o News media;
  o Banks and related financial institutions;
  o Providers of basic necessities to economically disadvantaged populations;
  o Construction;
  o Vendors of essential services necessary to maintain the safety, sanitation and essential operations of residences or other essential businesses;
  o Vendors that provide essential services or products, including logistics and technology support, child care and services needed to ensure the continuing operation of government agencies and provide for the health, safety and welfare of the public.
• Any other business may be deemed essential after requesting an opinion from the Empire State Development Corporation, which shall review and grant such request, should it determine that it is in the best interest of the state to have the workforce continue at full capacity in order to properly respond to this disaster.342
• On April 7, 2020, Governor Cuomo issued Executive Order 202.16, which extends all suspensions and modifications of law, and any directives, not superseded by a subsequent

340 https://www.newmexico.gov/2020/05/05/retailers-businesses-shall-require-employees-to-wear-face-coverings/
342 Guidance For Determining Whether A Business Enterprise Is Subject To A 75% Workforce Reduction Under Executive Order 202.6 can be found here: https://esd.ny.gov/guidance-executive-order-2026.
On April 15, 2020, Governor Cuomo issued an Executive Order 202.17, which extends the state’s shelter in place directive through May 15, 2020 and requires any individual who is over age two and able to medically tolerate a face-covering to cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance.

On April 21, 2020, Governor Cuomo announced the state will take a regional approach to reopening and will make decisions on which counties and regions to open and when to open them based on the facts and data specific to that area.

Lieutenant Governor Kathy Hochul will coordinate Western New York’s public health and reopening strategy, and former Lieutenant Governor Robert Duffy will volunteer as a special advisor to coordinate the Finger Lakes’ public health and reopening strategy.

New York is a member of the Northeast Regional Task Force, a working group formed to decide best practices for restarting the regional economy. Other members of the task force include New Jersey, Massachusetts, Connecticut, Pennsylvania, Delaware, and Rhode Island.

In addition, Governor Cuomo announced elective outpatient treatments can resume in counties and hospitals without significant risk of COVID-19 surge in the near term.

Hospitals will be able to resume performing elective outpatient treatments on April 28, 2020 if the hospital capacity is over 25 percent for the county and if there have been fewer than 10 new hospitalizations of COVID-19 patients in the county over the past 10 days.

If a hospital is located in a county eligible to resume elective outpatient treatments, but that hospital has a capacity under 25 percent or has had more than 10 new hospitalizations in the past 10 days, that hospital is not eligible to resume elective surgeries.

If a county or hospital that has resumed elective surgery experiences a decrease in hospital capacity below the 25 percent threshold or an increase of 10 or more new hospitalizations of COVID-19 patients, elective surgeries must cease.

Further, patients must test negative for COVID-19 prior to any elective outpatient treatment. The State Department of Health will issue guidance on resuming elective surgeries.

Restrictions on elective surgery will remain in place in Bronx, Queens, Rockland, Nassau, Clinton, Yates, Westchester, Albany, Richmond, Schuyler, Kings, Suffolk, New York, Dutchess, Sullivan, Ulster, Erie, Orange and Rensselaer Counties as the state continues to monitor the rate of new COVID-19 infections in the region.

On April 26, 2020, Governor Cuomo outlined a phased plan to reopen the state, beginning with construction and manufacturing. Based on CDC recommendations, once a region experiences a 14-day decline in the hospitalization rate they may begin a phased re-opening.

Phase One will include opening construction and manufacturing functions with low risk.

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Phase Two will open certain industries based on priority and risk level. Businesses considered "more essential" with inherent low risks of infection in the workplace and to customers will be prioritized, followed by other businesses considered "less essential" or those that present a higher risk of infection spread. As the infection rate declines, the pace of reopening businesses will be increased.

- The region must not open attractions or businesses that would draw a large number of visitors from outside the local area.
- There will be two weeks in between each phase to monitor the effects of the re-opening and ensure hospitalization and infection rates are not increasing.
- This plan will be implemented with multi-state coordination, especially in downstate New York. The plan will also coordinate the opening of transportation systems, parks, schools, beaches and businesses with special attention on summer activities for downstate, public housing and low-income communities, food banks and child care.
- The phased re-opening will also be based on individual business and industry plans that include new measures to protect employees and consumers, make the physical work space safer and implement processes that lower risk of infection in the business. The state is consulting with local leaders in each region and industry to formulate these plans.

- On April 28, 2020, the Governor outlined additional guidelines for the phased plan to re-open New York on a regional basis.\(^{347}\)
- On April 28, 2020, the Governor announced the creation of the New York Forward Re-Opening Advisory Board to help guide the state’s re-opening strategy.\(^{348}\)
- On April 29, 2020 – The Governor announced 35 counties were approved to resume elective outpatient treatments.\(^{349}\)
- On April 29, 2020 – The Secretary to the Governor issued a report to the Governor outlining the COVID-19 Maternity Task Force’s initial recommendations, which were accepted in full. The recommendations include:\(^{350}\)
  - Implementing measures to diversify birthing site options and support patient choice;
  - Extending the period of time a healthy support person can accompany a mother post-delivery;
  - Mandating testing of all pregnant New Yorkers;
  - Ensuring equity in birthing options;
  - Creating an educational campaign; and,
  - Reviewing the impact of COVID-19 on pregnancy and newborns with a special emphasis on reducing racial disparities in maternal mortality.

- On May 4, 2020, Governor Cuomo outlined additional guidelines for when regions can re-open. The state will monitor four core factors to determine if a region can re-open: \(^{351}\)
  - New Infections: Based on guidelines from the CDC, regions must have at least 14 days of decline in total net hospitalizations and deaths on a 3-day rolling average;
  - Health Care Capacity: Every region must have the health care capacity to handle a potential surge in cases;

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o Diagnostic Testing Capacity: Each region must have the capacity to conduct 30 diagnostic tests for every 1,000 residents per month; and,

- Contact Tracing Capacity: Regions must have a baseline of 30 contact tracers for every 100,000 residents, and additional tracers based on the projected number of cases in the region.

- On May 5, 2020, the Governor extended an executive order allowing out-of-state health care professionals to practice in New York State.\textsuperscript{352}

- On May 10, 2020, the Governor issued an executive order mandating, among other things, that all nursing homes and adult care facilities test all personnel for COVID-19 two times per week and report any positive test results to the State Department of Health by the next day.\textsuperscript{353}

- On May 15, 2020, the Governor, together with New Jersey Governor Murphy, Connecticut Governor Lamont, and Delaware Governor Carney, announced a multi-state agreement to reopen public and private beaches with certain restrictions in place on May 22.\textsuperscript{354}

- On May 15, 2020, the Governor announced five regions will begin reopening after successfully meeting all seven-metrics required for reopening.\textsuperscript{355}

- On May 16, 2020, the Governor announced horse racing tracks across the state and Watkins Glen International Racetrack will be allowed to reopen without fans as of June 1.\textsuperscript{356}

- On May 16, 2020, the Governor announced Westchester and Suffolk Counties are now eligible to resume elective surgeries and ambulatory care.\textsuperscript{357}

- On May 19, 2020, the Governor announced the Capital Region has met all seven-metrics required to begin phase one of the state’s regional phased reopening plan starting May 20.\textsuperscript{358}

- On May 19, 2020, the Governor announced Nassau County is eligible to resume elective surgeries and ambulatory care.\textsuperscript{359}

- On May 19, 2020, the Governor announced a collaboration with the Greater New York Hospital Association and the Healthcare Association of New York State to implement a two-week hospital visitation pilot program in 16 hospitals across the state to allow increased visitations for family members and loved ones.\textsuperscript{360}

- On May 19, 2020, the Governor announced the state will allow Memorial Day ceremonies of 10 people or less, with final decisions about ceremonies being left to local governments.\textsuperscript{361}

\textsuperscript{352} New York Executive Order 202.27, \url{https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO202.27.pdf}


On May 20, 2020, the Governor announced that beginning May 21, religious gatherings of no more than 10 people will be allowed to gather statewide.\(^{362}\)

On May 21, 2020, the Governor announced summer school will be conducted through distance learning this year to help reduce the risk of spread. Meal programs and childcare services for essential employees will continue.\(^ {363}\)

On May 21, 2020, the Governor issued an executive order continuing temporary suspension and modification of laws relating to the disaster emergency.\(^ {364}\)

On May 29, 2020, the Governor announced New York City will enter Phase 1 of reopening on June 8 and that five other regions can enter Phase 2 of reopening.\(^ {365}\)

On May 29, 2020, the Governor announced the implementation of an early warning dashboard that aggregates the state’s expansive data collection efforts for New Yorkers, government officials, and experts to monitor and review how the virus is being contained on an ongoing basis.

On May 29, 2020, the Governor issued an executive order authorizing business operators and building owners to use their discretion to deny admittance to individuals who fail to comply with the requirement to wear face coverings.

On May 29, 2020, the Governor issued an executive order lifting reductions and restrictions on the in-person workforce at non-essential businesses designated as Phase 2 industries in those regions that have been authorized to advance to Phase 2.

On May 30, 2020, the Governor signed into law S.8427/A.10528, a bill that establishes a COVID-19 death benefit for the families of state and local government employees that have been on the front lines of this public health emergency.

On May 30, 2020, the Governor announced the state will open 10 additional testing sites – one for each zip code – in New York City COVID hotspots.

On May 31, 2020, the Governor announced that New York dentists can reopen statewide beginning June 1.

On June 1, 2020, the Governor announced Western New York is expected to enter Phase 2 of reopening on June 2 and the Capital Region is expected to enter Phase 2 of reopening on June 3.

**Nevada**\(^ {366}\)


**Essential services and sectors** include, but are not limited to:

- Fire services, law enforcement agencies, ambulances, paramedics, all emergency services;
- Medical services & public safety agencies;
- Healthcare services;
- Businesses or organizations that provide food, shelter, or critical social services for disadvantaged populations;
- Utilities as defined in NRS Chapter 704;
- Trash collection;
- Home maintenance/repair services;

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\(^{365}\) Governor Cuomo Press Release,

- Auto repair services & trucking service centers;
- Grocery stores, supermarkets, hardware stores, convenience & discount stores;
- Pharmacies, healthcare operations, & biomedical facilities;
- Post offices & shipping outlets;
- Gas stations & truck stops;
- Banks & financial institutions;
- Veterinary services & pet stores;
- Laundromats & dry cleaners;
- Food processing;
- Agriculture, livestock & feed mills;
- Logistics & Supply Chain Operations: Warehousing, storage, distribution, and supply-chain related operations;
- Air transportation;
- Public transportation;
- Essential stays in hotels, commercial lodging, dormitories, shelters, and homeless encampments;
- Child care centers and daycares operating in accordance with requirements set forth by their licensing authorities and COVID-19 guidance; and
- Other businesses, including but not limited to legal services, business and management consulting, professional services and insurance services are encouraged to have employees work remotely or telecommute.

- **Non-essential services and sectors** include, but are not limited to:
  - Entertainment & hospitality, including but not limited to strip clubs and brothels, casinos, concert venues, arenas, auditoriums, stadiums, large conference rooms, meeting halls, and cafeterias;
  - Recreation and athletic facilities, including but not limited to community and recreation centers, gyms, health clubs, fitness centers, yoga, barre and spin facilities;
  - Beauty and personal care services and facilities, including but not limited to barber shops, beauty, tanning, waxing hair salons, and nail salons and spas; and
  - Retail facilities, including shopping malls except for pharmacy or other health care facilities within retail operations. Retailers are encouraged to continue online operations with pickup and delivery.

- Governor Sisolak has directed all restaurants and bars to close their dine-in facilities to help stop the spread of COVID-19. Businesses that offer carry-out, delivery, and drive through food and beverage service may continue to do so, but eating and drinking inside restaurants and bars is temporarily prohibited. These businesses offering carryout, delivery, and drive-through food and beverage should employ strict social distancing protocol.

**North Carolina**

- On March 27, 2020, Governor Roy Cooper issued a shelter in place order directing all residents of the state of North Carolina to remain in their homes, except to perform Essential Activities, participate in Essential Government Operations or to operate or access Essential Businesses.\(^{367}\) This order will take effect on March 30, 2020 and remain enforceable for the thirty days, subject to extension or modification.
- All businesses and operations in the State, except Essential Businesses and Operations as defined below, are required to cease all activities within the state except Minimum Basic Operations, as defined below. For clarity, businesses, including home-based businesses, may also continue

operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

- The following businesses, not-for-profit organizations and educational institutions are deemed **Essential Businesses** which may remain open:
  
  - **Businesses that meet Social Distancing Requirements**: Businesses, not-for-profit organizations or educational institutions that conduct operations while maintaining Social Distancing Requirements:
    - Between and among its employees; and
    - Between and among employees and customers except at the point of sale or purchase.
  
  - **Businesses operating in CISA identified sectors**: Businesses, not-for-profit organizations or educational institutions operating in the federal critical infrastructure sectors as outlined at https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19 or any subsequent guidance issued by the U.S. Department of Homeland Security that amends or replaces said guidance.
  
  - **Healthcare and Public Health Operations**: Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; laboratories and laboratory service providers; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology and agricultural biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; obstetricians and gynecologists; eye care centers, including those that sell glasses and contact lenses; dietary supplement retailers; naturopathic healthcare providers; home healthcare services providers; local management entities/managed care organizations (LME/MCO); mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.
    - Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals.
    - Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, or public health operations broadly defined
    - Healthcare and Public Health Operations does not include those businesses ordered to close by Executive Order No. 120.
  
  - **Human Services Operations**: Human Services Operations includes, but is not limited to: long-term care facilities; child care centers, family child care homes; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs, including food, cash assistance, medical coverage, child care, child support services, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, social services, transportation and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Last Updated: 6-3-20
Essential Infrastructure Operations: Essential Infrastructure Operations includes, but is not limited to: food and beverage production, distribution, fulfillment centers, storage facilities; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long term care facilities, public works construction, school construction, and essential commercial and housing construction); building and grounds management and maintenance including landscaping; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video and telecommunications systems (including the provision of essential global, national and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Governmental Operations: Essential Governmental Operations means all services provided by the State or any municipality, township, county, political subdivision, board, commission or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Governmental Operations. Each government body shall determine its Essential Governmental Operations and identify employees and/or contractors necessary to the performance of those functions.

For purposes of this Executive Order, all first responders, emergency management personnel, emergency dispatchers, legislators, judges, court personnel, jurors and grand jurors, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Executive Order.

Stores that sell groceries and medicine: Grocery stores, pharmacies, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, prepared food, alcoholic and nonalcoholic beverages, any other household consumer products (such as cleaning and personal care products), and specifically includes their supply chain and administrative support operations. This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and COVID-19 Essential Businesses and Operations.

Food, beverage production and agriculture: Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, forestry, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; and businesses that provide food, shelter, services and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities.

Organizations that provide charitable and social services: Businesses as well as religious and secular not-for-profit organizations, including food banks, when providing food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.

Religious entities: Religious facilities, entities, groups, gatherings, including funerals. Also, services, counseling, pastoral care, and other activities provided by religious
organizations to the members of their faith community. All of these functions are subject to the limitations on events or convenings as defined in this order.

- **Media**: Newspapers, television, radio, film, and other media services.
- **Gas stations and businesses needed for transportation**: Gas stations and auto supply, sales, tire, auto-repair, roadside assistance and towing services, farm equipment, construction equipment, boat repair, and related facilities and bicycle shops and related facilities.
- **Financial and insurance institutions**: Bank, currency exchanges, consumer lenders, including but not limited to, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products. Also insurance companies, underwriters, agents, brokers, and related insurance claims and agency services.
- **Home improvement, hardware and supply stores**: Home improvement, building supply, hardware stores, and businesses that sell building materials and supplies, electrical, plumbing, and heating materials.
- **Critical trades**: Building and construction tradesmen and tradeswomen, and other trades, including but not limited to, plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, cleaning services, moving and relocation services, landscaping and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and COVID-19 Essential Businesses and Operations. This includes organizations that represent employees.
- **Educational institutions**: Educational institutions including public and private pre-K-12 schools, colleges, and universities for purposes of facilitating remote learning, performing critical research, or performing essential functions, provided that the Social Distancing Requirements set forth below of this Executive Order are maintained to the greatest extent possible. This Executive Order is consistent with and does not amend or supersede prior Executive Orders regarding the closure of public schools.
- **Laundry services**: Laundromats, dry cleaners, industrial laundry services, and laundry service providers.
- **Restaurants for consumption off-premises**: Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that provide free food services to students or members of the public may continue to do so under this Executive Order when the food is provided for carry-out, drive-through or delivery. This Executive Order is consistent with and does not amend or supersede prior COVID-19 related Executive Orders restricting the operations of restaurants and temporarily closing bars.
- **Supplies to work from home**: Businesses that sell, manufacture, or supply office supply products or other products needed for people to work from home.
- **Supplies for COVID-19 Essential Businesses and Operations**: Businesses that sell, manufacture, support, or supply other COVID-19 Essential Businesses and Operations with the service or materials necessary to operate, including computers, audio and video electronics, household appliances; payroll processing and related services; IT and telecommunication equipment; elections personnel and election-related equipment supplies; hardware, paint, flat glass, electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; and diagnostics, food and beverages, chemicals, soaps and detergent.
o **Transportation:** Airlines, taxis, automobile dealers, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, trains, marinas, docks, boat storage, and other private, public, and commercial transportation and logistics providers, and public transportation necessary to access COVID-19 Essential Businesses and Operations.

o **Home-based care and services:** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery.

o **Residential facilities and shelters:** Residential facilities and shelters for adults, seniors, children, pets, and/or people with developmental disabilities, intellectual disabilities, victims of domestic violence, people experiencing homelessness, substance use disorders, and/or mental illness.

o **Professional services:** Professional services, such as legal services, accounting services, insurance services, professional engineering and architectural services, land surveying services, real estate services (including brokerage, appraisal and title services) and tax preparation services.

o **Manufacture, distribution, and supply chain for critical products and industries:** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, communications, as well as products used or commonly sold by other COVID-19 Essential Businesses and Operations.

o **Defense and military contractors:** Defense and military contractors that develop products, processes, equipment, technology, and related services that serve the United States military, national defense, and national security interests.

o **Hotels and motels:** Hotels and motels, to the extent used for lodging and delivery or carry-out food services.

o **Funeral Services:** Funeral, mortuary, cremation, burial, cemetery, and related services. These services are subject to the limitations on events or convenings in Section 3 of this Executive Order.

o **Additional COVID-19 Essential Retail Businesses include:**
  - Electronic retailers that sell or service cell phones, computers, tablets, and other communications technology;
  - Lawn and garden equipment retailers;
  - Book stores that sell educational material;
  - Beer, wine, and liquor stores;
  - Retail functions of gas stations and convenience stores;
  - Retail located within healthcare facilities;
  - Pet and feed stores.

o Businesses excluded from the list of COVID-19 Essential Businesses and Operations set forth in this Executive Order who believe that they may be essential may direct requests to be included to the North Carolina Department of Revenue (the "Department"). The Department may grant such request if it determines that it is in the best interest of the State to have the business continue operations in order to properly respond to this COVID-19 pandemic.

- Businesses that are not Essential Businesses and Operations are required to cease all activities within the State except Minimum Basic Operations, as defined below. Minimum Basic Operations include the following:

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_Last Updated: 6-3-20_
The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or related functions.

The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

**Enforcement:** Pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2), the provisions of this Executive Order shall be enforced by state and local law enforcement officers. A violation of this Executive Order may be subject to prosecution pursuant to N.C. Gen. Stat.166A-19.30(d), and is punishable as a Class 2 misdemeanor in accordance with N.C. Gen. Stat.§ 14-288.20A.

On April 9, 2020 Governor Cooper issued an executive order strengthening social distancing requirements and streamlining benefits for the recently unemployed. Specifically, the order:

- Requires retail stores that are still operating to implement additional social distancing policies to make shopping safer for customers and employees;
- **Mandates** COVID-19 guidelines for nursing facilities, including wearing face coverings, and recommends other long-term care facilities adopt the same approach; and,
- Implements changes intended to accelerate certain benefit payments to those who are recently unemployed.

On April 23, 2020, Governor Roy Cooper issued Executive Order No. 135 extending North Carolina’s Stay At Home order through May 8. The orders extending closure of restaurants for dine-in service and bars and closure of other close-contact businesses are also extended through May 8.

On April 23, 2020, Governor Cooper Last week, Governor Cooper outlined a three phase plan base to reopen the state economy.

Phase 1 of the reopening plan includes the following actions:

- Modify the Stay At Home order allow travel not currently defined as essential allowing people to leave home for commercial activity at any business that is allowed to be open, such as clothing stores, sporting goods stores, book shops, houseware stores and other retailers.
- Ensure that any open stores implement appropriate employee and consumer social distancing, enhanced hygiene and cleaning protocols, symptom screening of employees, accommodations for vulnerable workers, and provide education to employees and workers to combat misinformation
- Continue to limit gatherings to no more than 10 people
- Reopen parks that have been closed subject to the same gathering limitation. Outdoor exercise will continue to be encouraged.
- Continue to recommend face coverings in public spaces when 6 feet of distancing isn’t possible
- Encourage employers to continue teleworking policies
- Continue rigorous restrictions on nursing homes and other congregant care settings
- Local emergency orders with more restrictive measures may remain in place.

Phase 2 of the reopening plan including the following actions:

- At least 2-3 weeks after Phase 1
- Lift Stay At Home order with strong encouragement for vulnerable populations to continue staying at home to stay safe

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- Allow limited opening of restaurants, bars, fitness centers, personal care services, and other businesses that can follow safety protocols including the potential need to reduce capacity
- Allow gathering at places such as houses of worship and entertainment venues at reduced capacity
- Increase in number of people allowed at gatherings
- Open public playgrounds
- Continue rigorous restrictions on nursing homes and other congregant care settings

- Phase 3 of the reopening plan includes the following actions:
  - At least 4-6 weeks after Phase 2
  - Lessen restrictions for vulnerable populations with encouragement to continue practicing physical distancing and minimizing exposure to settings where distancing isn’t possible
  - Allow increased capacity at restaurants, bars, other businesses, houses of worship, and entertainment venues
  - Further increase the number of people allowed at gatherings
  - Continue rigorous restrictions on nursing homes and other congregant care settings.

- On May 5, 2020, the Governor signed an executive order to modify North Carolina’s Stay at Home order to transition to Phase 1 of slowly easing certain COVID-19 restrictions effective May 8.\(^{371}\)

- On May 12, 2020, the Governor issued an executive order providing additional regulatory flexibility to ensure capacity in the state’s health care system and improve its ability to effectively respond to ongoing threats.\(^{372}\)

- On May 30, 2020, the Governor signed an executive order to extend the prohibition of utility shut-offs and implement a moratorium on evictions.\(^{373}\)

### North Dakota

- On March 19, 2020, Governor Doug Burgum issued Executive Order No. 2020-06,\(^{374}\) effective at 12:00 p.m. on Friday March 20, 2020 until April 20, 2020 (via an amendment to Executive Order No. 2020-06.2\(^{375}\)).

- The Order mandates closure of:
  - All restaurants, bars, breweries, cafes and similar on-site dining establishments to close on-sale/on-site patrons; take-out, delivery, curbside, drive-through or off-sale services may continue.
  - All recreational facilities, health clubs, athletic facilities and theaters, including movie theater and music or entertainment venues.
  - All licensed cosmetologists, including estheticians and manicurists, and all salons operated by licensed cosmetologists, including esthetician and manicurist salons or services and licensed barbers and barber shops.

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All elective personal care services provided in: a) tattoo and body art facilities, to include individuals providing tattoo and body art services; b) tanning facilities and c) massage facilities and individual massage therapists

- On April 27, 2020, Governor Doug Burgum announced he will lift restrictions that were placed on businesses to slow the spread of the coronavirus, while implementing new guidelines and standard operating procedures for businesses as they resume or continue operations during the COVID-19 pandemic.
- The business restrictions under Executive Order 2020-06.3 are set to expire Thursday, April 30. The order requires the closure of recreational facilities, health clubs and athletic facilities; theaters, including movie theaters and music/entertainment venues; bars and restaurants except for take-out, delivery, curbside and drive-through; licensed cosmetologists, including salons and barber shops; and personal care services including tattoo parlors, tanning and massage facilities.
- The existing order was allowed to expire and was replaced with Executive Order 2020-06.4 allowing those businesses to reopen under Phase 1 rules in the North Dakota Smart Restart plan.
- Burgum noted that reopening of businesses will be voluntary for those that can meet the guidelines. Those who are teleworking are encouraged to continue doing so, and schools will continue to administer distance learning to students.

- Under Executive Order 2020-06.4, business previously closed by Executive Order 2020-06.3, including bar, breweries, restaurants and cafes that continued to provide off-sale, take-out, curbside, drive through or delivery services, may reopen on Friday, May 1, 2020, at 8:00 AM with strict adherence to the following conditions:
  - **Gathering Size/Physical Distancing/Workplace Activity**
    - Capacity will be limited to 50% of normal operating capacity
    - Allow for six feet of spacing between groups: increase table spacing by removing tables, marking tables closed or provide a physical barrier between tables. Back to back booth seating is allowed.
    - Waiting areas (indoor or outdoor) must be marked so physical distancing standards are met. Restaurants can determine policy for wait areas.
    - Tables must be limited to 10 people per table.
    - In-house dining areas for quick service restaurants must meet all guidelines with tables to be sanitized between customers or if that is not possible offer only take-out.
    - Standing in bars is not allowed. Bar stool seating will be allowed for 1-2 guests, with 6 feet of separation between groups.
    - Salad bars and buffets may operate as long as pre-portioned servings are prepared by staff. Buffet and salad bar in-use serving utensils are to only be used by staff and washed, rinsed and sanitized every 4 hours.
  - **Hygiene and Cleaning/Special Measures**
    - Drink refills are not allowed unless served in a clean unused glass or cup.
    - Menus should be single use paper or on a material that can be sanitized after each use.
    - Drink coasters should be single-use or of a material that can be sanitized after each use.
    - Tabletop electronics for ordering or contactless payments must be sanitized after each use.

[376](https://www.governor.nd.gov/sites/www/files/documents/executive-orders/Executive%20Order%202020-06.4.pdf)
- No self-service cups, straws or lids will be allowed – they should be behind counter and handed to customer. Only individually wrapped straws are allowed.
- Self-service condiments should be eliminated and provided by request in single use or disposable containers.
- Blackjack tables will remain closed. Gaming machines must be separated by a minimum distance of 6 feet or placed out of service.
- Hand-held entertainment or reservation notification devices are not allowed.
- Dance floors are closed
- Encourage customers to download the Care19 App to increase success levels with contact tracing.
- During phase I, all restaurants should close for a minimum of 4 hours daily to deep clean.

- On or after 8:00 AM May 1, 2020, salons operated by cosmetologists, nail technicians, estheticians, barbers and tanning studios may reopen under conditions:
  - **General Compliance Guidelines:**
    - Develop a check-in process and waiting area setup that can accommodate physical distancing.
    - If necessary, increase space between work stations so that employees and clients can maintain 6 feet of distance.
    - Remove items in common areas that cannot be sanitized.
    - Employees must wear face masks at all times and other available protective equipment as necessary.
    - Clients are to wear face masks to the extent possible
    - Businesses are encouraged to limit the provision of services that require removal of PPE.
    - Employees must wash hands for a minimum of 20 seconds between customers and offer alcohol-based hand sanitizer to customers.
    - Businesses should develop enhanced cleaning protocol for workstations, equipment, restrooms, treatment rooms and waiting areas. Porous surfaces should be covered with washable or disposable coverings.
    - Adjust appointment times for enhanced cleaning between customers.
    - To the extent possible, businesses are encouraged to find ways for employees and clients to decontaminate clothing prior to provision of services, including, but not limited to, changing into a clean cloth smock or disposable robe, etc.
    - Businesses should screen employees prior to provision of services.
    - Clients and employees should avoid bringing unnecessary personal items into the place of business.
    - Employers should keep thorough daily records of employees and any close contacts.
    - Businesses are encouraged to use appointment systems unless a walk-in system can be used safely.
    - Encourage customers to download the Care19 App to increase success levels with contact tracing.
  - **Medispa Specific Guidelines:**
    - Adjust appointment times for enhanced cleaning between customers.
    - Only the client should enter the facility.
    - No walk-in appointments accepted
    - Providers are encouraged to wear eye protection during procedures that may have risk for aerosolization.
    - Clients, providers and staff are encouraged to wear cloth masks if within six feet for at least 10 minutes.
- Ensure proper PPE use and sanitation technique training available to all providers
- Laundry should be stored in covered, sanitized containers that are clearly delineated clean versus soiled. Gloves should be worn when handling soiled laundry. Special Measures
- No food or beverage (other than commercially packaged) may be served within the facility.
- Screen clients and employees for symptoms, including temperature checks.
- Utilize tele-health whenever appropriate and where available.
- Implement client screening questionnaire and advise client of modified appointment safety protocols within 24 hours of appointment.
- Encourage customers to download the Care19 App to increase success levels with contact tracing.

➢ Tattoo and Body Piercing Guidelines:
- Develop check-in and waiting areas that can accommodate physical distancing.
- No walk-in appointments.
- Hold initial planning consultations by video conference if available.
- Providers are encouraged to wear eye protection during procedures that may have risk for aerosolization.
- Clients, providers and staff are encouraged to wear cloth masks if within six feet for at least 10 minutes.
- Ensure proper PPE use and sanitation technique training available to all providers.
- Remove unnecessary decorations and waiting room items that cannot be sanitized.
- No food or beverage (other than commercially packaged) may be served within the facility.
- Screen clients and employees for symptoms, including temperature checks.
- Implement client screening questionnaire and advise client of modified appointment safety protocols within 24 hours of appointment.
- Encourage customers to download the Care19 App to increase success levels with contact tracing.

➢ Massage Therapy
- Develop check-in and waiting areas that can accommodate physical distancing. Workplace Activity
- Adjust appointment times for enhanced cleaning between customers.
- Only the client should enter the facility.
- No walk-in appointments accepted.
- Providers are encouraged to wear eye protection during procedures that may have risk for aerosolization.
- Clients, providers and staff are encouraged to wear cloth masks if within six feet for at least 10 minutes.
- Ensure proper PPE use and sanitation technique training available to all providers. Hygiene and Cleaning
- Remove unnecessary decorations and waiting room items that cannot be sanitized.
- Products such as oils and lotions should be removed from the treatment room and the bottles sanitized between uses.
- Massage table accessories such as pillows, cushions and bolsters used during services should be disposable or covered with a material that can be sanitized.
- Laundry should be stored in covered, sanitized containers that are clearly delineated clean versus soiled. Gloves should be worn when handling soiled laundry. Special Measures
- No food or beverage (other than commercially packaged) may be served within the facility.
- Screen clients and employees for symptoms that includes temperature checks.
- Implement client screening questionnaire and advise client of modified appointment safety protocols within 24 hours of appointment.
- Encourage customers to download the Care19 App to increase success levels with contact tracing.

- On or after 8:00 AM May 1, 2020, Health Clubs and Athletic Facilities may reopen under the following conditions:
  - **Gathering Size/Physical Distancing/Workplace Activity**
    - Limit group fitness classes to 1 participant/staff per 100 square feet (SF) or 10’x10’ grid layout if providing markers on floor area(s).
    - Close or cordon off gathering areas like vestibules, seating areas, bleachers, etc. where people can congregate in groups larger than 10.
    - Suspend or discontinue drop-in childcare until such time as social distancing measures are no longer in place.
    - Limit use of saunas, jacuzzi, hot tubs, steam rooms, etc. to 1 person per 100 SF.
    - Discontinue group sports (basketball, soccer, hockey, etc.) where more than 10 participants are playing at the same time, including participants on the bench or on shifts until such time social distancing recommendations are suspended.
    - Omit fitness classes with high inhalation/exhalation exchange, like spin for example, until such time they can be safely incorporated back into class offerings.
    - Relocate, remove, or deter use of fitness equipment to provide a minimum distance of six feet between equipment edges.
    - Manage customer entry points. Provide markers for lines to allow minimum of six feet separation until such time social distancing recommendations are suspended.
    - Manage building square footage into sub-areas of less than or equal to 10,000 SF for the purpose of developing a phased re-opening of certain sub-areas that are lower risk being prioritized first and allowing higher risk areas to remain closed until such time health data supports reopening. For example, a 120,000 SF building would yield 12 sub-areas.
    - Complete and have on file the “Workplace Assessment Tool for COVID-19.”
    - Suspend 24-hour facility use, until such time social distancing recommendations are suspended. One-to-one personal training may be utilized while maintaining social distancing and, when possible, trainer wears a mask.
    - Conduct Pre-Registration for fitness class(es) with special instructions and self-verification process and request participant arrival a minimum of 5 minutes prior to scheduled start of fitness class(es).
    - Develop or encourage online fitness participation, if practical, until such time social distancing recommendations are suspended.
  - **PPE/Hygiene and Cleaning/Special Measures**
    - Require and train staff laudering towels and cleaning equipment to properly wear and maintain safe use of Personal Protective Equipment (PPE).
    - Close locker rooms and shower facilities to public for uses other than bathroom/restroom use.
    - Close indoor playground equipment.
Close areas of the facility to customers at an appropriate time during each day to allow adequate cleaning of equipment/restrooms.

Schedule fitness classes to allow staff adequate time to clean equipment and surfaces before each class.

Develop a phased opening plan for certain sub-areas of the facility. For example, pools and drop-in childcare may be opened in a later phase pending health case data and capacity to clean and disinfect and safely operate those sub-areas.

Develop times for fitness for different age groups for facility use and class participation. For example, offer a class for seniors (55+) during a 2-hour block, with cleaning / disinfecting between each age group session. Allow 15 minutes of cleaning between blocks.

Encourage customers to download the Care19 App to increase success levels with contact tracing.

- On or after 8:00 AM May 1, 2020, movie theaters may reopen under the following conditions:
  - **Gathering Size/Physical Distancing/Workplace Activity**
    - Capacity will be limited to 20% of normal operating capacity.
    - Allow for proper spacing between groups by keeping at least two empty seats (or 6 feet) between parties in any row, alternate rows between customers by marking every other row closed.
    - Lines and waiting areas must be marked so physical distancing standards are met.
    - Group sizes should be limited to 10 people.
    - Encourage use of mobile apps and contactless purchasing and payment. If not available, a barrier should be provided between staff and customers or cloth face masks required for both staff and customers.
    - Show start times should stagger by at least 30 minutes to decrease congestion in common areas.
    - Standing in the lobby should be minimized by allowing earliest possible access to the auditorium and encouraging patrons to arrive close to show times.
  - **Hygiene and Cleaning/Special Measures**
    - Drink or popcorn refills are not allowed unless served in a clean unused container.
    - No self-service cups, straws or lids will be allowed – they should be behind counter and handed to customer. Only individually wrapped straws are allowed.
    - Self-service condiments should be eliminated and provided by request in single use or disposable containers.
    - Remove or block off tables or seating in lobby to discouraging congregating.
    - Clean and disinfect high touch surfaces in auditoriums like railings and door handles between showings.
    - Provide sanitizing wipes for guests to wipe off their arm rest, cupholder or seat upon arrival.
    - Encourage customers to download the Care19 App to increase success levels with contact tracing.

- Businesses that remained open throughout the pandemic, or business that voluntarily closed for a period of time, are strongly encouraged to adopt the ND Smart Restart: Standards for All Industries377
- Recreational and sports arenas, and music and entertainment venues, will remain closed until further notice.

• All state employees who have been teleworking since March 20, 2020, will continue to telework until further notice.
• Access to the North Dakota Capitol will continue to be limited to by-appointment only until further notice.
• Access to all other state facilities will continue to be limited to by-appointment only until further notice.
• On April 29, 2020, the Governor issued an amended executive order providing additional guidance for businesses that are resuming or continuing operations under the North Dakota Smart Restart protocols.378
• On May 15, 2020, the Governor announced guidelines for large gatherings, banquets, ballrooms and event venues as part of the ND Smart Restart Plan.379

Ohio380
• On March 22, 2020, Ohio Gov. Mike DeWine announced a stay-at-home order to go into effect at 11:59 p.m. Monday, March 23, 2020 and remain in effect until April 6, at which point state officials will reassess.
• Citizens should stay at home or place of residence, and only leave their homes or place of residence for essential activities, essential governmental functions.
• Prohibited activities:
  ▪ All places of public amusement, whether indoors or outdoors, including, but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed.
  ▪ Fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.
• Permitted activities:
  ▪ Individuals may leave their residence only to perform any of the following Essential Activities:
    ▪ For health and safety, including caring for pets.
    ▪ For necessary supplies and services. To obtain necessary services or supplies for themselves and their family or household members or persons who are unable or should not leave their home, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, automobile supplies (including dealers, parts, supplies, repair and maintenance), and products necessary to maintain the safety, sanitation, and essential operation of residences.
    ▪ For outdoor activity. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, such as walking, hiking, running, or biking. Individuals may go to public parks and open outdoor recreation areas. However, public access playgrounds may increase spread of COVID-19, and therefore shall be closed.

- To take care of others. To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Order. This includes attending weddings and funerals.

- **Healthcare and Public Health Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations which includes, but is not limited to:
  - hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical marijuana dispensaries and licensed medical marijuana cultivation centers; obstetricians and gynecologists; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.
  - Also included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue, paper towel products, veterinary care and all healthcare services provided to animals.
  - Human Services Operations includes, but is not limited to: long-term care facilities; day care centers, day care homes, group day care homes; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

- **Essential Infrastructure.** For purposes of this, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure. Essential Infrastructure includes, but is not limited to:
  - food production, distribution, fulfillment centers, storage facilities, marinas, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, school construction, essential business construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including
water, sewer, and gas; electrical (including power generation, 
distribution, and production of raw materials); distribution centers; oil 
and biofuel refining; roads, highways, railroads, and public 
transportation; p01is; cybersecurity operations; flood control; solid waste 
and recycling collection and removal; and internet, video, and 
telecommunications systems (including the provision of essential global, 
national, and local infrastructure for computing services, business 
infrastructure, communications, and web-based services).

- **Essential Governmental Functions.** For purposes of this Order, all first 
  responders, emergency management personnel, emergency dispatchers, 
  legislators, judges, court personnel, jurors and grand jurors, law enforcement and 
  corrections personnel, hazardous materials responders, child protection and child 
  welfare personnel, housing and shelter personnel, military, and other 
  governmental employees working for or to support Essential Businesses and 
  Operations are categorically exempt from this Order.
  - Essential Governmental Functions means all services provided by the State 
    or any municipality, township, county, political subdivision, board, 
    commission or agency of government and needed to ensure the 
    continuing operation of the government agencies or to provide for or 
    support the health, safety and welfare of the public, and including 
    contractors performing Essential Government Functions. Each 
    government body shall determine its Essential Governmental 
    Functions and identify employees and/or contractors necessary to 
    the performance of those functions.

- **Essential Businesses and Operations.** For the purposes of this Order, Essential 
  Businesses and Operations means Healthcare and Public Health Operations, 
  Human Services Operations, Essential Governmental Functions, and Essential 
  Infrastructure, and the following:
  - Essential Critical Infrastructure Workers as defined by CISA during 
    COVID-19 Response.
  - Stores that sell groceries and medicine including, pharmacies, certified 
    farmers markets, farm and produce stands, supermarkets, convenience 
    stores, and other establishments engaged in the retail sale of groceries, 
    canned food, dry goods, frozen foods, fresh fruits and vegetables, pet 
    supplies, fresh meats, fish, and poultry, prepared food, alcoholic and 
    non-alcoholic beverages, any other household consumer products (such 
    as cleaning and personal care products), and specifically includes their 
    supply chain and administrative support operations.
  - Food, beverage, and licensed marijuana production and agriculture and 
    businesses that provide food, shelter, and other necessities of life for 
    animals, including animal shelters, rescues, shelters, kennels, and 
    adoption facilities.
  - Organizations that provide charitable and social services. Businesses and 
    religious and secular nonprofit organizations, including food banks, 
    when providing food, shelter, and social services, and other necessities of 
    life for economically disadvantaged or otherwise needy individuals, 
    individuals who need assistance as a result of this emergency, and people 
    with disabilities.
  - Religious entities.
  - Media.
  - First amendment protected speech.
Gas stations and businesses needed for transportation. Gas stations and auto supply, auto-repair, farm equipment, construction equipment, boat repair, and related facilities and bicycle shops and related facilities;

Financial and insurance institutions. Bank, currency exchanges, consumer lenders, including but not limited to pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, payday lenders, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products. Also insurance companies, underwriters, agents, brokers, and related insurance claims and agency services.

Hardware and supply stores. Hardware stores and businesses that sell electrical, plumbing, and heating material;

Critical trades. Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;

Mail, post, shipping, logistics, delivery, and pick-up services.

Educational institutions. Educational institutions-including public and private pre-K-12 schools, colleges, and universities-for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. This Order is consistent with and does not amend or supersede prior Orders regarding the closure of schools.

Laundry services.

Restaurants for consumption off-premises.

Supplies to work from home. Businesses that sell, manufacture, or supply products needed for people to work from home.

Supplies for Essential Businesses and Operations. Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security.

Transportation. Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, marinas, docks, boat storage, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Order.

Home-based care and services.
- Residential facilities and shelters for adults, seniors, children, pets, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness.
- Professional services. Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services).
- Manufacture, distribution, and supply chain for critical products and industries, including companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.
- Critical labor union functions. Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations - provided that these checks should be done by telephone or remotely where possible.
- Hotels and motels.
- Funeral services.

**Enforcement and Jurisdiction.**

- This Order may be enforced by State and local law enforcement to the extent set forth in Ohio law. To the extent any public official enforcing this Order has questions regarding what services are prohibited under this Order, the Director of Health hereby delegates to local health departments the authority to answer questions in writing and consistent with this Order.

- On March 31, 2020, the Ohio Department of Health issued a Director’s order requiring all manufacturers, producers, wholesalers, transporters, distributors, retailers, physicians, clinics, hospitals, medical facilities and any other entity in the supply chain involved in the supply chain, from creation through end use, to report and disclose their inventory of ventilators to http://coronavirus.ohio.govNentinventory not later than 5:00 ET each Wednesday.381
- On April 7, 2020, the Ohio Liquor Control Commission passed an emergency rule, allowing establishments with an existing on-premises liquor permit to sell and deliver alcohol for off-premises consumption.
- On April 13, 2020, the Ohio Department of Health issued an order restricted the sale of in-person liquor in six border counties to Ohio residents.382
- On April 16, 2020, Governor Dewine announced the state the state will begin a phased reopening of the state economy on May 1, 2020. The plan will be fact-driven over a long period of time to minimize the health risk to business owners, employees, and their customers.383

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381 Ohio Department of Health Director’s Order (PPE Inventory), [https://coronavirus.ohio.gov/wps/wcm/connect/gov/3fa3b54e-4364-4d91-b55d-6af0ac702b19/Ventilator+Order-033120.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_M1HGGiK0N0JO00Q09DDDDM3000-3fa3b54e-4364-4d91-b55d-6af0ac702b19-n582ckm](https://coronavirus.ohio.gov/wps/wcm/connect/gov/3fa3b54e-4364-4d91-b55d-6af0ac702b19/Ventilator+Order-033120.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_M1HGGiK0N0JO00Q09DDDDM3000-3fa3b54e-4364-4d91-b55d-6af0ac702b19-n582ckm)


In consultation with Dr. Acton, Lt. Governor Jon Husted will lead the governor’s board of economic advisors to identify best practices, similar to the current requirements on essential business operations to ensure Ohioans health and safety as businesses begin the process of reopening.

Governor DeWine also announced that he will work closely with the Governors of Illinois, Michigan, Wisconsin, Minnesota, Indiana, and Kentucky to reopen the region’s economy in a coordinated way. The states will review four factors as they reopen their economies: the number of cases in the state and the number of hospital admissions, the amount of hospital capacity, the ability to test and trace cases of COVID-19, and best practices for social distancing in businesses.

On May 1, 2020, the Governor issued a “Stay Safe Ohio Order,” which incorporates the reopening of businesses and services announced as part of the Responsible Restart Ohio plan.384

On May 12, 2020, the Lt. Governor announced that sectors licensed by the State Medical Board of Ohio, including massage therapy, acupuncture, and cosmetic therapy will be permitted to reopen on May 15 with the implementation of proper safety measures.385

On May 12, 2020, the Governor announced tattoo and body piercing services will be permitted to reopen on May 15 with the implementation of proper safety measures.386

On May 21, 2020, the Governor announced the following health orders have been signed:387
  - Camp Safe Ohio Order to reopen campgrounds with exceptions;388
  - Director’s Order rescinding and maintaining portions of the Stay Safe Ohio Order;389 and
  - Urgent Health Advisory elderly people and those who are vulnerable because of illness to take additional precautions.390

Oklahoma

- On March 27, 2020, Governor Stitt issued Fifth Amended Executive Order 2020-07 directing adults over the age of sixty-five (65) and people of any age who have serious underlying medical conditions, to stay in their home or place of residence except for working in a critical infrastructure sector, as more particularly described herein, and the conduct of essential errands.391

- Essential errands shall mean those errands which are critical to everyday life and includes obtaining medication, groceries, gasoline, and visiting medical providers. The vulnerable population is encouraged to use delivery and/or curbside services whenever available.

- All businesses not identified as being within a critical infrastructure sector as defined by the U.S. Department of Homeland Security and located in a county experiencing community spread of COVID-19.

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COVID-19, as identified by OSDH on its website, shall close. Additional sectors may be designated as critical by Executive Order or Memorandum. Nothing in this provision shall prevent restaurants and bars from providing pick-up, curbside, and delivery. This shall be effective until April 16, 2020.

- Oklahomans and medical providers in Oklahoma shall postpone all elective surgeries, minor medical procedures, and non-emergency dental procedures until April 7, 2020.
- Social gatherings of more than ten people are prohibited. Businesses within a critical infrastructure sector, as more particularly described herein, shall take all reasonable steps necessary to comply with this Order and protect their employees, workers, and patrons.
- On March 29, 2020, Governor Stitt issued Sixth Amended Executive Order 2020-07 declaring a state of emergency, placing a moratorium on all out of state travel for all employees and officers of agencies that is paid for, in whole or in part, by the State of Oklahoma, and eases licensing requirements for out of state medical providers.392
  - Any medical professional who holds a license, certificate, or other permit issued by any state that is a party to the Emergency Management Compact evidencing the meeting of qualifications for the practice of certain medical services, as more particularly described below, shall be deemed licensed to practice in Oklahoma so long as this Order shall be in effect.
  - This directive only apply to Medical (MD) and Allied Licenses issued by the Board of Medical Licensure and Supervision, Licenses issued by State Board of Osteopathic Examiners, and Licenses and Certificates issued by the Board of Nursing.
- In addition, this order requires Hospitals and Physician Clinics operating in the State to cooperate with and respond to all requests for critical data from the Oklahoma State Department of Health (“OSDH”), as applicable to the services they provide. This shall include, but will not be limited to, the daily submission, no later than noon, of critical data in a manner and format prescribed by OSDH. Critical Data shall include, but not be limited to:
  - The number of available (i) ICU beds, (ii) medical surgery beds, (iii) operating room beds, (iv) pediatric beds, (v) PICU beds, (vi) ventilators, (vii) negative flow rooms, and (viii) overall occupancy status;
  - COVID 19 Test Availability, as measured by the number of COVID 19 testing kits available for use at the hospital;
  - The number of (i) positive patients and persons under investigation in the hospital receiving treatment and (ii) positive patients and persons under investigation sent home for self quarantine; and
  - Personal Protective Equipment stock on hand.
- The OSDH shall provide daily an aggregated summary of the information requested in the preceding paragraph to the Office of the Governor by 3:00 p.m.
- On April 23, 2020, Governor Stitt presented a three-phased approach to opening Oklahoma’s economy, the Open Up and Recover Safely(OURS) Plan.393
- Oklahoma will begin implementing a three-phased approach to open Oklahoma’s economy back up starting April 24, 2020. Before proceeding to a new phase, the Secretary of Health and Mental Health will confirm:
  - Oklahoma COVID-19 hospitalizations and incidents are at a manageable level,
  - Hospitals are treating all patients without alternate care sites,
  - There is sufficient testing material in the state and ability to conduct contact tracing, and

The state can quickly and independently supply sufficient Personal Protective Equipment (PPE) and critical medical equipment, including ICU equipment, to handle a surge.

Phase 1 includes the following measures:

- **Individual guidance:**
  - Continue following safer-at-home guidelines if they are over 65 or part of a vulnerable population
  - Maximize social distance from others when in public (e.g., parks, outdoor recreation areas, shopping areas)
  - Avoid socializing in groups or facilities that do not readily allow for appropriate social distancing
  - Minimize non-essential travel and adhere to CDC guidelines and Executive Orders regarding isolation following travel

- **Employer guidance:**
  - Create plans to allow employees to return to work in phases
  - Close common areas or enforce social distancing protocols
  - Minimize non-essential travel and adhere to CDC guidelines and Executive Orders regarding isolation following travel
  - Honor requests of personnel who are members of a vulnerable population for special accommodations

- **Specific Employer guidance:**
  - Schools and organized sporting events and camps that are currently closed should remain closed until further notice
  - Visits to Senior Living Facilities and Hospitals are prohibited

- **On April 24, 2020, the following businesses can reopen:**
  - Personal care businesses, such as hair salons, barbershops, spas, nail salons, and pet groomers can reopen for appointments only, must adhere to sanitation protocols, and follow guidelines posted on the Oklahoma Department of Commerce website regarding social distancing between customers and visitors at personal care businesses.
  - State parks and outdoor recreation should be reopened
  - Grocery stores should continue to maintain hours for vulnerable populations

- **On May 1, 2020, the following businesses can reopen:**
  - Dining, entertainment, movie theatres and sporting venues can operate using CDC-recommended social distancing and sanitation protocols.
  - Gyms can reopen if they adhere to CDC-recommended social distancing and sanitation protocols.
  - Places of worship can reopen if they leave every other row or pew open and adhere to CDC-recommended social distancing and sanitation protocols, plus the recommended guidelines from the Oklahoma Department of Commerce.
  - Bars should remain closed.
  - Tattoo Parlors can reopen for appointments only and must adhere to sanitation protocols and social distancing protocols for distancing between customers and visitors.
  - If hospital & incident rates remain at a manageable level for 14 days, the plan moves to Phase 2.

The Phase 2 Goal is May 15, 2020 (subject to all Phase 1 guidelines being met). Once hospital and incident rates remain at a manageable level for 14 more days, the following phase will apply:

- **Individual guidance:**
Continue following safer-at-home guidelines if they are over 65 or part of a vulnerable population
- Maintain social distancing from others when in public
- Avoid socializing in groups that do not readily allow for appropriate social distancing
- Consider resuming non-essential travel

Employer guidance:
- Close common areas or enforce social distancing and sanitation protocols
- Honor requests of personnel who are members of a vulnerable population for special accommodations
- Employers are recommended to implement social distancing protocols, which include proper sanitation and use of protective equipment when interacting with the public

Specific Employer guidance:
- Organized sports activities can reopen and operate under proper social distancing and sanitation protocols
- Visits to Senior Care Facilities and Hospitals should still be prohibited
- Bars can operate with diminished standing-room occupancy, where applicable and appropriate, and under social distancing and sanitation protocols.
- Funerals and weddings can resume under social distancing protocols
- Children’s nursery areas in places of worship can reopen

- If hospital & incident rates remain at a manageable level for 14 days, the plan moves to Phase 3. The Phase 3 goal is June 1, 2020 (Subject to all guidelines being met) Once hospital and incident rates remain at a manageable level statewide for 14 more days Phase 3 will apply, which will allow for further public interaction. Further details for Phase 3 will be provided once the state enters Phase 2, but the recommendations below are a starting point for planning purposes.

Employer guidance:
- Can resume unrestricted staffing of worksites

Specific Employer guidance:
- Summer camps (church and school) can open
- Visits to Senior Care Facilities and Hospitals should still be prohibited

- On May 12, 2020, the Governor issued a sixth amendment to Executive Order 2020-13 to allow the Oklahoma Department of Agriculture, Food and Forestry to assist with potential livestock processing facility disruptions.394
- On May 21, 2020, the Governor signed HB 3350, providing a Cost of Living Adjustment to first responders, teachers and state employees. The increase applies to members of the Oklahoma Firefighters Pension and Retirement System, Oklahoma Police Pension and Retirement System, Uniform Retirement System for Justices and Judges, Teachers’ Retirement System of Oklahoma, and the Oklahoma Public Employees Retirement System.395

Oregon
- On March 23, 2020, Governor Kate Brown issued the Stay Home Save Lives order which directs all residents of the state of Oregon to remain in their home, to the maximum extent possible.396

• This order directs the closure of the following businesses: Amusement parks; aquariums; arcades; art galleries (to the extent that they are open without appointment); barber shops and hair salons; bowling alleys; cosmetic stores; dance studios; esthetician practices; fraternal organization facilities; furniture stores; gyms and fitness studios (including climbing gyms); hookah bars; indoor and outdoor malls (i.e., all portions of a retail complex containing stores and restaurants in a single area); indoor party places (including jumping gyms and laser tag); jewelry shops and boutiques (unless they provide goods exclusively through pick-up or delivery service); medical spas, facial spas, day spas, and non-medical massage therapy services; museums; nail and tanning salons; non-tribal card rooms; skating rinks; senior activity centers; ski resorts; social and private clubs; tattoo/piercing parlors; tennis clubs; theaters; yoga studios; and youth clubs.

• This Executive Order does not apply to restaurants, bars, taverns, brew pubs, wine bars, cafes, food courts, coffee shops, or other similar establishments that offer food or drink by take-out or delivery service only.

• Indoor and outdoor malls, and other businesses are not prohibited from operating to provide food, grocery, health care, medical, pharmacy, or pet store services.

• Essential businesses such as grocery, health care, medical, or pharmacy services, may remain open but also are encouraged to comply with social distancing guidelines.
  o All businesses and non-profit entities with offices in Oregon shall facilitate telework and work-at-home by employees, to the maximum extent possible.
  o Work in offices is prohibited whenever telework and work-at-home options are available, in light of position duties, availability of teleworking equipment, and network adequacy.
  o When telework and work-from-home options are not available, businesses and non-profits must designate an employee or officer to establish, implement, and enforce social distancing policies, consistent with guidance from the Oregon Health Authority.
  o Government buildings: All state executive branch offices and buildings, to the maximum extent possible, shall close to the public and provide public services by phone and online during regular business hours. To the extent that closure is not feasible, in-person interactions between staff and the public should be by appointment, whenever possible.
  o State executive branch offices and buildings shall facilitate telework and work-at-home by employees, to the maximum extent possible. When telework and work-from-home options are not possible, agencies must designate an employee or officer to establish, implement, and enforce social distancing policies, consistent with guidance from the Oregon Health Authority.
  o This Executive Order does not apply to offices and buildings owned or occupied by the state legislative and judicial branches, federal government, local governments, and tribal governments, but those governments are nonetheless strongly encouraged to adhere to the policies underlying these directives.
  o Childcare Facilities: Childcare facilities are allowed to remain open during the effective period if they meet the following requirements:
    ▪ Childcare must be carried out in maximum stable groups of 10 or fewer children ("stable" means the same 10 or fewer children are in the same group each day), and in a classroom that cannot be accessed by children outside the stable group; and
    ▪ Facilities must prioritize the childcare needs of first responders, emergency workers, health care professionals, followed by critical operations staff and essential personnel, consistent with guidance provided by the Oregon Department of Education, Early Learning Division

• On March 19, 2020, the Governor issued Executive Order No. 20-10, which became effective immediately and remains in effect for 90 days or until the Governor terminates or extends the

Last Updated: 6-3-20
Order. The Order calls for “all elective and non-urgent procedures” to be cancelled or rescheduled and requires all medical, veterinary and dental clinics with “surplus PPE” to notify the Oregon PPE Coordinator at 971-900-9952 about their supplies and arrange for delivery.397

- No later than March 23, 2020, all elective and non-urgent procedures across all care settings that utilize PPE, including but not limited to, hospitals, ambulatory surgery centers, outpatient clinics (including community health clinics and student health centers), dental clinics, and veterinary clinics, shall be cancelled, or rescheduled no earlier than June 15, 2020, for the purpose of conserving and redirecting PPE for the state’s COVID 19 emergency response.
  o A procedure or surgery is exempt from the limitations set forth in paragraph 1(a) of this Executive Order if a three month delay in the procedure or surgery would put the patient at risk of irreversible harm. Criteria for determining whether irreversible harm exists include but are not limited to: (1) threat to the patient’s life; (2) threat of irreversible harm to the patient’s physical or mental health; (3) threat of permanent dysfunction of an extremity or organ system; (4) risk of metastasis or progression of staging; and (5) risk of rapidly worsening to severe symptoms (time sensitive).
  o Individuals and entities in other industries that utilize PPE, including but not limited to the commercial, construction, farming, and manufacturing sectors, are strongly encouraged to cancel or postpone non essential uses of PPE during the ongoing state of emergency, so that equipment can be conserved and redirected to the state’s COVID 19 response.
  o Nothing in paragraph 1 of this Executive Order prohibits the use of PPE to diagnose and treat COVID 19 cases.
  o No later than March 27, 2020, hospitals, ambulatory surgery centers, outpatient clinics (including community health clinics and student health centers), dental clinics, and veterinary clinics with surplus PPE supplies shall notify the state’s PPE Coordinator by calling (971)900 9952, and arrange for delivery of those surplus supplies to the PPE Coordinator.

- On April 1, 2020, Governor Brown issued Executive Order 2020-13 ordering a moratorium on certain terminations of residential rental agreements and non-residential leases. 398

  - Residential Tenancies: During this moratorium, landlords of residential properties in Oregon shall not, for reason of nonpayment as defined in paragraph 1(b) of this Executive Order, terminate any tenant's rental agreement; take any action, judicial or otherwise, relating to residential evictions pursuant to or arising under ORS 105.105 through 105.168, including, without limitation, filing, serving, delivering or acting on any notice, order or writ of termination or the equivalent; or otherwise interfere in any way with such tenant's right to possession of the tenant's dwelling unit.
  - Nothing in this Order relieves a residential tenant's obligation to pay rent, utility charges, or any other service charges or fees, except for late charges or other penalties arising from nonpayment which are specifically waived by and during this moratorium. Additionally, this Order does not apply to the termination of residential rental agreements for causes other than nonpayment.
  - This Order reaffirms and is consistent with Executive Order 20-11, which prohibits law enforcement officers in Oregon from serving, delivering or acting on any notice, order or writ of termination of tenancy or the equivalent or any judicial action, pursuant to or arising under ORS 1Q5.105 through 105.168, that relates to residential evictions for nonpayment.
  - Non-Residential Tenancies: During this moratorium, landlords of non-residential properties in Oregon shall not, for reason of nonpayment as defined in paragraph 2(b) of this Executive Order, terminate any tenant's lease; take any action, judicial or otherwise, relating to non-residential

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398 Oregon Executive Order 2020-13,
evictions pursuant to or arising under ORS 105.105 through 105.168, including, without limitation, filing, serving, delivering or acting on any notice, order or writ of termination or the equivalent; or otherwise interfere with such tenant's right to possession of the leased premises.

- This provision shall apply if a tenant provides the landlord, within 30 calendar days of unpaid rent being due, with documentation or other evidence that nonpayment is caused by, in whole or in part, directly or indirectly, the COVID-19 pandemic. Acceptable documentation or other evidence includes, without limitation, proof of loss of income due to any governmental restrictions imposed to mitigate the spread of COVID-19.
- Nothing in this provision of the Order relieves a nonresidential tenant's obligation to pay rent, utility charges, or any other service charges or fees, except for late charges or other penalties arising from nonpayment which are specifically waived by and during this moratorium. Additionally, this provision Order does not apply to the termination of leases for causes other than nonpayment.
- During this moratorium, any residential or non-residential tenant who is or will be unable to pay the full rent when due under a rental agreement or lease, shall notify the landlord as soon as reasonably possible; and shall make partial rent payments to the extent the tenant is financially able to do so.
- Any person found to be in violation of this Executive Order is subject to the penalties described in ORS 401.990.
- This Executive Order is issued under the authority conferred to the Governor by ORS 401.165 to 401.236. Pursuant to ORS 401.192(1), the directives set forth in this Executive Order shall have the full force and effect of law, and any existing laws, ordinances, rules and orders shall be inoperative to the extent they are inconsistent with this exercise of the Governor's emergency powers.
- This Order will remain in effect for 90 days unless extended or terminated earlier by the Governor.
- On April 7, 2020, the Governor issued an executive order aligning the effective date for the prohibition on dine-in food and drink consumption with that of their Stay Home, Save Lives order.
- Oregon’s Stay Home, Save Lives Order remains in effect until terminated by the Governor.
- On April 21, 2020, the Oregon Department of Revenue issued a directive that expands relief and provides additional relief to certain affected taxpayers and extended the tax filing and payment deadline to July 15, 2020.
- On April 14, 2020, Governor Kate Brown announced Reopening Oregon: A Public Health Framework for Restarting Public Life and Business.399
- The plan includes the following goals relative to the state’s public health framework:
  - Declining growth rate of active cases
  - Sufficient personal protective equipment
  - Hospital surge capacity
  - Robust testing, tracing and isolation strategy
  - Strategies that work for hardest hit and vulnerable populations, including nursing homes and people experiencing homelessness
- The plan’s next steps toward reopening include:
  - Solicit input on framework for Reopening Oregon from local leaders
  - Consult with most-affected industries, including restaurants and personal services
  - Complete metrics for reopening and operational plans for test/trace/isolate
  - Finalize discrete steps and guidelines for Step-by-Step Reopening of Oregon
  - Ongoing coordination with West Coast states

399 Reopening Oregon Framework, https://drive.google.com/file/d/1_NQIdniP3lE1A8WP-t8KJfAPkbo-/view
• On May 5, 2020, the Governor announced the limited opening of some state parks, outdoor recreation facilities and areas across Oregon for day use, with camping opportunities becoming available as federal, state, local, and private providers are able to prepare their facilities for visitors.400

• On May 6, 2020, the Oregon Department of Consumer and Business Services issued an emergency order for health insurance companies, requiring them to:
  • Provide at least a 60-day grace period to pay any past due premiums;
  • Pay claims for any covered services during the first 30 days of the grace period; and,
  • Extend all deadlines for reporting claims and other communications, and provide members with communication options to meet physical distancing standards.

• On May 15, 2020, the Governor released statewide guidance for jurisdictions and businesses across the state as they begin Phase 1 of reopening.401

Pennsylvania402

• On March 19, Governor Tom Wolf issued an executive order prohibiting the operation of businesses that are not life sustaining:
  o No person or entity shall operate a place of business in the Commonwealth that is not a life sustaining business regardless of whether the business is open to members of the public.
  o Life sustaining businesses may remain open, but they must follow, at a minimum, the social distancing practices and other mitigation measures defined by the Centers for Disease Control to protect workers and patrons.
  o The prohibition does not apply to virtual or telework operations (e.g., work from home), so long as social distancing and other mitigation measures are followed in such operations.

• Life Sustaining Businesses - a list of life sustaining businesses that may remain open can be found at the following link: https://www.governor.pa.gov/wp-content/uploads/2020/03/20200319-Life-Sustaining-Business.pdf.

• The Governor has amended the Order several times to expand the geographic scope of the Order. As of March 30, 2020, the Order applies to:
  o Allegheny County
  o Beaver County
  o Berks County
  o Bucks County
  o Butler County
  o Carbon County
  o Centre County
  o Chester County
  o Cumberland County
  o Dauphin County
  o Delaware County
  o Erie County
  o Lackawanna County
  o Lancaster County
  o Lehigh County

On March 25, 2020, Governor Wolf granted the Pennsylvania Department of State’s request to suspend certain licensing and regulatory requirements that will allow health care professionals who have inactive licenses or have allowed their Pennsylvania license to expire, to seek reactivation and immediately resume work within their scope of practice, provided their inactive or expired license is/was in good standing.\textsuperscript{403}

On March 31, 2020, Governor Wolf issued an executive order expanding the scope of previous shelter in place directives to include Cameron, Crawford, Forest, Franklin, Lawrence, Lebanon and Somerset counties.\textsuperscript{404}

On April 1, 2020, Governor Wolf issued Executive Order expanding the mandate to shelter in place to all residents in Pennsylvania. Individuals may leave their residence only to perform any of the following allowable individual activities\textsuperscript{405}:

- Tasks essential to maintain health and safety, or the health and safety of their family or household members (including pets), such as obtaining medicine or medical supplies, visiting a health care professional, or obtaining supplies they need to work from home
- Getting necessary services or supplies for themselves, for their family or household members, or as part of volunteer efforts, or to deliver those services or supplies to others to maintain the safety, sanitation, and essential operation of residences
- Engaging in outdoor activity, such as walking, hiking or running if they maintain social distancing
- To perform work providing essential products and services at a life-sustaining business
- To care for a family member or pet in another household
- Any travel related to the provision of or access to the above-mentioned individual activities or life-sustaining business activities

The following entities are exempt from closure:

- Life-sustaining business activities\textsuperscript{406}
- Health care or medical services providers
- Access to life-sustaining services for low-income residents, including food banks
- Access to child care services for employees of life-sustaining businesses that remain open as follows: child care facilities operating under the Department of Human Services, Office of Child Development and Early Learning waiver process; group and family child

\textsuperscript{403} PA Retiree Suspension Waiver, https://www.dos.pa.gov/Documents/2020-03-25-Retirees-Suspension-Waiver.pdf
\textsuperscript{404} According to Gov. Wolfe’s critical industry operation guidance, ambulatory care providers are prohibited from performed elective procedures.
\textsuperscript{405} Pennsylvania Shelter in Place Order, https://www.governor.pa.gov/newsroom/gov-wolf-sec-of-health-pennsylvania-on-statewide-stay-at-home-order-beginning-at-8-pm-tonight-most-prudent-option-to-stop-the-spread/
care operating in a residence; and part-day school age programs operating under an exemption from the March 19, 2020 business closure Orders

- News media
- Law enforcement, emergency medical services personnel, firefighters
- The federal government
- Religious institutions

- This order will remain in effect until April 30, 2020.
- On April 8, 2020, the Governor signed an executive order to ensure the efficient allocation and effective use of N95 face masks, ventilators, respirators, face shields, safety goggles, disinfectants and other sanitizing solutions by hospitals in the state.\(^{407}\)
  - Private, public, and quasi-public healthcare providers and facilities, as well as manufacturers, distributors, and suppliers of PPE, pharmaceuticals, and other medical resources located within the Commonwealth, are required to submit current inventory quantities of PPE, pharmaceuticals, and other medical resources as directed by the Pennsylvania Management Agency within 5 days of this Order and to provide updates subsequently as directed by the Pennsylvania Emergency Management Agency.
  - To facilitate the Commonwealth’s awareness of health care providers, facilities, and regions in the most dire need of PPE, pharmaceuticals, other medical resources, and staffing during the disaster emergency, health care providers and facilities and their representatives who are part of the incident command structure must report information to the leadership of the Department of Health and the Pennsylvania Emergency Management Agency in accordance with the schedule as directed by those agencies.
  - Further, such entities shall cooperate with data-sharing and information exchanges as requested by the Department of Health and the Pennsylvania Emergency Management Agency.

- On April 15, 2020, Governor Wolf issued an order establishing additional protocols to help employees maintain a social distance during work\(^{408}\):
  - Provide masks for employees to wear during their time at the business, and make it a mandatory requirement while at the work site, except to the extent an employee is using break time to eat or drink, in accordance with the guidance from the Department of Health and the CDC. Employers may approve masks obtained or made by employees in accordance with this guidance;
  - Stagger work start and stop times for employees when practical to prevent gatherings of large groups entering or leaving the premises at the same time;
  - Provide sufficient space for employees to have breaks and meals while maintaining a social distance of 6 feet, including limiting the number of employees in common areas and setting up seating to have employees facing forward and not across from each other;
  - Conduct meetings and training virtually. If a meeting must be held in person, limit the meeting to the fewest number of employees possible, not to exceed 10 employees at one time and maintain a social distance of 6 feet.
  - Ensure that the facility has a sufficient number of employees to perform all measures listed effectively and in a manner that ensures the safety of the public and employees;
  - Ensure that the facility has a sufficient number of personnel to control access, maintain order, and enforce social distancing of at least 6 feet;
  - Prohibit non-essential visitors from entering the premises of the business; and

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Ensure that all employees who do not speak English as their first language are aware of procedures by communicating the procedures, either orally or in writing, in their native or preferred language.

- On April 20, 2020, Governor Wolf announced three actions relative to reopening state businesses including:
  - Enabling online sales of vehicles;
  - Restarting public and private residential and non-residential construction projects statewide, and
  - Allowing curbside pickup of wine and spirits at select Pennsylvania Liquor Control Board locations.
- On April 20, 2020, Governor Wolf and Pennsylvania’s Secretary of Health announced that the statewide stay-at-home order will be extended to May 8, 2020.
- On April 20, 2020, Governor Wolf announced three actions relative to reopening state businesses including:
  - Enabling online sales of vehicles;
  - Restarting public and private residential and non-residential construction projects statewide, and
  - Allowing curbside pickup of wine and spirits at select Pennsylvania Liquor Control Board locations.
- On April 20, 2020, Governor Wolf and Pennsylvania’s Secretary of Health announced that the statewide stay-at-home order will be extended to May 8, 2020.
- On April 23, 2020, Governor Wolf presented a plan for reopening the commonwealth with a targeted May 8, 2020 start date. The administration will categorize reopening into three phases: red, yellow, green. Phases will be assigned based on conditions in a county, counties or region.
- The administration will first study conditions in the north-central and northwest regions with a target of moving from red to yellow on May 8. Additional monitoring will take place and direction will be provided in the next week.
- To decide when to move to a new phase, the administration will use Department of Health metrics and a data tool developed by Carnegie Mellon University. The full plan is available here.
- The red phase, which currently applies to the whole state, has the sole purpose of minimizing the spread of COVID-19 through strict social distancing, non-life sustaining business and school closures, and building safety protocols.

**Red Phase:**
- Work & Congregate Setting Restrictions
  - Life Sustaining Businesses Only
  - Congregate Care and Prison Restrictions in Place

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- Schools (for in-person instruction) and Most Child Care Facilities Closed
  - Social Restrictions
    - Stay at Home Orders in Place
    - Large Gatherings Prohibited
    - Restaurants and Bars Limited to Carry-Out and Delivery Only
  - Only Travel for Life-Sustaining Purposes Encouraged
  - Reiterate and reinforce safety guidance for businesses, workers, individuals, facilities, update if necessary
  - Monitor public health indicators, adjust orders and restrictions as necessary
- As regions or counties move into the yellow phase, some restrictions on work and social interaction will ease while others, such as closures of schools, gyms, and other indoor recreation centers, as well as limitations around large gatherings, remain in place.
- The purpose of this phase is to begin to power back up the economy while keeping a close eye on the public health data to ensure the spread of disease remains contained to the greatest extent possible.
- **Yellow Phase**
  - Work & Congregate Setting Restrictions
    - Telework Must Continue Where Feasible
    - Businesses with In-Person Operations Must Follow Business and Building Safety Orders
    - Child Care Open with Worker and Building Safety Orders
    - Congregate Care and Prison Restrictions in Place
    - Schools Remain Closed for In-Person Instruction
  - Social Restrictions
    - Stay at Home Restrictions Lifted in Favor of Aggressive Mitigation
    - Large Gatherings of More than 25 Prohibited
    - In-Person Retail Allowable, Curbside and Delivery Preferable
    - Indoor Recreation, Health and Wellness Facilities (such as gyms, spas), and all Entertainment (such as casinos, theaters) Remain Closed
    - Restaurants and Bars Limited to Carry-Out and Delivery Only
  - All businesses must follow CDC and DOH guidance for social distancing and cleaning
  - Monitor public health indicators, adjust orders and restrictions as necessary
- The green phase eases most restrictions by lifting the stay-at-home and business closure orders to allow the economy to strategically reopen while continuing to prioritize public health. While this phase will facilitate a return to a “new normal,” it will be equally important to continue to monitor public health indicators and adjust orders and restrictions as necessary to ensure the spread of disease remains at a minimum.
- **Green Phase**
  - Work & Congregate Setting Restrictions
    - All Businesses Must Follow CDC and PA Department of Health Guidelines
  - Social Restrictions
    - Aggressive Mitigation Orders Lifted
  - All Individuals Must Follow CDC and PA Department of Health Guidelines
  - Monitor public health indicators, adjust orders and restrictions as necessary
- Just as the administration took a measured, county-by-county approach to the stay-at-home order before expanding statewide, it will do the same to ease restrictions and reopen the state. The governor first announced the standards for reopening last week and they remain the focal point for the comprehensive plans described:
  - The approach will be data driven and reliant upon quantifiable criteria to drive a targeted, evidence-based, regional approach to reopenings in Pennsylvania.
There will be guidance and recommendations for employers, individuals, and health care facilities and providers for assured accountability as we reopen.

Reopening necessitates that adequate personal protective equipment and diagnostic testing are available.

Reopening requires a monitoring and surveillance program that allows the commonwealth to deploy swift actions for containment or mitigation.

Protections for vulnerable populations must remain steadfast throughout the reopening process, such as limitations on visitors to congregate care facilities and prisons.

Limitations on large gatherings unrelated to occupations should remain in place for the duration of the reopening process.

- On May 1, 2020, Governor Wolf announced the reopening of 24 counties in the northwest and north-central regions of the state, moving from red to yellow on May 8.414
- On May 4, 2020, Governor Wolf provided guidance businesses must follow to conduct in-person operations in counties slated to move to the yellow phase of reopening on May 8.415
- On May 6, 2020, the Governor signed an executive order to afford health care practitioners protection against liability for good faith actions taken in response to the call to supplement the health care provider workforce.416
- On May 14, 2020, the Governor announced the yellow phase orders were amended to include 13 counties moving to the yellow phase on May 15.417
- On May 15, 2020, the Governor announced 12 additional counties will move to the yellow phase of reopening on May 22, while 18 counties remain in the red phase.418
- On May 19, 2020, the Governor announced that many older homeowners, renters and people with disabilities will receive early rebates through the Property Tax/Rent Rebate Program.419
- On May 19, 2020, the Governor announced businesses and employees in the real estate industry may conduct limited business-related activities statewide and provided guidance for how to operate in red and yellow phase counties.420
- On May 22, 2020, the Governor indicated that some counties may soon be moved into the green phase, the least restrictive phase.421
- On May 22, 2020, the Governor amended his executive order protecting Pennsylvanians from foreclosure and eviction to specify that the order only applies to evictions and foreclosures enacted due to lack of payment or because a tenant has overstayed a lease.422

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Rhode Island


- The order directs the following:
  - **Businesses to cease in-person operations:**
    - All public recreation and entertainment establishments. Public recreation and entertainment establishments subject to this Order include, but are not limited to, theaters, cinemas, sporting events, bowling alleys, concert venues, museums, and zoos.
    - All close-contact businesses that cannot maintain social distancing with their customers as implemented by the CDC, including, but not limited to, gymnasiums, fitness centers and similar exercise facilities, hair salons and barbershops, nail salons, spas and tattoo parlors.
  - **Business service personnel that can work from home are required to do so.**
    - Business service personnel subject to this Order include, but are not limited to accountants, lawyers, human resources and procurement professionals. This Order applies whether such business services personnel work within a stand-alone business (e.g. an accounting firm or law firm) or within a larger business (e.g. an accounting, legal, human resources, or procurement division or team).
    - To the extent an employer has business service personnel that cannot perform their normal functions via telework or work-from-home arrangements, the business should permit only critical personnel to work on the business' premises so that only the minimal number of employees necessary to ensure that critical operations can continue are present.
    - To the extent an employer has personnel who are not involved in critical operations but who cannot perform their ordinary functions via telework or work-at-home arrangements, employers should consider providing alternative work assignments that are beneficial to the employer including but not limited to training modules or other forms of workforce development that can be completed at home.
  - All businesses remaining open, must, to the extent practicable, implement CDC guidance to ensure social distancing, including:
    - maintaining a minimum distance of 6 feet between persons;
    - ensuring employees practice appropriate hygiene measures, including regular, thorough handwashing;
    - ensuring that employees who are sick remain home; and
    - regularly cleaning and disinfecting frequently touched objects and surfaces.
  - All businesses remaining open shall post appropriate notices requiring compliance with recommendations by the CDC and the Director of RIDOH.
  - **Gatherings of more than ten (10) people in any public or private space are prohibited,** which includes, but not limited to, gatherings in an auditorium, stadium, arena, large conference room, meeting hall, library, theater, place of worship, parade, fair, or festival.

- On April 8, 2020, the Governor extended the closure for all non-essential businesses – including residential and commercial evictions – through May 17.

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On April 14, 2020, the Governor signed an executive order clarifying the state’s directive around face coverings. Beginning April 18:425
  o All employees of customer-facing businesses, office-based businesses, manufacturers and non-profits, must wear cloth face coverings while at work;
  o All customer-facing businesses must take steps to remind customers to wear face coverings; and,
  o Face coverings can include scarves, bandanas, and other homemade and non-factory-made masks.
On April 20, 2020, Governor Raimondo outlined the vision for safely reopening the state’s economy. The following six key indicators will be used to gauge readiness to reopen:426
  o Has the rate of spread continued to decrease?
  o Does the state have the capacity to quickly identify community spread on an ongoing basis before a major outbreak occurs?
  o Does the state have necessary supports in place for vulnerable populations and for anyone in quarantine?
  o Does Rhode Island’s healthcare system have the capacity and the PPE to handle future surges?
  o Do businesses, schools, childcare facilities, faith leaders and recreational spaces have plans for long-term social distancing?
  o Is the state prepared to reimpose measures or reclose certain sectors of the economy if necessary?

On April 27, 2020, Governor Raimondo released the “Reopen RI” Framework, which consists of three phases:427
  o Phase 1 – Testing the Waters: In this phase, Rhode Islanders can look forward to seeing friends and families again.
    ▪ Some parks begin to reopen with strong social distancing guidelines.
    ▪ Elective medical procedures resume under new safety protocols.
    ▪ Primary care and community health providers remain open. Other allied health professions reopen with updated safety protocols (i.e. physical therapists, behavioral therapists, etc.). Pilot reopening of dentists’ offices under strict new regulations.
    ▪ Limited childcare options are available with strong social distancing guidelines.
    ▪ School buildings remain closed, and distance learning continues.
    ▪ Retail locations allow in-store pickup of pre-orders. There is potential for allowing browsing under new restrictions.
    ▪ Offices should emphasize remote work but can allow limited numbers of employees on site in accordance with new guidelines.
    ▪ Restaurants remain open for pickup, delivery, and drive-through (with offerings modestly expanded). Pilots of seated dining begin, including outdoor dining.
    ▪ Pilot openings of hair salons and barbers begin with significant restrictions to protect public health and safety.
    ▪ Manufacturers and construction sites continue operations under existing and evolving guidance
  o Phase 2 – Navigating Our Way: In this phase, Rhode Islanders can look forward to more businesses reopening and restrictions being further relaxed.

• Expanded childcare options will be available under strict public health guidelines.
• More restaurants, retail and close-contact businesses like hair and nail salons may open.
• Additional recreational options will likely return including more parks and beaches, but restrictions remain.
• Social gathering limits increase to 15 people.
• Older adults (65+) and those with underlying health conditions can go to work and go out for food or medicine. But in accordance with federal public health guidance, vulnerable individuals are still strongly encouraged to otherwise stay home.
• Masks, vigilant hand-washing and increased cleaning must remain in place.
• Offices will ease capacity restrictions allowing more people to come in, but many people will still work from home.
• All activities must account for strong social distancing guidelines of remaining 6-feet apart.
  o Phase 3 – Picking Up Speed: In this phase, Rhode Islanders can look forward to seeing more of their families and friends, while social gatherings remain limited to 50 people.
    • Schools opening with restrictions.
    • Offices, restaurants, retail and other businesses will lift some of the tightest restrictions to allow more people in at one time but will need to operate under long-term safety guidelines. Social gatherings are limited to 50 people.
    • Older adults (65+) and those with underlying health conditions are no longer strongly encouraged to stay home. These individuals are reminded to exercise significant caution in public.
    • Masks, vigilant hand-washing and increased cleaning must remain in place.
    • Working from home is still encouraged where possible but more people will return to the workplace.
    • All activities must account for strong social distancing guidelines of remaining 6-feet apart.
• On April 28, 2020, the Governor issued an executive order intended to promote better coordination of health care coverage. Specifically, the order:
  • Bars insurers from making changes to their formularies, unless such changes benefit patients;
  • Requires insurers to relax the provider referral process to allow for more time and leniency, while suspending requirements for telehealth; and,
  • Requires insurers to cover behavioral health care services without referrals or other benefit review approvals.
• On April 28, 2020, the Governor announced the DMV is providing 90-day extensions through August on expirations set for May.
• On May 1, 2020, the Governor announced a reopening plan for child care providers under new regulations is planned for June 1.
• On May 4, 2020, the Governor outlined additional details on Phase I of the state’s plan to reopen the economy, including guidance for retail, offices, restaurants, and health care providers.
• On May 5, 2020, the Governor signed an executive order directing everyone in a public place – whether indoors or outdoors – to wear a cloth face covering, with exceptions for children younger than two years of age and anyone whose health would be negatively affected by wearing a face covering.428

428 [https://governor.ri.gov/documents/orders/Executive-Order-20-30.pdf]
On May 6, 2020, the Governor announced regulations for businesses in Phase 1 are now available on [www.ReopeningRI.com](http://www.ReopeningRI.com).429

On May 15, 2020, the Governor outlined four metrics that officials are tracking as they consider moving between phases of reopening:430

- Hospital Capacity: the state may continue to move forward so long as no more than 85% of ICU and non-ICU beds are filled by COVID-19 patients;
- Hospitalizations: the state may continue to move forward so long as the state sees fewer than 50 daily COVID-19 related hospitalizations;
- Rate of spread: the state may continue to move forward so long as the R value (effective reproduction rate) remains below 1.3; and
- Doubling rate of hospitalizations: the state may continue to move forward so long as hospitalizations do not double within a 20-day period or less.

On May 18, 2020, the Department of Environmental Management announced that all Rhode Island state parks are open to visitors.431

On May 18, 2020, the Governor announced that the state is aiming to allow in-person faith services the weekend of May 30.432

On May 21, 2020, the Governor signed an executive order for the 34th supplemental emergency declaration.433

South Carolina

- On April 3, 2020 Gov. McMaster issued Executive Order No. 2020-18434, extending the list of non-essential businesses previously issued in Executive Order No. 2020-17,435 which closes non-essential businesses, venues, facilities, services, and activities for public use. The Order is effective as of April 6, 2020 at 5:00 p.m. and is to continue in effect throughout the duration of the declared state of emergency by the Governor.

  - The Order defines the following as **Non-Essential**:436
    - Entertainment venues and facilities as follows:
      - Night clubs
      - Bowling alleys
      - Arcades
      - Concert venues
      - Theaters, auditoriums, and performing arts centers
      - Tourist attractions (including museums, aquariums, and planetariums)
      - Racetracks
      - Indoor children’s play areas, with the exception of licensed childcare facilities
      - Adult entertainment venues
      - Bingo halls

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430 Rhode Island Reopening Metrics, [https://www.ri.gov/press/view/38350](https://www.ri.gov/press/view/38350)

431 Rhode Island Park Reopening, [https://www.ri.gov/press/view/38362](https://www.ri.gov/press/view/38362)

432 Rhode Island Beach Reopening, [https://www.ri.gov/press/view/38364](https://www.ri.gov/press/view/38364)


**Venues operated by social clubs**
- Recreational and athletic facilities and activities as follows:
  - Fitness and exercise centers and commercial gyms
  - Spas and public or commercial swimming pools
  - Group exercise facilities, to include yoga, barre, and spin studios or facilities
  - Spectator sports
  - Sports that involve interaction in close proximity to and within less than six (6) feet of another person
  - Activities that require the use of shared sporting apparatus and equipment
  - Activities on commercial or public playground equipment
- Close-contact service providers as follows:
  - Barber shops
  - Hair salons
  - Waxing salons
  - Threading salons
  - Nail salons and spas
  - Body-art facilities and tattoo services
  - Tanning salons
  - Massage-therapy establishments and massage services
- Retail stores as follows:
  - Furniture and home-furnishings stores
  - Clothing, shoe, and clothing-accessory stores
  - Jewelry, luggage, and leather goods stores
  - Department stores, with the exception of hardware and home-improvement stores
  - Sporting goods stores
  - Book, craft, and music stores
  - Flea markets
  - Florists and flower stores
- This Section does not prohibit the continued operation of retail stores, as set forth above, for the limited purpose of fulfilling online or telephone orders or providing alternate means of purchasing or delivering products or services—to include curbside purchase, pickup, or delivery and home or off-site delivery—provided that such options or measures can be implemented in a manner that facilitates and maintains effective “social distancing” and is consistent with any applicable guidance issued by state and federal public health and safety officials.
- An individual or entity may submit requests for clarification or a determination regarding the applicability of this Order to a specific business, venue, facility, service, or activity to the Department of Commerce, using a form provided by the Department, which shall be available for public access and submission via the Department’s website, at [www.sccommerce.com](http://www.sccommerce.com). Individuals or entities may also submit questions or requests for clarification to the Department by email to [covid19sc@sccommerce.com](mailto:covid19sc@sccommerce.com) or by telephone at 803-734-2873.

**Lodgings and Travel Restrictions.** Gov. McMaster issued Executive Order No. 2020-19[436] imposing lodging and travel restrictions for individuals from high-risk areas. The Order states that effective Friday, April 3, 2020, at 5:00 p.m., any and all individuals, entities, or establishments engaged in the provision of short-term rentals, vacation rentals, or other lodging

[436] South Carolina Executive Order No. 2020-19, Lodging & Travel Restrictions for Individuals from High-Risk Areas, [https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-03%20eFILED%20Executive%20Order%20No.%202020-19%20-%20Lodging%20%26%20Travel%20Restrictions%20for%20Individuals%20from%20High-Risk%20Areas.pdf](https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-03%20eFILED%20Executive%20Order%20No.%202020-19%20-%20Lodging%20%26%20Travel%20Restrictions%20for%20Individuals%20from%20High-Risk%20Areas.pdf)
accommodations or operations in exchange for consideration in the State of South Carolina are prohibited from making or accepting new reservations or bookings from or for individuals residing in or travelling from any country, state, municipality, or other geographic area subject to or identified in a CDC travel advisory or other CDC notice as a location with extensive community transmission of COVID-19, to include the Tri-State Area (consisting of the States of New York, New Jersey, and Connecticut).

- **Enforcement and Jurisdiction.**
  - Any and all law enforcement officers of the State, or any political subdivision thereof, are authorized to do whatever may be deemed necessary to maintain peace and good order during the State of Emergency and to enforce the provisions of this Order and any prior or future Orders issued by the undersigned in connection with the present State of Emergency.

- If or to the extent that any political subdivision of this State seeks to adopt or enforce a local ordinance, rule, regulation, or other restriction that conflicts with this Order, this Order shall supersede and preempt any such local ordinance, rule, regulation, or other restriction.

- On April 6, 2020, Gov. McMaster issued Executive Order 2020-20 directing all residents of South Carolina to limit their movements outside of their place of residence, except as allowed by this Order, for purposes of engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations. Non-essential businesses, as defined by Executive Order 2020-18, will remain closed to the public.

- Critical Infrastructure Operations are defined to include the following:
  - Individuals operating commercial vehicles transporting essential goods and products, such as food, water, medicine, medical supplies and equipment, fuels and petroleum products (to include fuel oil, diesel oil, gasoline, kerosene, propane, and liquid petroleum), livestock, poultry, feed for livestock and poultry, and crops and other agricultural products ready to be harvested (to include timber and wood chips); individuals employed by airlines; and individuals otherwise engaged in commercial transportation activities.
  - Individuals performing or assisting with military, healthcare, public safety, or emergency response operations, as well as any other operations or services identified by the United States Cybersecurity and Infrastructure Security Agency in its March 28, 2020 Memorandum, or any future amendments or supplements thereto, as essential to continued critical infrastructure viability.
  - This Section is subject to any clarification, guidance, rules, regulations, or restrictions issued, provided, or promulgated, or which may be issued, provided, or promulgated, by the South Carolina Department of Commerce (“Department”), as authorized by and in accordance with the Clarification and Provisional Determination Process set forth in Section 2 of Executive Order No. 2020-18.
  - Subject to the emergency rules and restrictions set forth below, this Section does not prohibit the continued operation of retail stores, as set forth above, for the limited purpose of fulfilling online or telephone orders or providing alternate means of purchasing or delivering products or services—to include curbside purchase, pickup, or delivery and home or off-site delivery—provided that such options or measures can be implemented in a manner that facilitates and maintains effective “social distancing” and is consistent with any applicable guidance issued by state and federal public health and safety officials.

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• Any retail business not identified by general description above, or authorized to continue operations pursuant to any clarification, guidance, rules, regulations, or restrictions issued, provided, or promulgated, or which may be issued, provided, or promulgated, by the Department, as authorized by and in accordance with the Clarification and Provisional Determination Process set forth in Section 2 of Executive Order No. 2020-18, shall be subject to the following emergency rules and restrictions in addition to any other applicable provisions of this Order or any prior Order:
  o Emergency Maximum Occupancy Rate. The business shall limit the number of customers allowed to enter and simultaneously occupy the premises so as not to exceed five (5) customers per 1,000 square feet of retail space, or twenty percent (20%) of the occupancy limit as determined by the fire marshal, whichever is less.
  o Social Distancing Practices. The business shall not knowingly allow customers, patrons, or other guests to congregate within six (6) feet of one another, exclusive of family units.
  o Sanitation. The business shall implement all reasonable steps to comply with any applicable sanitation guidelines promulgated by the CDC, DHEC, or any other state or federal public health officials.

• Nothing in this order shall be interpreted, applied, implemented, or construed in a manner so as to suspend, restrict, or otherwise limit the sale or transportation of firearms or ammunition or any component thereof.

• The above definitions do not repeal, by implication or otherwise, the terms and provisions of Executive Order No. 2020-10, as extended by Executive Order No. 2020-15, which directed that any and all restaurants or other food-service establishments, as defined and set forth therein, that prepare, produce, or otherwise offer or sell food or beverages of any kind for on-premises consumption in the State of South Carolina, shall suspend services for, and may not permit, on-premises or dine-in consumption.

• This Order shall not be interpreted, applied, implemented, or construed in a manner so as to suspend, restrict, or otherwise limit the authority of the undersigned or the Department to issue, provide, or promulgate any necessary and appropriate clarification, guidance, rules, regulations, or restrictions regarding the provisions of this Order or of Executive Order No. 2020-18.

• This Order directs the Department of Commerce, in consultation with the Office of the Attorney General to provide or issue any necessary and appropriate supplemental guidance, rules, regulations, or restrictions regarding the application of this Order and to provide clarification, as necessary and appropriate and in accordance with the process set forth in Section 2 of Executive Order No. 2020-18, regarding whether a specific business, venue, facility, service, or activity is required to close or is prohibited from taking place pursuant to this Order, Executive Order No. 2020-18, or both.

• The Office of the Governor (“Office”) may provide or issue any necessary and appropriate supplemental guidance, rules, regulations, or restrictions regarding the application of this Order or to otherwise to provide clarification regarding the same, through appropriate means, without the need for further Orders.

• **Enforcement:** This Order authorizes any and all law enforcement officers of the State, or any political subdivision thereof, to do whatever may be deemed necessary to maintain peace and good order during the State of Emergency and to enforce the provisions of this Order and any prior or future Orders.
  o Pursuant to section 16-7-10(A) of the South Carolina Code of Laws, any individual who “refuse[s] to disperse upon order of a law enforcement officer,” “wilfully fail[s] to comply with any lawful order or direction of any law enforcement officer,” or otherwise violates any provision of any Order issued by the undersigned in connection with the State of Emergency “is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.”
In accordance with section 1-3-440(4) of the South Carolina Code of Laws, this order directs any State, county, or city official to enforce the provisions of this Order and any prior or future Orders issued in connection with the present State of Emergency, as necessary and appropriate, in the courts of the State by injunction, mandamus, or other appropriate legal action.

- **Preemption:** If or to the extent that any political subdivision of this State seeks to adopt or enforce a local ordinance, rule, regulation, or other restriction that conflicts with this Order, this Order shall supersede and preempt any such local ordinance, rule, regulation, or other restriction.

- On April 6, 2020, Governor McMaster issued an executive order including mandatory “Home or Work” order and establishing capacity limitations on retail businesses still operating.\(^{438}\)

- On April 8, 2020, Governor McMaster issued an executive order, allowing furloughed employees to receive “COVID-19 Support Payments” from their employers and still qualify for unemployment benefits. \(^{439}\)

- On April 20, 2020, Governor McMaster issued Executive Order 2020-28, which removes restrictions on public access points to the state’s beaches, public piers, docks, and wharfs, and delegates authority to restrict access to local officials. \(^{440}\)

- The order authorizes the following retail stores that were closed pursuant to Executive Order 2020-18 to re-open on April 21, 2020:
  - Furniture and home-furnishings stores
  - Clothing, shoe, and clothing-accessory stores
  - Jewelry, luggage, and leather goods stores
  - Department stores, with the exception of hardware and home-improvement stores
  - Sporting goods stores
  - Book, craft, and music stores
  - Flea markets
  - Florists and flower stores

- Under the order, retail stores described above must adhere to strict social distancing requirements, operating at 20% occupancy or five (5) customers per 1,000 square feet, whichever is less.
  - In addition, businesses must not knowingly allow customers to congregate within six feet of one another, excluding families, and follow relevant CDC and DHEC guidelines.

- The order permits public beach access points, piers, docks, and wharfs to reopen on April 21, 2020.

- All other executive orders, including the Governor’s “Home or Work” order, remain in effect. South Carolinians are required to maintain social distancing practices and avoid large groups of people.

- **Preemption:** If or to the extent that any political subdivision of this State seeks to adopt or enforce a local ordinance, rule, regulation, or other restriction that conflicts with this Order, this order shall supersede and preempt any such local ordinance, rule, regulation, or other restriction.

\(^{438}\) South Carolina Executive Order 2020-21, [https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-06%20eFILED%20Executive%20Order%20No.%202020-21%20-%20Stay%20at%20Home%20or%20Work%20Order.pdf](https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-06%20eFILED%20Executive%20Order%20No.%202020-21%20-%20Stay%20at%20Home%20or%20Work%20Order.pdf)


• The order shall remain in effect for the duration of the State of Emergency unless otherwise modified, amended, or rescinded by subsequent order.
• On April 20, 2020, Governor McMaster announced the formation of AccelerateSC, a coordinated economic revitalization plan involving small and large business leaders, healthcare professionals, local government officials, and education professionals.441
• The plan consists of five components of analysis and effort: Response, Protection, Governance, Resources, and Information.
• On May 1, 2020, the Governor announced the statewide “Work-or-Home” order will be lifted and returned to voluntary status on May 4; additionally, restaurants throughout the state may begin providing outdoor customer dining service in addition to existing take out, curbside, and delivery services.442
• On May 26, 2020, the Governor announced the Rhode Island Commerce and Rhode Island Department of Health will be holding virtual forums for businesses this week, with an opportunity to engage in dialogue and ask questions.443

South Dakota
• On March 23, 2020, Gov. Noem issued Executive Order No. 2020-08444 pertaining to COVID-19: Personal, Business, and Healthcare Precautions. The Order is effective until May 2, 2020 unless it is rescinded or amended, revoked or superseded.
• The Order directs all “enclosed retail business that promotes public gatherings”, meaning an enclosed retail business that promotes public gatherings and includes any enclosed facility operating as a bar, restaurant, brewery, cafe, casino, coffee shop, recreational or athletic facility, health club, or entertainment venue, within the State of South Dakota to:
  o Suspend or modify business practices as recommended by CDC guidance that involve ten or more people to be in an enclosed space where physical separation of at least six feet is not possible.
  o Continue offering or consider offering business models that do not involve public gatherings, including takeout, delivery, drive-through, curb-side service, off-site services, social distancing models, or other innovative business practices that do not involve public gatherings in an enclosed space.
  o Consider business arrangements and innovative ideas intended to support the critical infrastructure sectors, as defined by the Department of Homeland Security.
• All healthcare organizations within the State of South Dakota should:
  o Implement or Continue to follow CDC guidance and maintain their exceptional efforts to prepare for the expected surge of patients needing health care services as a result of the COVID-19 disease.
  o Postpone all non-essential elective surgeries to conserve (and thereby maximize) supplies of personal protective equipment (PPE).
• All local and municipal governments within the State of South Dakota should:
  o Implement the recommended CDC hygiene practices and public employee arrangements designed to reduce the likelihood of spreading the disease, and take action based on facts, data, and science.
  o Restrict public gatherings of ten people or more, unless it is necessary.

Review the business practices of each “enclosed retail business that promotes public gatherings” in their community for compliance with this Executive Order and protect the ability of those businesses to innovate.

Encourage entrepreneurial innovation in the private sector to provide employment opportunities to protect the continued operation of the free market consistent with recommended CDC hygiene practices and understand that COVID-19 will impact their communities for potentially eight weeks or more.

Protect the critical infrastructure sectors, as defined by the Department of Homeland Security, such as healthcare services, pharmaceutical industry, and food supply entities, as these sectors have a special responsibility to maintain their normal work schedule.

• **Limitations:**
  
  This Order should be read in conjunction with the list that is attached to the Cybersecurity and Infrastructure Security Agency (CISA) memorandum dated March 19, 2020.

  This Order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State of South Dakota, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

  Sovereign nations within the borders of South Dakota should review the matters set forth herein and make their own decisions in accordance with tribal law.

  On April 6, 2020, Gov. Noem issued Executive Order No. 2020-13 relating specifically to Minnehaha & Lincoln Counties. The Order is effective for three weeks from the day of execution until April 27, 2020, unless earlier revoked or amended.

  This Order shall apply to residents and visitors of Minnehaha and Lincoln Counties.

  The Order directs all adults over the age of sixty-five (65) and people of any age who have serious underlying medical conditions, collectively referred to as “Vulnerable Individuals,” to stay at home or a place of residence if possible, except for vulnerable individuals to work in a critical infrastructure sector job or to conduct essential errands.

  A serious underlying medical condition may include chronic lung disease, severe respiratory disorder, moderate to severe asthma, serious heart or cardiac condition, immunosuppression, diabetes, liver disease, chronic kidney disease or someone undergoing dialysis, or other condition identified by one's medical provider.


• **Businesses.** Nothing in this Executive Order prohibits patronizing businesses or organizations that offer essential services for errands and that have complied with the recommended CDC guidelines.

• **Nations.** Sovereign nations within the borders of South Dakota should review the matters set forth herein and make their own decisions in accordance with tribal law.

On April 28, 2020, the Governor announced her “Back to Normal” plan for South Dakotans, providing guidance to individuals, employers, schools, health care providers, and local governments, which is enacted by Executive order 2020-20.


• On May 1, 2020, the Governor signed Executive Order 2020-22, updating guidance to state employees as part of the “Back to Normal” plan.\footnote{Executive Order 2020-22, \url{https://covid.sd.gov/docs/2020-22.pdf}}

• On May 18, 2020, the Governor signed Executive Order 2020-24, which temporarily suspends the regulatory provision that governs on-site visits of Level IV and Level V trauma hospitals, allowing the Department of Health to grant “provisional” trauma designations.\footnote{Executive Order 2020-24, \url{https://covid.sd.gov/docs/2020-24.pdf}}

• The EO also suspends the statute regarding the annual inspection of funeral establishments.

• On May 26, 2020, the Governor signed two executive orders:\footnote{Governor Noem Press Release, \url{https://news.sd.gov/newsitem.aspx?id=26829}}
  - EO 2020-25, which suspends various requirements for state licensing boards; and
  - EO 2020-26, which extends the existing State of Emergency until December 30.

Texas

• On March 19, 2020, Governor Abbott issued a series of executive orders, which limit social gathering, close schools statewide, prohibit visitation at nursing homes, and direct the closure of gyms, bars, and restaurants, with the exception of drive thru or delivery service.\footnote{Texas Executive Orders 1-4, \url{https://gov.texas.gov/news/post/governor-abbott-issues-executive-orders-to-mitigate-spread-of-covid-19-in-texas}}

• On March 22, 2020, Governor Abbott issued an executive order directing all licensed health care professionals and health care facilities to postpone all elective surgeries and medical procedures that are not immediately medically necessary to correct a serious medical condition of, or to preserve the life of, a patient who without immediate performance of the surgery or procedure would be at risk for serious adverse medical consequences or death, as determined by the patient’s physician.\footnote{Texas Executive Order Suspending Elective Procedures, \url{https://gov.texas.gov/news/post/governor-abbott-issues-executive-order-increasing-hospital-capacity-announces-supply-chain-strike-force-for-covid-19-response2}}

• On March 24, 2020, Governor Abbott issued Executive Order GA-10 directing all hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, with the exception of psychiatric hospitals, to submit daily reports of hospital bed capacity to DSHS. In addition, every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for diagnosis of COVID-19 must submit daily test results to Department of State Health Services (DSHS) and the local health department.

• On March 26, 2020, Governor Abbott issued Executive Order GA-11, which mandates that every person who enters the state of Texas as a final destination through an airport, from a point of origin or point of last departure in New York, New Jersey, or the City of New Orleans, must self-quarantine for 14 days from the time of entry into Texas or the duration of the person’s presence in Texas, whichever is shorter.\footnote{Texas Executive Order GA-11, \url{https://gov.texas.gov/uploads/files/press/EO-GA-11_airport_travel_reporting_COVID-19_IMAGE_03-26-2020.pdf}}
  - This order to self-quarantine does not apply to people traveling in connection with military service, emergency response, health response, or critical-infrastructure functions, as may be determined by the Texas Division of Emergency Management.
**Enforcement:** Using a form to be prescribed by the Texas Department of Safety (DPS), each covered person must designate a quarantine location in Texas, such as a residence or a hotel, and provide a full name, date of birth, home address, telephone number, and driver license or passport information. DPS Troopers, or other approved peace officers, will collect a completed form from a covered person and verify it against the person’s driver license or passport.

- A covered person must proceed directly from the airport to the designated quarantine location entered on the DPS form. Any covered person exhibiting symptoms of COVID-19 must be escorted to the designated quarantine location by a DPS Trooper.
- DPS Special Agents will conduct unannounced visits to designated quarantine locations to verify compliance by confirming the physical presence of covered persons. Any failure to comply with this order to self-quarantine shall be a criminal offense punishable by a fine not to exceed $1,000, confinement in jail for a term not to exceed 180 days, or both.

- On March 29, 2020, Governor Abbott issued Executive Order GA-12 which mandates every person who enters the State of Texas through roadways from Louisiana to self-quarantine for a period of 14 days from the time of entry into Texas or the duration of the person’s presence in Texas, whichever is shorter.
  - This order does not apply to people traveling in connection with commercial activity, military service, emergency response, health response, or critical-infrastructure functions, as may be determined by the Texas Division of Emergency Management.
  - **Enforcement:** The Texas Department of Public Safety (DPS) shall enforce this order along the Texas-Louisiana border.
    - DPS will administer this order using the same enforcement measures outlined in Executive Order GA-11, including identification of a quarantine location and periodic visitation.

- On March 29, 2020, Governor Abbott issued Executive Order GA-13 which prohibits release of individuals in custody for or with a history of offenses involving physical or the threat of physical violence.
  - This order states that no authority may grant the commutation of time for good conduct, industry, and obedience to achieve the release of any person who has previously been convicted of or is currently serving a sentence for a crime that involves physical violence or the threat of physical violence.
  - This order prohibits the release of any violent offender to an electronic monitoring program, as opposed to confinement.
  - This order emphasizes that any county judge or mayor of a municipality, or any emergency management director, is precluded from releasing persons under any circumstances inconsistent with the order.
  - This order prevents any person’s automatic release on personal bond because the State is not ready for trial.

- On May 31, 2020, Governor Abbott issued Executive Order GA-14 directed all Texas residents to minimize social gatherings and in person contact with individuals who are not in the same household.

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The order defines Essential Services to include the following:
- Every service listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0; and
- Religious services conducted in churches, congregations, and houses of worship.
- Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM).
- Requests for additions should be directed to TDEM at EssentialServices@tdem.texas.gov or by visiting www.tdem.texas.gov/essentialservices

All services should be provided through remote telework from home unless they are essential services that cannot be provided through remote telework.

If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President and the CDC.

The following businesses are not considered essential services and are directed to close temporarily:
- Cosmetology Salons
- Gyms
- Massage Establishments
- Tattoo Studios
- Piercing Studios
- Eating/Drinking Inside of Bars/Restaurants/Food Courts
  - The use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of the executive order.

The order does not prohibit residents from accessing essential services or engaging in the following activities:
- Going to the grocery store or gas station,
- Providing or obtaining other essential services,
- Visiting parks,
- Hunting or fishing, or
- Engaging in physical activity like jogging or bicycling,

The order prohibits individuals from visiting nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission.

The order directs the continued closure of statewide schools through May 4, 2020.

The order supersedes any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services allowed by this order or allows gatherings prohibited by the order.

The order suspends Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions inconsistent with the order provided that local officials may enforce the order as well as local restrictions that are consistent with the order.

On April 6, 2020, Governor Abbott waived certain regulatory requirements to increase the job capacities of pharmacy technicians and pharmacy interns. Under the Governor's waiver,

pharmacy technicians can now accept prescription drug orders over the phone, which is a responsibility typically reserved for pharmacists. The waiver also allows pharmacy technicians to transfer or receive a transfer of original prescription information on behalf of patients. Additionally, Governor Abbott has waived certain regulations allowing pharmacy interns to assist pharmacists without the designation of preceptor.

- On April 7, 2020, Governor Abbott directed the Texas Parks and Wildlife Department (TPWD) and the Texas Historical Commission (THC) to close all state parks and historic sites as part of the state’s efforts to strengthen social distancing practices and prevent gatherings of large groups of people.

- On April 17, 2020, Governor Abbott issued Executive Order GA-15, which tempers restrictions on surgeries enacted in Executive Order GA-09. Beginning at 11:59 p.m. on April 21 through 11:59 p.m. on May 8, all licensed health care professionals and all licensed health care facilities must continue to postpone all surgeries and procedures that are not medically necessary to diagnose or correct a serious medical condition of, or to preserve the life of, a patient who without timely performance of the surgery or procedure would be at risk for serious adverse medical consequences or death as determined by a patient’s physician. Exceptions now include:
  - Any procedure that, if performed in accordance with the commonly accepted standard of clinical practice, would not deplete the hospital capacity or the PPE needed to cope with COVID-19, or
  - Any surgery or procedure performed in a licensed health care facility that has certified in writing to Texas HHSC both (1) that it will reserve at least 25% of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients, and (2) that it will not request any PPE from any public source — whether federal, state, or local — for the duration of the COVID-19 disaster.

- April 17, 2020, Governor Abbott issued Executive Order GA-16, which permits “re-opened services” to begin operating, subject to certain restrictions as defined in the order.

- The order directs all Texas residents to minimize social gatherings and in person contact with people who are not in the same household, except where necessary to provide or obtain essential services or reopened services.

- The order does not prohibit individuals from accessing essential or reopened services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential or reopened services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.

- Essential services include:
  - Services listed by the U.S. Department of Homeland Security (DHS) in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0 or any subsequent version;
  - Religious services conducted in churches, congregations, and houses of worship.
  - Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM).

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TDEM shall maintain an online list of essential services, as specified in this executive order and any approved additions. Requests for additions should be directed to TDEM at EssentialServices@tdem.texas.gov or by visiting www.tdem.texas.gov/essentialservices.

- Reopened services include:
  - Retail services that are not “essential services,” but that may be provided through pickup, delivery by mail, or delivery to the customer’s doorstep in strict compliance with the terms required by DSHS. The DSHS requirements may be found at www.dhs.texas.gov/coronavirus.
  - Such additional services as may be enumerated by future executive orders or proclamations by the governor.

- Texas Department of State Health Services’ guidance relative to reopened retail operations provides the following.462

  - **Employees:**
    - All employees must be trained on environmental cleaning and disinfection, hand hygiene, and respiratory etiquette.
    - All employees must be screened before coming into the business for new or worsening cough; shortness of breath; sore throat; loss of taste or smell; feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit; or known close contact with a person who is lab-confirmed to have COVID-19.
    - Any employee who meets any of these criteria should be sent home. Upon entering the business, employees must wash or sanitize hands.
    - All employees must wear face coverings.
    - Employees must maintain at least 6 feet separation from one another.

  - **Customers:**
    - Customers may purchase items from a retail location for pickup, delivery by mail, or delivery to the customer’s doorstep, but may not enter the premises.

      - **Retail to-go:**
        - All payments should be done over the phone or internet if possible, and contact should be minimized if remote payment is not available.
        - Purchased items should be delivered by the employee to the backseat or trunk of the customer’s vehicle whenever possible to minimize physical contact with the customer.
        - Employees must wash or sanitize their hands after each interaction with a customer, and whenever possible, must disinfect any item that came into contact with the customer.

      - **Retail delivery to customer’s doorstep:**
        - All payments should be done over the phone or internet if possible, and contact should be minimized if remote payment is not available.
        - Purchased items should be delivered by an employee or third-party carrier and delivered to the customer’s doorstep.
        - The employee or third-party carrier may not enter the customer’s house or business.

      - **Retail delivery by mail:**
        - All payments must be done over the phone or internet.
        - Purchased items should be delivered by mail without customer contact.
        - The customer should wash or sanitize their hands after the transaction.

462DSHS Retail to Go Guidelines, file:///C:/Users/aebeckstrom/Downloads/ReOpenedRetailGuidance.pdf
• In providing or obtaining essential services or reopened services, people and businesses should follow the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, implementing social distancing, and working from home if possible.
  o In particular, all such services should be provided through remote telework from home unless they cannot be provided through remote telework.
  o Religious services should be conducted in accordance with the Guidelines for Houses of Worship During the COVID-19 Crisis, as promulgated by the attorney general and governor.
• The order specifies that Texas residents shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons; provided, however, that the use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of this order.
• Individuals are prohibited from visiting nursing homes, state supported living centers, assisted living facilities, or longterm care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC).
  o Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities whenever possible.
• Schools shall remain temporarily closed to in-person classroom attendance by students and shall not recommence before the end of the 2019-2020 school year. Public education teachers and staff are encouraged to continue to work remotely from home if possible, but may return to schools to conduct remote video instruction, as well as perform administrative duties, under the strict terms required by the Texas Education Agency.
• Private schools and institutions of higher education should establish similar terms to allow teachers and staff to return to schools to conduct remote video instruction and perform administrative duties when it is not possible to do so remotely from home.
• **Preemption:** This order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services or reopened services allowed by this order or allows gatherings prohibited by this executive order.
• **Enforcement:** This order suspends Sections 418.10 15(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions inconsistent with this executive order, provided that local officials may enforce this order as well as local restrictions that are consistent with this order.
• This order shall remain in effect and in full force until 11:59 p.m. on **April 30, 2020**, unless it is modified, amended, rescinded, or superseded by the governor.
• On April 27, 2020, Governor Abbott issued Executive Order GA-18 and announced the first phase of the State of Texas’ ongoing plan to safely open Texas businesses. Under Phase I, certain services and activities are authorized to open with limited occupancy, and the Texas Department of State Health Services (DSHS) will issue minimum standard health protocols for all businesses and individuals to follow.
• The plan outlines specific guidance for Texans over 65 and details a comprehensive mitigation plan for nursing homes. The Governor also announced a statewide testing and tracing program developed by DSHS that will help public health officials quickly identify and test Texans who contract COVID-19 and mitigate further spread of the virus.

Last Updated: 6-3-20
• Pursuant to Executive Order GA-18, 463*“Reopened services” shall consist of the following to the extent they are not already “essential services:”
  o Retail services that may be provided through pickup, delivery by mail, or delivery to the customer’s doorstep.
  o Starting at 12:01 a.m. on Friday, May 1, 2020:
    ▪ In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment.
    ▪ Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that (a) this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51 percent sign required by Texas law as determined by the Texas Alcoholic Beverage Commission, and (b) valet services are prohibited except for vehicles with placards or plates for disabled parking.
    ▪ Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening.
    ▪ Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food court dining areas, play areas, and interactive displays and settings must remain closed.
    ▪ Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that (a) local public museums and local public libraries may so operate only if permitted by the local government, and (b) any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed.
    ▪ For Texas counties that have filed with DSHS, and are in compliance with, the requisite attestation form promulgated by DSHS regarding five or fewer cases of COVID-19, those in-store retail services, dine-in restaurant services, movie theaters, shopping malls, and museums and libraries, as otherwise defined and limited above, may operate at up to 50 percent (as opposed to 25 percent) of the total listed occupancy.
    ▪ Services provided by an individual working alone in an office.
    ▪ Golf course operations.
    ▪ Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.
    ▪ Such additional services as may be enumerated by future executive orders or by the governor.

• The conditions and limitations set forth above for reopened services shall not apply to essential services.

• Notwithstanding anything herein to the contrary, the governor may by proclamation identify any county or counties in which reopened services are thereafter prohibited, in the governor’s sole discretion, based on the governor’s determination in consultation with medical professionals that only essential services should be permitted in the county, including based on factors such as an increase in the transmission of COVID-19 or in the amount of COVID-19-related hospitalizations or fatalities.

• In providing or obtaining essential services or reopened services, people and businesses should follow the minimum standard health protocols recommended by DSHS, found at

This includes also following, to the extent not inconsistent with the DSHS minimum standards, the Guidelines from the President and the CDC, as well as other CDC recommendations.

- Individuals are encouraged to wear appropriate face coverings, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering.

- Religious services should be conducted in accordance with the joint guidance issued and updated by the attorney general and governor.

- People shall avoid visiting bars, gyms, public swimming pools, interactive amusement venues such as bowling alleys and video arcades, massage establishments, tattoo studios, piercing studios, or cosmetology salons.

- The use of drive-thru, pickup, or delivery options for food and drinks remains allowed and highly encouraged throughout the limited duration of this executive order.

- This executive order does not prohibit people from accessing essential or reopened services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential or reopened services, visiting parks, hunting or fishing, or engaging in physical activity like jogging, bicycling, or other outdoor sports, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.

- In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC). Supported living centers, assisted living homes, state facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities whenever possible.

- In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance by students and shall not recommence before the end of the 2019-2020 school year.

  - Public education teachers and staff are encouraged to continue to work remotely from home if possible, but may return to schools to conduct remote video instruction, as well as perform administrative duties, under the strict terms required by the Texas Education Agency.

  - Private schools and institutions of higher education should establish similar terms to allow teachers and staff to return to schools to conduct remote video instruction and perform administrative duties when it is not possible to do so remotely from home.

- This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services or reopened services allowed by this executive order, allows gatherings prohibited by this executive order, or expands the list of essential services or the list or scope of reopened services as set forth in this executive order.

- The order suspends Sections 418.1015(b) and 418.105 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

- This order supersedes Executive Order GA-16, but does not supersede Executive Orders GA-b, GA-il, GA-l2, GA-13, GA-15, or GA-17.
• This order shall remain in effect and in full force until 11:59 p.m. on May 15, 2020, unless it is modified, amended, rescinded, or superseded by the governor.

• DSHS issued recommended minimum standard health protocols for all individuals, all employers and employees, as well as industry-specific protocols for retailers, retail customers, restaurants, restaurant patrons, movie theaters, movie theater customers, museums and libraries, museum and library visitors, outdoor sports participants, single-person offices, and low COVID-19 counties. These protocols are outlined in the Open Texas Checklists within the Governor's report beginning on page 20.

• The Governor's Report to Open Texas also outlines a long-term comprehensive mitigation plan for nursing homes in Texas. Eight recommendations have been developed by HHSC to help mitigate the further spread of COVID-19 and decrease the risk of infection in these facilities. A summary of the recommendations is below, and full recommendations are in the Governor's report beginning on page 9:
  o Quantify the extent of infection immediately
  o Establish a comprehensive mitigation plan
  o Re-evaluate current COVID-19 positive facilities
  o Appropriate isolation and placement of COVID-19 patients
  o Implement enhanced access controls
  o Enhance control of staff access
  o Effective notifications

• Governor Abbott also announced a new statewide testing and contact tracing program. Developed and implemented by DSHS, this program will help identify individuals who have contracted COVID-19 and those who may need to quarantine or be tested due to potential exposure. This phased implementation will allow Texans to box in the virus and slow, or even stop, further spread.
  o Phase I of the tracing program has been completed, and Phase II began on April 27, 2020. Phase III begins May 11, 2020. More details about the contact tracing program are available in the Governor's Report to Open Texas beginning on page 16.

• In addition, Governor Abbott issued Executive Order GA-19, which relaxes certain restrictions related to health care professionals and amends requirements related to hospital capacity. Pursuant to Executive Order GA-19:
  o All licensed health care professionals shall be limited in their practice by, and must comply with, any emergency rules promulgated by their respective licensing agencies dictating minimum standards for safe practice during the COVID-19 disaster.
  o Every hospital licensed under Chapter 241 of the Texas Health & Safety Code shall reserve at least 15% of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients, as determined by HHSC.

• Governor Abbott also issued Executive Order GA-20 to eliminate the mandatory 14-day quarantine period for individuals traveling from Louisiana. Under GA-20, the mandated 14-day quarantine for travelers from the following areas remains in place: California; Connecticut; New York; New Jersey; Washington; Atlanta, Georgia; Chicago, Illinois; Detroit, Michigan, and Miami, Florida.

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On May 5, 2020, Governor Abbott issued Executive Order expanding openings of certain businesses and activities. The Order is effective until May 19, 2020 and provides a phased approach, by date, in which businesses and activities may resume.

The Order defines “Essential services” to include everything listed by the U.S. Department of Homeland Security (DHS) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.0 or any subsequent version, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this executive order and any approved additions. Requests for additions should be directed to TDEM at EssentialServices@tdem.texas.gov or by visiting the TDEM website at www.tdem.texas.gov/essentialservices.

The Order declares that “reopened services” shall consist of the following to the extent they are not already considered essential services:

- Retail services that may be provided through pick-up, delivery by mail, or delivery to the customer’s doorstep.
- In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment.
- Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages; the occupancy limits do not apply to customers seated in outdoor areas of the restaurant; and valet services are prohibited except for vehicles with placards or plates for disabled parking.
- Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening.
- Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food-court dining areas, play areas, and interactive displays and settings must remain closed.
- Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that local public museums and local public libraries may so operate only if permitted by the local government, and any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed.
- Services provided by an individual working alone in an office, effective until 12:01 a.m. on Monday, May 18, 2020, when this single-person office provision is superseded by the expanded office-based services provision set forth below.
- Golf course operations.
- Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.
- Wedding venues and the services required to conduct weddings; provided, however, that for weddings held indoors other than at a church, congregation, or house of worship, the facility may operate at up to 25 percent of the total listed occupancy of the facility.
- Wedding reception services, for facilities that operate at up to 25 percent of the total listed occupancy of the facility; provided, however, that the occupancy limits do not apply to the outdoor areas of a wedding reception or to outdoor wedding receptions.

Effective Friday, May 8, 2020 the following may reopen:

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Cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade; provided, however, that all such salons, shops, and establishments must ensure at least six feet of social distancing between operating work stations.

Tanning salons; provided, however, that all such salons must ensure at least six feet of social distancing between operating work stations.

Swimming pools; provided, however, that (i) indoor swimming pools may operate at up to 25 percent of the total listed occupancy of the pool facility; (ii) outdoor swimming pools may operate at up to 25 percent of normal operating limits as determined by the pool operator; and (iii) local public swimming pools may so operate only if permitted by the local government.

Effective Monday, May 18, 2020 the following may resume operations:

- Services provided by office workers in offices that operate at up to the greater of (i) five individuals, or (ii) 25 percent of the total office workforce; provided, however, that the individuals maintain appropriate social distancing.
- Manufacturing services, for facilities that operate at up to 25 percent of the total listed occupancy of the facility.
- Gyms and exercise facilities and classes that operate at up to 25 percent of the total listed occupancy of the gym or exercise facility; provided, however, that locker rooms and shower facilities must remain closed, but restrooms may open.

County Exemptions for More Reopening Capabilities: For Texas counties that have filed with DSHS, and are in compliance with, the requisite attestation form promulgated by DSHS regarding five or fewer cases of COVID-19, those in-store retail services, dine-in restaurant services, movie theaters, shopping malls, museums and libraries, indoor wedding venues, wedding reception services, swimming pools, services provided by office workers in offices of more than five individuals, manufacturing services, and gyms and exercise facilities and classes, as otherwise defined and limited above, may operate at up to 50 percent (as opposed to 25 percent).

Notwithstanding anything herein to the contrary, the governor may by proclamation identify any county or counties in which reopened services are thereafter prohibited, in the governor’s sole discretion, based on the governor’s determination permitted in the county, including based on factors such as an increase in the transmission of COVID-19 or in the amount of COVID-19-related hospitalizations or fatalities.

Essential Services Exemption: The conditions and limitations set forth above for reopened services shall not apply to essential services.

Occupancy Guidelines: The total listed occupancy limits described above refer to the maximum occupant load set by local or state law, but for purposes of this executive order, staff members are not included in determining operating levels except for non-essential manufacturing service providers and services provided by office workers.

In providing or obtaining essential services or reopened services, all persons (including individuals, businesses and other organizations, and any other legal entity) should use good-faith efforts and available resources to follow the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus. All persons should also follow, to the extent not inconsistent with the DSHS minimum standards, the Guidelines from the President and the CDC, as well as other CDC recommendations. Individuals are encouraged to wear appropriate face coverings, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering.

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467 Texas Department of Health and Human Services, [List of counties that may operate at 50% capacity per the attestation, process.](file:///C:/Users/bnosborne/Downloads/CountiesThatMayOperateAt50Percent.pdf)
covering. Nothing in this executive order or the DSHS minimum standards precludes requiring a customer wishing to obtain services to follow additional hygiene measures.

- **Religious Services:** Religious services should be conducted in accordance with the joint guidance issued and updated by the attorney general and governor.

- **People shall avoid visiting bars, massage establishments, tattoo studios, piercing studios, sexually oriented businesses, or interactive amusement venues such as bowling alleys, video arcades, amusement parks, water parks, or splash pads, unless these enumerated establishments or venues are specifically added as a reopened service by proclamation or future executive order of the governor.** Notwithstanding anything herein to the contrary, the governor may by proclamation add to this list of establishments or venues that people shall avoid visiting. To the extent any of the establishments or venues that people shall avoid visiting also offer reopened services permitted above, such as restaurant services, these establishments or venues can offer only the reopened services and may not offer any other services. The use of drive-thru, pickup, or delivery options for food and drinks remains allowed and highly encouraged throughout the limited duration of this executive order.

- **This executive order does not prohibit people from accessing essential or reopened services or engaging in essential daily activities, such as going to the grocery store or gas station; providing or obtaining other essential or reopened services; visiting swimming pools, parks, beaches, rivers, or lakes; hunting or fishing; or engaging in physical activity like jogging, bicycling, or other outdoor sports, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.**

- **Visiting Healthcare Facilities:** In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities whenever possible.

- **Jurisdiction:** This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services or reopened services allowed by this executive order, allows gatherings prohibited by this executive order, or expands the list of essential services or the list or scope of reopened services as set forth in this executive order.

- **On May 12, 2020, Governor Abbott issued a proclamation extending his Disaster Declaration for all Texas counties in response to COVID-19. Originally issued on March 13 and extended on April 12, the Disaster Declaration provides a number of resources to effectively serve Texans as the state continues to mitigate the spread of COVID-19.**

- **On May 18, Governor Abbott announced Phase Two of reopening, in which restaurants may increase their occupancy to 50% and additional services and activities that remained closed under Phase I may open with restricted occupancy levels and minimum standard health protocols laid out by the Texas Department of State Health Services (DSHS).**
  - Pursuant to Executive Order GA-23, the following services and activities may open under Phase Two:
    - Child Care Centers (May 18)
    - Massage and Personal-Care Centers (May 18)

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- Youth Clubs (May 18)
- Rodeo and Equestrian Events (May 22)
- Bowling Alleys, Bingo Halls, Simulcast Racing, and Skating Rinks (May 22)
- Bars (May 22)
- Aquariums and Natural Caverns (May 22)
- Zoos (May 29)
- Day Youth Camps (May 31)
- Overnight Youth Camps (May 31)
- Youth Sports (May 31)
- Certain professional sports without in-person spectators (May 31)

- All sporting and camp activities are required to adhere by special safety standards, and minimum standard health protocols have been established for all newly-announced opened services and activities.
- Businesses located in office buildings may also open but must limit their occupancy to the greater of 10 employees or 25% of their workforce.
- Additionally, restaurants may expand their occupancy to 50% beginning May 22.
- Bars—including wine tasting rooms, craft breweries, and similar businesses—may open at 25% occupancy but like restaurants, these occupancy limits do not apply to outdoor areas that maintain safe distancing among parties.
- Opened services and activities under Phase Two are subject to certain occupancy limits and health and safety protocols. For details and a full list of guidelines, openings, and relevant dates, visit www.gov.texas.gov/opentexas.
- Certain counties experiencing surges in COVID-19 cases will have their beginning date of Phase Twp. delayed until May 29. These counties include El Paso, Randall, Potter, Moore, and Deaf Smith. Surge Response Teams are actively working in these areas to increase testing, maintain hospital capacity, and ensure that COVID-19 is contained and mitigated.
- Executive Order GA-23 will remain in effect until June 3, 2020.
- On May 19, 2020, the Governor urged local governments to reduce the property tax burden on Texans. He also urged the passage of legislation to protect business owners, healthcare facilities and employees, and first responders from being held liable for COVID-19 exposure claims when they adhere to relevant public health guidelines.470
- On May 21, 2020, the Governor announced that the Texas Department of Public Safety will begin a phased reopening of driver license offices beginning May 26 with limited offerings.471
- On May 21, 2020, the Governor issued Executive Order GA-24 terminating air travel restrictions related to COVID-19.472
- On May 21, 2020, the Governor directed the Texas Health and Human Services Commission to expand COVID-19 testing to all patients, residents, and staff at the 23 state-operated inpatient psychiatric hospitals and living centers throughout the state.473
- On May 27, 2020, the Governor issued a proclamation, expanding services and activities permitted to reopen under Phase II of the state’s reopening plan. Water parks may reopen beginning May 29; recreational sports programs for adults may resume on May 31, with games

and competitions beginning on June 15. Additionally, food-court dining areas within shopping malls can reopen immediately with limited occupancy and under health and safety regulations.\textsuperscript{474}

- On May 27, 2020, the Governor and the Texas Health and Human Services Commission (HHSC) announced $3.6 million in funding for nursing facilities to purchase tablets, webcams, and headphones to connect residents with their loved ones during COVID-19. Nursing facility providers can submit applications to HHSC to receive up to $3,000 in federal funding per facility.\textsuperscript{475}

\textbf{Utah}

- On March 27, 2020, Governor Gary Hebert issued a Stay Home Stay Safe Directive to establish minimum statewide standard relative to COVID-19. This directive is not a shelter in place mandate.\textsuperscript{476}

The directive urges individuals to do the following:
- Stay at home as much as possible.
- Work from home whenever possible.
- Encourage socializing by phone and video chats.
- Self-quarantine for 14 days after traveling or being exposed to an individual presenting symptoms of illness consistent with COVID-19.
- Engage in appropriate social distancing, including:
  - maintaining a 6-foot distance at all times from other individuals when in public;
  - not shaking hands with other individuals;
  - not visiting friends or family without urgent need;
  - not attending any gathering of any number of people, except for members of the same household or residence.
- Follow strict hygiene standards, including:
  - washing hands frequently with soap and water for at least 20 seconds;
  - using hand sanitizer frequently;
  - avoiding touching your face;
  - coughs or sneezes (e.g., into the sleeve or elbow, not hands);
  - regularly cleaning high-touch surfaces (e.g., buttons, door handles, counters, light switches); and
  - following any other standards promulgated by the Centers for Disease Control and Prevention (CDC), the Utah Department of Health, and applicable local health departments.
- Help others as reasonably appropriate to practice all the same principles.
- Limit physical interactions with high-risk individuals.
- Limit visits to hospitals, nursing homes, and other residential care facilities.
- For profit and non profit entities are directed to adhere to the following:
  - Respond in a flexible way to varying levels of disease transmission in the community and refine business response plans as needed.
  - Consider how best to decrease the spread of COVID-19 and lower the impact in the workplace.

\textsuperscript{474} Governor Abbott Press Release, \url{https://gov.texas.gov/news/post/governor-abbott-announces-additional-services-and-activities-that-can-open-under-phase-ii}


Encourage and enable employees and volunteers to telework from home. Only employees or volunteers who perform work that cannot be done from their home should be exempted from teleworking.

Utilize video conferencing and virtual meeting services.

Implement policies for employees and volunteers who cannot telework, including:
- requiring employees and volunteers who present symptoms of illness consistent with COVID-19 to stay home;
- not requiring a positive COVID-19 test result or health care provider’s note for employees or volunteers who stay home due to illness;
- enhancing social distancing by grouping employees and volunteers into cohorts of no more than ten individuals that have limited contact with other cohorts in the workplace;
- enabling employees and volunteers to follow the directives for all individuals, as described above (e.g., by providing hand soap, hand sanitizer, or sanitizing wipes);
- minimizing face-to-face contact with high-risk employees and volunteers, or assigning work tasks to high-risk employees and volunteers that allow them to maintain a distance of at least six feet from other workers, customers and visitors, or to telework if possible; and
- implementing flexible work hours (e.g., staggered shifts).

Assess essential functions and the reliance that others and the community have on services or products offered.

Be prepared to change business practices if needed to maintain critical operations (e.g., identify alternative suppliers, prioritize existing customers, or temporarily suspend some of your operations if needed).

Identify alternate supply chains for critical goods and services.

Coordinate with companies that provide your business with contract or temporary employees or volunteers about the importance of sick employees and volunteers staying home and encourage them to develop non-punitive leave policies.

Coordinate with business partners about your response plans. Share best practices with other businesses in your communities (especially those in your supply chain), chambers of commerce, and associations to improve community response efforts.

Take measures to accommodate high-risk individuals in the workplace.

The following for profit and non profit entities exempted from the directives described above:
- Health care professionals.
- Law enforcement officers and first responders.
- Faith leaders and workers, including an official, worker, or leader in a house of worship or other places of religious expression or fellowship, wherever their services may be needed. Faith leaders and workers also include a worker necessary to plan, record, and distribute online or broadcast content to community members.
- Charitable and social services organizations, including workers supporting organizations that provide food, shelter, prescription delivery, mental health and substance abuse treatments, and other social services, as well as other necessities of life for individuals in need of such services, older adults who live alone, people with disabilities, and those who need assistance as a result of this emergency.

On April 1, 2020, the Governor issued an executive order, extending the closure of dine-in service at food establishments until April 15.\textsuperscript{477}

\textsuperscript{477} Utah State Public Health Order, \url{https://drive.google.com/file/d/1PH2tbSfCvKjtsw7LG1PqyhPclCaqiQ6/view}

Last Updated: 6-3-20
On April 1, 2020, the Governor issued an executive order instituting a moratorium on residential evictions for tenants directly impacted by COVID-19.478

On April 9, 2020, the Governor issued an Executive Order requiring individuals entering Utah to complete a travel declaration form.479

On April 13, 2020, the Governor extended the Stay Safe Stay Home directive until May 1.480

On May 6, 2020, the Governor signed an Executive Order, clarifying guidelines in the moderate- and low-risk phases of the Utah Leads Together reopening plan.481

On May 6, 2020, the Governor’s Office of Economic Development announced the COVID-19 Commercial Rental Assistance Program to provide relief to Utah small businesses that rent commercial property.482

On May 15, 2020, the Governor issued an Executive Order, moving much of the state to a Low Health Risk Status effective on May 16. The order clarifies that Grand County, Summit County and Wasatch County will remain at an Orange Health Risk.483

On May 21, 2020, the Governor issued an executive order moving Summit and Wasatch Counties to Low Health Risk status.484

Vermont485

On March 24, 2020, Gov. Phil Scott issued Addendum 6 to Executive Order 01-20486, a stay-at-home order for the state that included the closure of all non-essential businesses to try and halt the spread of coronavirus.

The order directs the following:

- Vermonters are directed to stay at home or in their place of residence, leaving only for essential reasons such as: personal safety; groceries or medicine; curbside pick-up of goods, meals or beverages; medical care; exercise; care of others; and work, as set forth further below.
- As previously directed, all workers shall work remotely when possible.
- All businesses and not-for-profit entities in the state that are not providing services or functions deemed critical to public health and safety shall suspend in-person business operations.
- Services or functions in Vermont deemed critical to public health and safety, as well as economic and national security include:
  - health care operations such as COVID-19 testing and clinical research, hospital personnel and other healthcare providers, public health workers and other

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478 Utah Executive Order-Evictions, https://drive.google.com/file/d/1DIvfcaMeSeUhfNmzr-3Cwo3Dy2Q2IO2l/view
healthcare service providers, laboratory services, caregivers, logistics, technology, security and custodial support, blood and plasma donors and mortuary services;

- law enforcement, public safety and first responders, including fire, ambulance services, emergency medical technicians and emergency management personnel;
- critical infrastructure including utilities, telecommunication, airports and transportation infrastructure;
- construction necessary to support the COVID-19 response and maintain critical infrastructure;
- critical manufacturing, including food and animal feed manufacturing, processing and supply, pharmaceuticals and other manufacturing necessary to support the COVID-19 response as well as economic and national security;
- retail serving basic human needs such as grocery stores, pharmacies, other retail that sells food, beverage, animal feed and essential supplies, provided, these retail operations shall be conducted through on-line and telephone orders for delivery and curb-side pickup to the extent possible;
- fuel products and supply;
- hardware stores, provided, these retail operations shall be conducted through on-line and telephone orders for delivery and curb-side pickup to the extent possible;
- transportation sector and agricultural sector equipment parts, repair and maintenance, provided these retail operations shall be conducted through on-line and telephone orders for delivery and curb-side pickup to the extent possible;
- trash collection and disposal, recycling and operations and maintenance of drinking water and wastewater/drainage infrastructure;
- agriculture and farms, animal shelters, production and delivery of seed, chemicals and fertilizers, CSAs and veterinarians;
- lodging, to the extent required to support COVID-19 response, critical infrastructure and national security;
- other building and property services for the safety, sanitation and operations of residences or other businesses;
- mail and shipping services;
- news media;
- banks and related financial institutions, provided, however, routine retail banking operations shall be limited to transactions conducted through automated teller machines, drive-through services and online and telephone services;
- providers of necessities and services to economically disadvantaged populations; and
- other vendors of technical, security, logistics, custodial and equipment repair and maintenance services necessary to support the COVID-19 response, critical infrastructure and national security.

Other businesses may be determined to be critical to public health and safety, as well as economic and national security after requesting an opinion from ACCD. ACCD shall consider:

- whether a business is necessary in order to properly respond to this emergency;
- whether a business transaction or the performance of services requires in-person contact;
- implications for business operations in Vermont, taking into account the economic and societal impacts as well as supply chain dependencies that are geographically distributed; and
• such other factors as the Secretary of ACCD shall determine, in consultation with the Commissioner of the Department of Health and the Commissioner of Public Safety.
  - Essential state and local government functions will also remain open, including offices that provide essential government services

• On April 3, 2020, the Governor issued an order clarifying that the expiration date of all previous orders and guidance must comply with the April 15 expiration date provided in the Stay Home, Stay Safe order.
• On April 10, 2020, Governor Scott extended the State of Emergency through May 15. The order also extends the expiration of all orders pertaining to the COVID-19 response. 487
• On April 20, 2020, Governor Scott issued Addendum 10 to Executive Order 01-20, the Work Smart and Stay Safe Restart VT-Phase I. 488
• The order provides that the State shall undertake a phased approach to reopen the economy, balancing the need to restore and strengthen our overall social and economic wellbeing with the prevention of a resurgence of COVID-19 that would undermine or lose the important public health outcomes achieved to date. In order to achieve this balance, all businesses and non-profit and governmental entities, including employees and contractors of governmental entities, which are operating or will be operating during the declared State of Emergency, shall implement the following physical distancing, health and sanitation measures in accordance with Vermont Department of Health and CDC guidelines:
  o Employees shall not report to, or be allowed to remain at, work or job site if sick or symptomatic (with fever, cough, and/or shortness of breath).
  o Employees must observe strict social distancing of 6 feet while on the job.
  o Employees must wear non-medical cloth face coverings (bandanna, scarf, or nonmedical mask, etc.) over their nose and mouth when in the presence of others.
  o In the case of retail cashiers, a translucent shield or “sneeze guard” is acceptable in lieu of a mask.
  o Employees must have easy and frequent access to soap and water or hand sanitizer during duration of work, and handwashing or hand sanitization should be required before entering, and leaving, job sites. All common spaces and equipment, including bathrooms, frequently touched surfaces and doors, tools and equipment, and vehicles must be cleaned and disinfected at the beginning, middle and end of each shift and prior to transfer from one person to another.
  o No more than 2 people shall occupy one vehicle when conducting work.

• Customer and General Public Mask Use. Customers and the public in general, are encouraged to wear cloth face coverings any time they are interacting with others from outside their households.

• Phased Restart. Preventing outbreaks and limiting the spread of COVID-19 is the only way to avoid future business and social disruption. The success of this phased restart will depend in large part on the ability of employers and employees to adhere to the public health, safety, and social distancing measures essential to limiting the spread of illness.
  o To safely reopen certain business, non-profit and governmental operations not determined to be critical pursuant to the Governor’s Stay Home/Stay Safe order, ACCD shall, in consultation with VDH and the Department of Public Safety/Vermont

488 Vermont Addendum 10 to Executive Order 01-20, https://governor.vermont.gov/sites/scott/files/documents/ADDENDUM%2010%20TO%20EXECUTIVE%20ORDER%202001-20_0.pdf
Emergency Management, support the development of plans and sector strategies to allow for phase, data-driven reopening.

- Subject to compliance by all affected businesses and non-profit and government entities with the health and safety requirements above, Phase 1 of this effort, effective April 20, 2020, will allow the following:
  - In consultation with VDH and the DPS/VEM shall issue guidance, which authorizes “micro-crews,” or no more than two (2) persons per location/job, to perform outdoor work and construction work in unoccupied structures.
  - Supporting operations may resume with the minimum number of employees necessary to support curbside pick-up and delivery services, and in accordance with the guidance issued by ACCD.
  - ACCD shall clarify guidance for commercial retail operations, including those that operate in an outdoor setting, that they may resume operations with the minimum number of employees necessary to support curbside pick-up, delivery services, and warehouse or distribution operations in support of curbside, or delivery.
  - All orders must occur over the phone or online and no in-store transactions are allowed at this time.
  - Services operating with a single worker (such as appraisers, realtors, municipal clerks, attorneys, property managers, pet care operators and others), may resume operations so long as no more than 2 persons (service provider and client) are present at one time.
  - Businesses and non-profit and government entities deemed critical in accordance with Addendum 6 to the Executive Order and ACCD Sector Guidance (Stay Home/Stay Safe), may continue to operate under pre-existing guidance and shall operate in accordance with mandatory health and safety requirements set forth above.
  - In accordance with Addendum 5 to the Executive Order (Order to Work From Home for all Businesses and Non-Profits) and Stay Home Stay Safe, all businesses, non-profit entities and government entities shall continue procedures to support work from home and telecommuting for all workers to the extent possible.
  - All businesses, not-for profit entities and government entities are encouraged to continue business strategies, procedures and practices to maximize use of on-line presence, telephone and web-based service delivery and phone or online orders for term curb-side pick-up and delivery.
  - This Addendum 10 shall take effect upon signing and shall continue in full force and effect until midnight on May 15, 2020, at which time the Governor, in consultation with the Vermont Department of Health and the Department of Public Safety/Division of Emergency Management shall assess the emergency and determine whether to amend or extend this Addendum.

- On April 24, 2020, Governor Scott announced additional openings as part of the phased restart of Vermont’s economy, while the Stay Home, Stay Safe order remains in effect.\textsuperscript{489}
  - The Governor issued an Executive Order requiring operating businesses to: implement physical distancing, health, and sanitation measures; require employees to wear face

coverings; and for employers to provide – and for employees to complete – training on health and safety requirements.490

- If able to comply with the outlined safety measures, the Governor’s order allows the following operations to reopen:
  - Expanding on Addendum 10, outdoor businesses, construction operations and recreation maintenance work may operate with a maximum of five total workers per location. (Effective April 27).
  - Manufacturing and distribution operations, and interior construction of uninhabited structures, may resume operations with a maximum of five employees in one location, if they are low-density and ensure employees are always six feet apart. (Effective April 27). Corresponding guidance from the Agency of Commerce and Community Development makes clear that, consistent with Addendum 7, workers from out of state must quarantine for 14 days upon arrival; lodging properties remain closed to guests, including to non-essential out-of-state workers, except those previously exempted such as essential workers.
  - Outdoor retail space, previously restricted to curbside or delivery service, can allow in-person shopping with a maximum of 10 total people. (Effective April 27).
  - Farmers Markets may open May 1 with strict alterations that focus on food distribution and prevent congregating. They must meet the same health and safety requirements of all other operations and are directed to use a pre-order/pick-up model whenever possible. Local municipalities must approve reopening. Additional guidance will be provided by the Agency of Agriculture

- On May 1, 2020, the Governor announced the third, incremental step forward to reopen Vermont. The addendum:491
  - Allows crews of 10 or fewer employees per job location to perform outdoor work and construction work;
  - Allows manufacturing and distribution operations to resume with a maximum of 10 employees in any location if they adhere to social distancing;
  - Allows manufacturing, construction and distribution operations to restart with as few employees as necessary to permit full operations; and
  - Requires additional health and safety requirements for employees, including pre-screening and temperature checks and VOSHA developed health and safety training.

- On May 4, 2020, the Governor announced that limited elective procedures may resume.492
- On May 6, 2020, the Governor announced the resumption of outdoor recreation and limited social interactions while following strict health and safety precautions.493

• On May 15, 2020, the Governor signed Addendum 14, extending the State of Emergency to June 15, and updating previous emergency orders to reflect re-openings and eased restrictions announced in recent weeks.\footnote{Governor Scott Press Release, \url{https://governor.vermont.gov/sites/scott/files/documents/ADDENDUM%2014%20TO%20EXECUTIVE%20ORDER%2001-20.pdf}}


• On March 23, 2020, Governor Ralph Northam to issued Executive Order No. 53, which mandates the closure of certain non-essential businesses, bans all gatherings of more than 10 people, and closes all K-12 schools for the remainder of the academic year. Governor Northam is also urging all Virginians to avoid non-essential travel outside the home, if and when possible. The order goes into effect at 11:59 PM on Tuesday, March 24, 2020 and will remain in place until 11:59 PM on Thursday, April 23, 2020.

• The order requires the closure of the following businesses:
  - All dining and congregation areas in restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, tasting rooms, and farmers markets;
    - Restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, tasting rooms, and farmers markets may continue to offer delivery and take-out services.
  - Entertainment centers;
  - Fitness centers, gymnasiums, recreation centers, indoor sports facilities, and indoor exercise facilities;
  - Beauty salons, barbershops, spas, massage parlors, tanning salons, tattoo shops, and any other location where personal care or personal grooming services are performed that would not allow compliance with social distancing guidelines to remain six feet apart;
  - Racetracks and historic horse racing facilities; and
  - Bowling alleys, skating rinks, arcades, amusement parks, trampoline parks, fairs, arts and craft facilities, aquariums, zoos, escape rooms, indoor shooting ranges, public and private social clubs, and all other places of indoor public amusement.

• Nothing in the Order shall limit:
  - The provision of health care or medical services;
  - Access to essential services for low-income residents, such as food banks;
  - The operations of the media;
  - Law enforcement agencies; or
  - The operation of government.

• **Essential retail businesses** that may remain open during normal business hours include the following:
  - Grocery stores, pharmacies, and other retailers that sell food and beverage products or pharmacy products, including dollar stores, and department stores with grocery or pharmacy operations;
  - Medical, laboratory, and vision supply retailers;
  - Electronic retailers that sell or service cell phones, computers, tablets, and other communications technology;
  - Automotive parts, accessories, and tire retailers as well as automotive repair facilities;
  - Home improvement, hardware, building material, and building supply retailers;
  - Lawn and garden equipment retailers;
  - Beer, wine, and liquor stores;

Retail functions of gas stations and convenience stores;
Retail located within healthcare facilities;
Banks and other financial institutions with retail functions;
Pet and feed stores;
Printing and office supply stores; and
Laundromats and dry cleaners.

Any brick and mortar retail business not listed above may continue to operate but must limit all in-person shopping to no more than 10 patrons per establishment. If any such business cannot adhere to the 10 patron limit with proper social distancing requirements, it must close.

On March 30, 2020, Governor Northam issued Executive Order 55 directing all individuals in Virginia to remain in their place of residence, except as provided by the Order and Executive Order 53. The Order will remain in effect until June 10, 2020, subject to modification or extension.\(^\text{496}\)

Individuals may leave their residences for the following purposes:

- Obtaining food, beverages, goods, or services as permitted in Executive Order 53;
- Seeking medical attention, essential social services, governmental services, assistance from law enforcement, or emergency services;
- Taking care of other individuals, animals, or visiting the home of a family member;
- Traveling required by court order or to facilitate child custody, visitation, or child care;
- Engaging in outdoor activity, including exercise, provided individuals comply with social distancing requirements;
- Traveling to and from one’s residence, place of worship, or work;
- Traveling to and from an educational institution; h. Volunteering with organizations that provide charitable or social services; and
- Leaving one’s residence due to a reasonable fear for health or safety, at the direction of law enforcement, or at the direction of another government agency.

This order directs the closure of all public beaches and the cessation of all reservations for overnight stays of less than 14 nights at all privately-owned campgrounds.

All relevant state agencies shall continue to work with all housing partners to execute strategies to protect the health, safety, and well-being of Virginians experiencing homelessness during this pandemic and to assist Virginians in avoiding evictions or foreclosures.

On April 24, 2020, Governor Northam presented the “Forward Virginia” blueprint, guiding the easing of public health restrictions in the state. The blueprint includes the following priorities:\(^\text{497}\)

- Testing and tracing;
- Personal Protective Equipment;
- Hospital Capacity and staff; and
- Phase One of easing restrictions.

Phase one includes continued social distancing, teleworking, limits on travel and public gatherings, and recommended use of face coverings. Any easing of restrictions will be informed by public health experts, members of the Governor’s COVID-19 Business Task Force, state and local officials, and other stakeholders.

The Commonwealth is developing two sets of guidance: one with broad based recommendations for all businesses, and another with industry specific recommendations for public-facing


businesses like restaurants and non-essential retail. The guidance will be provided to businesses in early May.

• On April 28, 2020, Governor Northam signed Executive Order 60, reinforcing certain statutory liability protections for Virginia healthcare workers.498
• On May 4, 2020, the Governor outlined a three-phase plan to ease restrictions in Virginia, known as the Forward Virginia Blueprint.499
• Under the Forward Virginia Blueprint, Phase I guidelines for all businesses include:
  o Physical distancing
  o Enhanced cleaning and disinfection
  o Enhanced workplace safety
  o Phase I could last 2-4 weeks or longer.
• Phase II guidelines include:
  o Stay-at-home for vulnerable populations
  o No social gatherings of more than 50 individuals
  o Continued social distancing
  o Continued teleworking
  o Face coverings recommended in public
  o Further easing business limitations
  o Phase 2 could last 2-4 weeks or longer
• Phase III guidelines include:
  o To move to Phase III, there must be no evidence of rebound for a sustained period of time.
  o Safer at home for vulnerable populations
  o Remove ban on social gatherings
  o Remove capacity limits in establishments
  o Continue heightened cleaning and disinfection
  o •Possible other measures
  o Phase III could be 10-12 weeks away, or more.
• On May 9, Governor Northam signed Executive Order 61 and presented a detailed framework for the first phase of the “Forward Virginia” plan to safely and gradually ease public health restrictions while containing the spread of COVID-19. The Phase One guidelines will be implemented when the data meets the public health criteria outlined by the Commonwealth.
  o Under Phase One, the Commonwealth will move to a Safer at Home strategy, which continues the ban on social gatherings of more than 10 people and maintains recommendations for social distancing, teleworking, and wearing face coverings.
  o All businesses should make modifications to maintain six feet of physical distancing, increase cleaning and sanitization of high contact surfaces, and provide enhanced workplace safety measures.
  o Retail establishments will be allowed to operate at 50 percent occupancy, restaurant and beverage establishments may offer outdoor dining at 50 percent occupancy, personal grooming services may begin operating with one patron per service provider, and fitness centers may offer outdoor exercise services.
  o Campgrounds may also begin taking reservations for short-term stays.

• Places of worship have had a 10-person limit and have been allowed to hold drive-in services allowed. In Phase One, drive-in services may continue, and services may be held inside at 50 percent capacity.
• Entertainment and public amusement venues will remain closed and beaches will continue to be open only for exercise and fishing.
• Childcare centers remain open for children of working families.
• Overnight summer camps will remain closed in Phase One.
• On May 12, 2020, the Governor issued Executive Order 62, allowing specific localities in Northern Virginia to delay Phase One of the “Forward Virginia” plan, originally set to begin for all of Virginia on May 15, until May 28.500
• On May 18, 2020, Governor Northam announced that the city of Virginia Beach may reopen its beaches under various restrictions including no group sports play, speakers with music, or alcohol.501
• On May 26, 2020, the Governor signed Executive Order 63, requiring Virginians to wear face coverings in public indoor settings.502
• On May 26, 2020, the Governor amended Executive Order Fifty-One, extending the state’s Emergency Declaration.503

Washington

• On March 24, 2020, Governor Jay Inslee issued the Stay Home Stay Healthy Order504 directing all residents in Washington State to immediately cease leaving their home or place of residence except: (1) to conduct or participate in essential activities, and/or (2) for employment in essential business services.

• Essential Businesses in the following sectors505, further defined in the order, are exempt from closure and permitted to remain open:
  o Health care/public;
  o Emergency services
  o Energy
  o Water and wastewater
  o Transportation
  o Communications and IT
  o Critical manufacturing
  o Hazardous materials

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For purposes of this order, minimum basic operations are the minimum activities necessary to maintain the value of the business’ inventory, preserve the condition of the business’ physical plant and equipment, ensure security, process payroll and employee benefits, facilitate employees of the business being able to continue to work remotely from their residences, and related functions.

This order shall not be construed to prohibit working from home, operating a single owner business with no in-person, on-site public interaction, or restaurants and food services providing delivery or take-away services, so long as proper social distancing and sanitation measures are established and implemented.

On April 10, 2020, Governor Inslee issued a proclamation removing restrictions on paying employees by mail, allowing for shared leave, and waiving requirements prohibiting accrued vacation time.\(^{506}\)

On April 14, 2020, the Governor issued a proclamation suspending statutes that permit the collection of consumer debt judgements, including bank account and wage garnishments and waiving the accrual of post-judgment interest on consumer debt judgments.\(^{507}\)

Governor Inslee recently announced the extension of the Stay Home, Stay Health Order until May 4, 2020.

On April 21, 2020, Governor Inslee announced Washington’s Recovery Plan, building a framework to loosen restrictions as the spread of COVID-19 continues to decline.\(^{508}\)

The governor’s plan has three overriding goals:

- **Protect the health and safety of Washingtonians**: The recovery plan begins with widely available testing for individuals who may have contracted COVID-19, tracing for those who have come into close contact with COVID-19 positive individuals, and isolation or quarantine for individuals who could transmit the virus.

- **Facilitate a safe start and transition to economic recovery**: When aspects of the “Stay Home, Stay Healthy” order are lifted, the state will provide guidelines so businesses can operate safely. Even after the order is lifted, workplaces will continue to look and operate differently until a COVID-19 vaccine is available. Continued physical distancing, teleworking and other measures will continue to be necessary to keep workers and customers safe.

- **Support all people and communities**: A safe return to public life will require increased social and emotional supports, food and housing security, educational and child care support, internet infrastructure and equitable access to services.

The plan also emphasizes the necessity that community leaders from across the state to work together to provide guidance for a safe and sustainable recovery for all Washingtonians. The governor will appoint three leadership groups to advise on public health, economic recovery and social supports.

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• On April 23, 2020, Governor Inslee extended 20 existing proclamations until May 4, including proclamations regarding:\footnote{Governor Inslee Order Extensions, \url{https://www.governor.wa.gov/office-governor/official-actions/proclamations}}
  o Long-term health care;
  o Department of Revenue relief from penalties;
  o Unemployment Insurance waivers;
  o Child care background checks;
  o Healthcare workers licensing requirements; and
  o Visitation and remedial services, among others.

• On April 24, 2020, Governor Inslee, in consultation with Washington’s construction industry, announced plans to permit the completion of current construction projects, previously postponed by COVID-19 health restrictions.

• On April 27, 2020, Governor Inslee announced the partial reopening of some outdoor recreation activities, including day use at state parks, state public lands managed by the DNR and WDFW, fishing, hunting, and playing golf.\footnote{Governor Inslee Press Release Re: Easing Outdoor Restrictions, \url{https://www.governor.wa.gov/news-media/inslee-announces-easing-outdoor-restrictions}}

• On April 29, 2020, the Governor clarified guidance regarding the completion of ongoing construction projects.


• On May 1, 2020, the Governor released a chart outlining the state’s phased approach to reopening with modified physical distancing measures.

• On May 4, 2020, the Governor signed an executive order outlining Washington’s “Safe Start” plan – a phased approach to reopening the state’s economy.\footnote{Governor Inslee Press Release, \url{https://www.governor.wa.gov/news-media/inslee-issues-guidance-partially-resuming-store-retail-and-additional-manufacturing}}

• On May 6, 2020, the Governor issued guidance for vehicle and vessel sales, and drive-in religious services as part of Phase 1 of the state’s “Safe Start” plan.\footnote{Governor Inslee Press Release, \url{https://www.governor.wa.gov/news-media/inslee-extends-three-proclamations-relating-covid-19}}

• On May 12, 2020, the Governor announced the extension of three proclamations, extending proclamations 20-28 and 20-31 until May 31, and extending certain statutory suspensions in 20-33-1 until May 18.\footnote{Governor Inslee Press Release, \url{https://www.governor.wa.gov/news-media/inslee-announces-contact-tracing-initiative}}

• On May 12, 2020, the Governor announced the launch of a statewide contact tracing initiative to complement the state’s reopening plan. The effort will be led by local health departments and supported by the state Department of Health.\footnote{Governor Inslee Press Release, \url{https://www.governor.wa.gov/news-media/inslee-announces-contact-tracing-initiative}}

• On May 12, 2020, the Governor issued guidance for the partial resumption on in-store retail and manufacturing operations under Phase 2 of the state’s Safe Start plan.\footnote{Safe Start Guidance, \url{https://www.governor.wa.gov/news-media/inslee-issues-guidance-partially-resuming-store-retail-and-additional-manufacturing}}

• On May 15, 2020, the Governor announced the extension of four proclamations in response to the continuing COVID-19 pandemic, including:\footnote{Governor Inslee Proclamation Extensions, \url{https://www.governor.wa.gov/news-media/inslee-extends-four-proclamations-relating-covid-19}}
  - Truck driver hours to June 14;
  - CDL licensing waivers to May 31;
• Garnishment and accrual of interest to May 21; and
• Community Associations meetings and late fees to May 31.

• On May 15, 2020, the Governor issued guidance for construction, golf, and photography services under Phase 2 of the state’s “Safe Start” plan.516
• On May 15, 2020, the Governor announced the extension of Proclamation 20-45, aimed at strengthening protection for domestic violence victims.517
• On May 18, 2020, the Governor announced the state’s plan for the resumption of elective medical procedures. Individual medical and dental practices will be responsible for assessing their own readiness to determine when and to what degree to reopen.518
• On May 18, 2020, the Governor issued additional guidance regarding the resumption of pet grooming operations under Phase 2 of the state’s “Safe Start” plan.519
• On May 19, 2020, the Governor announced new criteria for additional counties to apply for variances to move to Phase 2 of the state’s Safe Start plan.520
• On May 19, 2020, the Governor issued additional guidance for real estate and fitness operations under Phase 2 of the Safe Start plan.521
• On May 26, 2020, the Governor issued guidance, clarifying requirements for outdoor recreation under Phase 1 and Phase 2 of the state’s reopening.522
• On May 26, 2020, the Governor extended proclamation 20-49.3, protecting CARES Act stimulus payments and state and federal unemployment payments from bank account garnishments.523
• On May 27, 2020, the Governor announced the state’s plan to restart religious and faith-based services in Phases 1 and 2 of the “Safe Start” plan. Under Phase 1, religious and faith-based organizations may host up to 100 people for outdoor services; under Phase 2, they may host up to 25% of their capacity, or 50 individuals, and conduct in-home services of five people.524

West Virginia

• Governor Jim Justice issued Executive Order 9-20 directing all individuals within the state to shelter in place effective 8:00 PM Tuesday, March 24, 2020 (“Order”).525 The Order is effective until terminated by subsequent executive order. The All individuals within the state are directed to stay at home or their place of residence unless performing an essential activity. All businesses and operations in West Virginia, except Essential Businesses and Operations as defined below, are required to cease all activities within the state except for such minimum

525 https://coronavirus-wvgovstatus-cdn.azureedge.net/STAY_AT_HOME_ORDER.pdf
basic operations as are necessary to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or related functions, and the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

- Businesses such as home-based businesses may continue to operate, so long as any employees or contractors of such businesses perform activities from their own residences. Further, small businesses that do not invite in the general public and which have five or less employees in the office may continue to operate, but must ensure that proper social distancing and hygiene practices are maintained.

- **Essential businesses or entities** providing services or functions include but not limited to:
  - **Healthcare, public health operations, and health insurance companies.** Healthcare, public health operations, and healthcare insurance companies include without limitation hospitals, clinics, dental offices, pharmacies, public health entities, including those that compile, model, analyze, and communicate public health information, pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain), managed care organizations and related entities and attendant or related services, Medicaid providers, healthcare insurers, organizations collecting blood, platelets, plasma, and other necessary materials (including organizations hosting blood drives, provided that appropriate precautions are taken, including proper social distancing and hygiene measures during any such drive), obstetricians and gynecologists, eye care centers, including those that sell or provide glasses and contact lenses, home healthcare providers, mental health and substance use providers, other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services, and entities that transport and dispose of medical materials and remains. This includes manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment, medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting, or sterilization supplies, and tissue and paper towel products. This category of industry shall be construed very broadly to avoid any impacts to the delivery of healthcare, broadly defined.
  - **Grocery stores and pharmacies.** Grocery stores, pharmacies, farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, prepared food, alcoholic and non-alcoholic beverages, any other household consumer products (such as cleaning and personal care products), specifically including their supply chain and administrative support operations. This includes stores that sell groceries, medicine, including over-the-counter medication not requiring a medical prescription, and also those that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations.
  - **Food, beverage, and agriculture.** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, seed and feed stores, fishing, baking, and other production agriculture, including cultivation, marketing, production,
and distribution of animals and goods for consumption, and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities. Restaurants and other facilities that prepare and serve food and/or drinks, but only for consumption off-premises, through such means as take-away, delivery, or drive-through/drive in. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up or take-away basis only.

- **Essential governmental functions.** For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, legislators, judges, court personnel, jurors and grand jurors, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support Essential Businesses and Operations, and all state governmental employees deemed essential employees by their respective agency head, are categorically exempt from this Order. Essential government functions means all services provided by the State or any municipality, township, county, political subdivision, board, commission, or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety, and welfare of the public, and including contractors performing such essential government functions. Each government body shall determine its essential government functions and identify employees and/or contractors necessary to the performance of those functions.

- **Human services organizations and childcare facilities and providers.** Human services operations includes without limitation long-term care facilities, day care centers, day care homes, group day care homes, residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, transitional facilities, home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children, field offices that provide and help determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services, development centers, adoption agencies, businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals, and child care centers, day care centers, and those engaged in caretaking for children.

- **Essential infrastructure.** Businesses, entities, or workers engaged in food production, distribution, fulfillment centers, storage facilities, preparation, and sale, construction (including without limitation construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, school construction, essential business construction, and housing construction), business management and maintenance, airport operations, operation, maintenance, and supply of utilities, including water, sewer, and gas, electrical (including power generation, distribution, and production of raw materials including without limitation coal and oil and natural gas), distribution centers, oil and biofuel refining, roads, highways, railroads, and public transportation, cyber and other security operations and services, flood control, solid waste and recycling collection and removal, and internet, video, and telecommunications systems (including the provision of global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services)
and telecommunications workers. Essential infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

- **Coal mining and coal-fired electric generation facilities.** Coal mining and coal-fired electric generation facilities, as well as all ancillary and support functions ranging from transportation, maintenance, equipment, and supply vendors.

- **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, iron ore, steel and steel products, aluminum and aluminum products, petroleum, propane, and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations including without limitation filters and filtration products and services.

- **Transportation and travel related businesses and gas stations.** Travel-related businesses facilitating access to or provision of essential activities or any Essential Businesses and Operations, including without limitation airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers, travel or transport of agricultural products, foodstuffs, or related items, or other governmental travel needs, and gas stations and automobile dealers and other suppliers, auto repair, farm equipment, construction equipment, and related facilities and related facilities.

- **Financial and insurance institutions.** Banks and banking services including without limitation ATM services, currency exchanges, consumer lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, payday lenders, affiliates of financial institutions, professional debt collectors and related creditor service workers, workers engaged in payment clearing and settlement, wholesale funding, and capital markets activities, entities that issue bonds, related financial institutions, institutions selling financial products, insurance companies, underwriters, agents, brokers, and related insurance claims and agency services.

- **Hardware and supply stores.** Hardware and supply stores and businesses that sell construction, electrical, plumbing, and heating materials.

- **Critical trades.** Building and construction tradesmen and tradeswomen, and other trades including without limitation plumbers, electricians, exterminators, filtration technicians, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC engineers, painting, moving, and relocation services, and other service providers who provide services that are necessary to maintain the safety, sanitation, and essential operation of residences, essential activities, and Essential Businesses and Operations.

- **Mail, post, shipping, logistics, delivery, and pick-up services.** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods, vehicles, or services to end users or through commercial channels.

- **Religious entities.** Religious facilities, entities, and groups and religious gatherings, including weddings and funerals; provided that such gatherings should still practice proper social distancing of six feet between persons to the greatest extent possible.

- **Educational institutions.** Educational institutions including public and private pre-K-12 schools, colleges, and universities for purposes of facilitating distance learning, performing critical research, or performing essential functions including providing for the delivery or pick-up of food for school age children; provided that proper social distancing of six feet between persons is maintained to the greatest extent possible.

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Laundry services. Laundromats, dry cleaners, industrial laundry services, and
laundry service providers.

Supplies to work from home. Businesses that sell, manufacture, or supply products
needed for people to work from home, including IT and telecommunications services
and product companies.

Supplies for Essential Businesses and Operations. Businesses that sell,
manufacture, or supply other Essential Businesses and Operations with the support of
materials necessary to operate, including computers, audio and video electronics,
household appliances, IT and telecommunications equipment, cybersecurity software
or services, hardware, paint, flat glass, electrical, plumbing, and heating material,
sanitary equipment, personal hygiene products, food, food additives, ingredients, and
components, medical and orthopedic equipment, optics and photography equipment,
diagnostics, food and beverages, chemicals, soaps and detergents, tent and other
temporary structure suppliers, and firearm and ammunition suppliers and retailers.

Home-based care and services. Home-based care for adults, seniors, children, and/or
people with developmental disabilities, intellectual disabilities, substance use
disorders, and/or mental illness, including caregivers such as nannies who may travel
to the child's home to provide care, and other in-home services including meal
delivery.

Residential facilities and shelters. Residential facilities and shelters for adults,
seniors, children, pets, and/or people with developmental disabilities, intellectual
disabilities, substance use disorders, and/or mental illness.

Professional services. Professional services, such as legal services, accounting
services, insurance services, real estate services (including appraisal and title
services).

Media and first amendment protected speech. Newspapers, television, radio, and
other media services.

Hotels and motels. Hotels and motels, to the extent used for lodging and delivery or
carry-out food delivery.

Funeral services. Funeral, mortuary, cremation, burial, cemetery, and related
services; provided that proper social distancing of six feet between persons is
maintained to the greatest extent possible.

On April 8, 2020, the Governor issued an executive order, designating seven West Virginia
counties as areas where local Health Department officials have broader powers to tighten
restrictions to prevent further spread.526

On April 9, 2020, Governor Justice issued an executive order, which:527

- Mandates that all public and private golf courses follow proper cleaning protocols and
take additional steps to ensure proper social distancing;
- Allows municipalities to delay an election previously scheduled by municipal charter
prior to June 1;
- Allows a municipality to hold its election on the same date as the state primary election
scheduled for June 9;
- Suspends certain statutory regulations relating to the West Virginia Board of Examiners
in Counseling; and

526 West Virginia Executive Order 22-20,
https://governor.wv.gov/Documents/2020%20Executive%20Orders/Executive-Order-April-8-2020-Marion-
County.pdf
527 West Virginia Executive Order 23-20,
Suspend certain statutory regulations relating to the deadlines for license renewals and fee payments to the West Virginia Alcohol Beverage Control Administration.

- On April 10, 2020, the Governor added four counties (Cabell, Ohio, Wayne and Wood) to the Emergency Order enabling counties to further tighten social distancing measures and tighten rules surrounding essential services.
- On April 27, 2020, Governor Justice unveiled “West Virginia Strong--The Comback,” the state’s plan to reopen in phases over the next six weeks, provided the rate of positive COVID-19 cases remains low.

Opening Criteria: If the statewide cumulative percent of positive test results (available at Coronavirus.wv.gov) remains below 3% from Monday, April 27, through Wednesday, April 29, the six-week reopening process will begin.

The Week 1 phase of reopenings will begin on Thursday, April 30. From there, each phase of the reopening process for Weeks 2-6 will begin on Monday of each subsequent week. Case numbers will continue to be monitored throughout the entire reopening process.

- Reopening is a Choice, Not a Requirement
- Businesses included in each phase of this reopening plan are not required to resume operations on any specific date. This plan provides the option for reopening, not a requirement.

Week 1: In the Week 1 phase of reopenings, hospitals across West Virginia will be able to resume elective medical procedures, provided that they have a plan in place to safely phase-in procedures based on clinical judgement while following all CDC guidelines – as ordered by Gov. Justice last week. Additionally, hospitals seeking to resume elective procedures must also have adequate inventories of personal protective equipment (PPE) and a plan to respond if there is a surge of COVID-19 patients in the future. Each hospital has the discretion to determine the best time to apply to restart elective medical procedures at their facility. The West Virginia Department of Health and Human Resources Office of Health Facility Licensure & Certification will approve each application.

- Also during Week 1, outpatient health care operations may resume, including primary care, dentistry, physical/occupational therapy, psychological/mental health, and similar practices. However, providers must follow guidance issued by their boards and/or associations to which are designed to keep healthcare professionals and patients as safe as possible.
- Additionally during this period, testing of daycare staff across the state will begin.

Week 2: All businesses included in the Week 2 phase of reopenings will be required to operate with physical distancing measures in effect. Businesses will also be required to implement efforts to increase sanitation and the use of face coverings.

- Further guidance on reopening requirements for each business sector included in the Week 2 phase of the plan will be available soon.
- Any small business with fewer than 10 employees would be able to resume operations during Week 2. Additional guidance for small businesses will be available soon.
- Additionally, all businesses providing professional services, such as hair salons, nail salons, barbershops, and pet grooming will be permitted to reopen. However, customers will be required to make appointments to utilize these services and must wait in their vehicles rather than inside the business. Additional guidance for professional service businesses will be available soon.
- Outdoor dining at restaurants will be permitted under strict physical distancing restrictions. Additional guidance for outdoor dining establishments will be available soon.
- Although churches and funeral homes were deemed essential, many chose to stop in-person services. During Week 2, those that wish to resume in-person services will be
encouraged to follow additional guidelines such as limiting seating to every other pew, maintaining physical distancing and wearing face covering restrictions. Additional guidance for churches and funeral homes will be available soon.

- **Weeks 3-6:** Several additional types of businesses will be permitted to reopen from Weeks 3-6. The opening schedule for these businesses will be based upon the recommendations of state medical experts and upon testing data available at that time.
  - These businesses include office/government buildings, specialty retail stores, parks and/or restrooms and facilities at parks, gyms, fitness centers, recreation centers, dine-in restaurants, hotels, casinos, spas/massage establishments, and other businesses.
  - The Governor’s Office will announce which of these businesses will be able to reopen at least one week in advance of its respective reopening date. Additional guidance on reopening will be made available for each of these businesses at that time.

- **Conditions for Reopening to Slow, Stop, or Reverse:** In the event that West Virginia’s number of positive COVID-19 cases surges above the 3% threshold, the schedule of reopenings may be slowed, stopped, or reversed.
  - Additionally, any unexpected increase in COVID-19 positive hospitalizations or any significant outbreaks of community-based transmission (not including clusters or outbreaks in nursing homes or other vulnerable communities) may slow, stop, or reverse the reopening process as deemed necessary by Gov. Justice and state health experts.
  - Businesses With No Timeline for Reopening Right Now Due to safety concerns, at this time, there is still no timetable to reopen visitation at nursing homes. Additionally, entertainment venues such as movie theaters, sporting events, and concerts will remain closed for the foreseeable future.

- On April 30, 2020, the Governor announced that a “Safer at Home” order will replace the state’s current “Stay at Home” order, effective May 4.\(^{528}\)
- On May 1, 2020, the Governor announced Week 2 reopening to begin on May 4, permitting small businesses with 10 or fewer employees, restaurants with takeaway service or outdoor dining options, as well as religious entities and funeral homes to reopen.\(^{529}\)
- On May 4, 2020, the Governor announced Week 3 of West Virginia’s Comeback, to begin on May 11. The phase will include reopening of wellness centers operated by or with West Virginia Licensed Health Care providers and drive-in movie theaters.\(^{530}\)
- On May 5, 2020, the Governor announced that West Virginians who have exhausted their regular unemployment benefits are eligible for Pandemic Emergency Unemployment Compensation – a 13-week extension on unemployment benefits provided by the CARES Act.\(^{531}\)
- On May 6, 2020, the Governor issued an Executive Order directing the West Virginia Department of Health and Human Resources and the West Virginia National Guard to test all daycare employees, as well as residents and staff members of assisted living facilities and residential care communities.\(^{532}\)

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\(^{531}\) [https://www.workforcewv.org/workforce/latest](https://www.workforcewv.org/workforce/latest)

On May 15, 2020, the Governor added gymnastics, dance, cheerleading, and martial arts to the list of recreational activities allowed to resume operations on May 18.533

- The Governor also issued an executive order, formalizing the May 18 reopening.534

On May 18, 2020, the Governor added several businesses and entities to the list of May 26 reopenings including shopping malls, indoor and outdoor bars, museums and visitor centers, and zoos.535

On May 19, 2020, the Governor signed an executive order, allowing Week 4 businesses to begin reopening on May 21.536

On May 19, 2020, the Governor issued additional guidance documents for businesses and entities that are part of Week 5 reopening under the state’s Comeback plan.537

On May 21, 2020, the Governor announced that swimming pools, bowling alleys, pool halls, roller rinks, and other indoor amusement locations will be permitted to reopen on May 30, under additional guidelines.538
- The Governor also added movie theaters to the list of establishments reopening under Week 6 of the state’s comeback plan.

On May 26, 2020, the Governor announced the launch of Week 5 of the state’s “Comeback” plan. The Governor also announced that beginning on May 30, the following businesses may resume operations.539
- Spas and massage businesses;
- Limited video lottery retailers;
- Swimming pools; and
- Bowling Alleys, pool halls, roller rinks, and other places with indoor amusement.

On May 26, 2020, the Governor announced the completion of all testing for inmates and staff at Huttonsville Correctional Center and Jail.539

On May 26, 2020, the Governor announced the continuation of efforts to test susceptible populations across the state, with testing in Fayette County continuing through May 28.539

On May 27, 2020, the Governor and Maj. General of the West Virginia National Guard discussed several products recently developed in the state in response to COVID-19, including 3D-printer testing swabs, reusable medical gowns, nationally regarded protective masks, and hydrogen peroxide disinfecting systems.

Wisconsin

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• On March 24, 2020, Governor Tony Evers issued the Safer at Home Order directing all residents of the state of Wisconsin to stay at their place of residence unless engaged in Essential Activities, Essential Businesses, Essential Government Functions, or Minimum Basic Operations.\textsuperscript{540}

• The following \textbf{Essential Businesses and Operations} are exempt from shelter in place restrictions and encouraged to remain open:

  o \textbf{Healthcare and Public Health Operations}: Individuals may leave their residence to work for or obtain services at any Healthcare and Public Health Operations. Healthcare and Public Health Operations includes, but is not limited to: hospitals; medical facilities; clinics; ambulatory surgery centers for response to urgent health issues or related COVID-19 activities; manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing disinfecting or sterilization supplies, and tissue and paper towel products; dental offices; pharmacies; public health entities, including those that compile, model, analyze, and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); healthcare information technology companies; organizations collecting blood, platelets, plasma, and other necessary materials; obstetricians, gynecologists, and midwife practices; eye care centers, including those that sell glasses and contact lenses; home health agencies and providers; mental health and substance abuse providers; detoxification and alcohol or drug treatment programs and facilities; syringe access programs, and naloxone distribution programs; other healthcare facilities and suppliers and providers of any related or any ancillary healthcare services; entities that transport and dispose of medical materials and remains; personal care agencies; hospices; allied health providers; acupuncturists; massage therapists; chiropractors; and adult family homes.

    ▪ Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing disinfecting or sterilization supplies, and tissue and paper towel products.

    ▪ Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals.

  o \textbf{Human Service Operations}: Individuals may leave their residence to work for or obtain services at any state, institutional, or community-based setting providing human services to the public. Human Service Operations includes, but is not limited to: long-term care and assisted living facilities, as long as the facility follows all current DHS Recommendations for Prevention of COVID-19 in Long Term Facilities and Assisted Living Facilities and all applicable U.S. Centers for Disease Control Recommendations; residential settings and shelters for adults, seniors, children, victims of domestic abuse, people with disabilities, people with substance use disorders, or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, or developmental disabilities; seniors, adults, or children; adult day care, adult day services, and supportive home care; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, vocational services, or rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, social services, or other necessities of life for

\textsuperscript{540} Wisconsin Emergency Order #12 \url{https://inwisconsin.com/wp-content/uploads/2020/03/EMO12-SaferAtHome.pdf}
economically disadvantaged individuals, individuals with physical, intellectual, or developmental disabilities, or otherwise needy individuals.

- **Essential Infrastructure**: Individuals may leave their residence to provide any services or perform any work necessary to offer, provide, operate, maintain, and repair Essential Infrastructure. Essential Infrastructure includes, but is not limited to: food production, distribution, fulfillment centers, storage facilities, marinas, and sales; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care and assisted living facilities, public works construction, school construction, Essential Business and Operations construction, construction necessary for Essential Governmental Functions, and housing construction, except that optional or aesthetic construction should be avoided); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, gas, and electric (including power generation, distribution, production of raw materials, and Wisconsin Department of Natural Resources-certified and registered drinking water and wastewater testing laboratories); Wisconsin Home Energy Assistance, Low Income Home Energy Assistance Program, and Public Benefits Energy Assistance Program offices, customer service centers, and public intake centers; distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

- **Essential Governmental Functions**: All paid or volunteer first responders including law enforcement, EMS, and firefighters; first responder training academies; building inspectors; emergency management personnel; emergency dispatchers; court personnel, jurors and grand jurors; corrections personnel; hazardous materials responders; child protection and child welfare personnel; housing and shelter personnel; National Guard and military; and others working for or to support Essential Businesses and Operations are categorically exempt from this Order.


- **Stores that sell groceries and medicine**: Grocery stores, bakeries, pharmacies, farm and produce stands, supermarkets, food banks and food pantries, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supply, fresh meats, fish, poultry, prepared food, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products).

- **Food and beverage production, transport, and agriculture**: Food and beverage manufacturing, production, processing, transportation, and cultivation; farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, boarding, rescues, kennels, and adopting facilities; farm and agriculture equipment, supplies, and repair services.

- **Restaurants**: Restaurants may remain open for food take-out or delivery service only.

- **Child care settings**: Child care settings shall prioritize care for families as follows: (1) Tier 1: employees, contractors, and other support staff working in health care; (2) Tier 2: employees, contractors, and other staff in vital areas including but not limited to...
military; long term care; residential care; pharmacies; child care; child welfare; government operations; public safety and critical infrastructure such as sanitation, transportation, utilities, telecommunications; grocery and food services; supply chain operations; and other sectors as determined by the Secretary of the Department of Children and Families.

- **Organizations that provide charitable and social services:** Businesses and religious and secular nonprofit organizations, including prevocational group supportive employment, food banks and food pantries, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this public health emergency, and people with disabilities.

- **Weddings, funerals, and religious entities:** Religious facilities, entities, groups, and gatherings, and weddings and funerals, except that any gathering shall include fewer than 10 people in a room or confined space at a time and individuals shall adhere to Social Distancing Requirements as much as possible.

- **Funeral establishments:** Funeral establishments, except that any gathering shall include fewer than 10 people in a room or confined space at a time and individuals shall adhere to Social Distancing Requirements as much as possible.

- **Media:** Newspapers, television, radio, and other media services.

- **Gas stations and businesses needed for transportation:** Gas stations; auto and motorcycle supply, repair and sales; boat supply, repair, and sales; and bicycle supply, repair, and sales.

- **Financial institutions and services:** Banks, credit unions, and other depository or lending institutions; licensed financial service providers; insurance services; personnel necessary to perform essential functions at broker dealers and investment advisor offices and supplies stores.

- **Hardware stores and supplies stores:** Businesses that sell electrical, plumbing, heating, and construction material.

- **Critical trades:** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, carpenters, laborers, sheet metal, iron workers, masonry, pipe trades, fabricators, finishers, exterminators, pesticide application, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, forestry and arborists, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, Essential Governmental Functions, and Essential Businesses and Operations.

- **Mail, post, shipping, logistics, delivery, and pick-up services:** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, beverages, goods or services to end users or through commercial channels.

- **Laundry services:** Laundromats, dry cleaners, industrial laundry services, and laundry service providers.

- **Supplies to work from home:** Businesses that sell, manufacture, or supply products needed for people to work from home.

- **Supplies for Essential Businesses and Operations and Essential Governmental Functions:** Businesses that sell, manufacture, or supply other Essential Businesses and Operations and Essential Governmental Functions with the support or supplies necessary to operate, including computers; audio and video electronics; household appliances; IT and telecommunication equipment; hardware; paint; flat glass; electrical, plumbing, and heating materials; construction materials and equipment; sanitary equipment; personal hygiene products; food, food additives, ingredients, and components; medical and
orthopedic equipment; firearm and ammunition suppliers and retailers for purposes of safety and security; optics and photography equipment; diagnostic; food and beverages; chemicals; paper and paper products; soaps and detergents.

- **Transportation**: Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Order.

- **Home-based care and services**: Home-based care for seniors, adults, children, and/or people with disabilities, substance use disorders, and/or mental illness, including caregivers or nannies who may travel to the child's home to provide care, and other in-home services including meal delivery.

- **Professional services**: Professional services, such as legal or accounting services, insurance services, real estate services (including appraisal, home inspection, and title services). These services shall, to the greatest extent possible, use technology to avoid meeting in person, including virtual meetings, teleconference, and remote work (i.e., work from home).

- **Manufacture, distribution, and supply chain for critical products and industries**: Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, and products used by other Essential Governmental Functions and Essential Businesses and Operations.

- **Critical labor union functions**: Essential activities include the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Business and Operations, provided the checks are done by telephone or remotely where possible.

- **Hotels and motels**

- **Higher educational institutions**: Higher educational institutions, for purposes of facilitating distance learning, performing critical research, or performing essential functions as determined by the institution.

- **WEDC designated businesses**: In the exceptional circumstance that a business is not listed in this Order as an Essential Business or Operations but believes that it should be included in that designation, the business should consult the information page on the Wisconsin Economic Development Corporation (WEDC) website, here: [www.wedc.org/essentialbusiness](http://www.wedc.org/essentialbusiness).
  - If a business still believes that it does not fall within the meaning of Essential Businesses and Operations, it may apply to the Wisconsin Economic Development Corporation (WEDC) using the provided form requesting designation as such.

- **Minimum Basic Operations**: include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:
  - The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions, including where these functions are outsourced to other entities.
  - The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
On April 20, 2020, the Wisconsin Department of Health Services Secretary issued an Emergency Order establishing the official process for the Badger Bounce Back reopening plan.\textsuperscript{541}

- **Phases.** Wisconsin shall adopt a phased approach to re-opening its economy and society, with each phase being incrementally less restrictive on businesses and individuals while protecting the public from COVID-19. The Department of Health Services shall announce the transition to each phase with an order fully articulating the activities that will resume. The Phases include:
  - **Safer at Home.** Currently in effect, as established in Emergency Orders # 12 and #28.
  - **Phase One.** Phase One will include allowing mass gatherings of up to 10 people; restaurants opening with social distancing requirements; removal of certain restrictions including retail restrictions for Essential Businesses and Operations; additional operations for non-essential businesses; K-12 schools to resume in person operation; and child care settings resuming full operation.
  - **Phase Two.** Phase Two will include allowing mass gatherings of up to 50 people; restaurants resuming full operation; bars reopening with social distancing requirements; non-essential businesses resuming operations with social distancing requirements; and postsecondary education institutions may resume operation.
  - **Phase Three.** Phase Three will resume all business activity and gatherings, with minimal protective and preventative measures in place for the general public and more protective measures for vulnerable populations.

- **Progression through the Phases.** The Department of Health Services shall assess the most up-to-date data to determine when it is appropriate to progress to the next Phase. To move to the next Phase, the state must make progress toward the goals identified below as Core Responsibilities and meet the Gating Criteria.

- **Core Responsibilities.** The state must show progress or advancement in the following areas:
  - **Testing.** Every Wisconsin resident who has symptoms of COVID-19 has access to a lab test. Results will be reported to the patient and public health officials within 48 hours of collection. The ultimate goal is 85,000 tests per week or approximately 12,000 tests per day.
  - **Tracing.** Increase contact tracing by up to 1,000 people and implement technology solutions to ensure everyone who is infected or exposed will safely isolate or quarantine.
  - **Tracking.** Building on systems used to track influenza and the COVID-19 pandemic, track the spread of COVID-19 and report on the Wisconsin Gating Criteria and other related metrics.
  - **Personal Protective Equipment (PPE).** Procure PPE and other necessary supplies to support health care and public safety agencies.
  - **Health Care Capacity.** Assess the need for and readiness to support surge capacity for our healthcare system.
  - **Gating Criteria.** The state must meet the following Gating Criteria, based on state-wide public health data:
    - **Symptoms:**

\textsuperscript{541} Wisconsin Emergency Order #31-Badger Bounceback Plan, [https://content.govdelivery.com/attachments/WIGOV/2020/04/20/file_attachments/1431309/EMO31-BadgerBounceBack.pdf](https://content.govdelivery.com/attachments/WIGOV/2020/04/20/file_attachments/1431309/EMO31-BadgerBounceBack.pdf)
- Downward trajectory of influenza-like illnesses reported within a 14-day period; and
- Downward trajectory of COVID-19-like syndromic cases reported in a 14-day period.

**Cases:** Downward trajectory of positive tests as a percent of total tests within a 14-day period.

**Hospitals:**
- Treatment of all patients without crisis care;
- Robust testing programs in place for at-risk healthcare workers;
- Decreasing numbers of infected healthcare workers.

- **Interim progress within a Phase.** In addition to progressing through each Phase above, the Department of Health Services, in consultation with the Wisconsin Economic Development Corporation, shall issue additional orders to reduce restrictions on certain businesses or sectors if it is determined that removing the restrictions will have minimal impact on the state's ability to meet its Core Responsibilities and Gating Criteria.

- **Local orders.** The Department of Health Services, in consultation with local health officials, may address localized outbreaks with a localized order. Such order may include adjusting the Phase or instituting tailored restrictions based on the needs of a particular location, county, or region.

- **Safer at Home remains in effect.** Nothing in this Order modifies, alters, or supersedes Emergency Orders #12 and #28, Safer at Home Order. However, orders instituting the phases under Section 2 and interim orders reducing restrictions under Section 3 may be issued prior to the expiration of Emergency Order #28, if appropriate under the criteria stated above.

- On May 13, 2020, the Wisconsin Supreme Court struck down Governor Evers’ extension of the state’s stay at home order, prompting businesses across the state to reopen immediately.\(^{542}\)
- On May 21, 2020, the Governor announced a $100 million grant program to support providers most at risk for financial hardship during COVID-19. Financial assistance will target emergency medical services, home and community-based services, and long-term care providers such as skilled nursing facilities and assisted living facilities.\(^{543}\)
- On May 27, 2020, the Governor launched the “Route to Recovery: Local Government Aid Grants” program, a $200 million effort aimed at helping local leaders address their urgent and unique recovery needs. Through the Department of Administration (DOA), recovery grants will be allocated to every Wisconsin county, city, village, town, and federally recognized tribe.\(^{544}\)

**Wyoming**

- On March 20, 2020, state health officials issued a State Public Health Order limiting the following:
  - Gatherings of ten (10) people or more are prohibited in order to help stop the spread of COVID-19 and protect the health of the public.
  - Exemptions include:
    - Hotels and motels for lodging purposes
    - Livestock auctions
    - Groups of workers being transported to a location for their jobs


\(^{543}\) Governor Evers Press Release, [https://content.govdelivery.com/accounts/WIGOV/bulletins/28cc938](https://content.govdelivery.com/accounts/WIGOV/bulletins/28cc938)

- Government business, military and National Guard facilities, law enforcement, jails, secure treatment centers, and correctional facilities, including any facility operated by the Wyoming Department of Corrections, and any facility used to respond to natural disasters or public health emergencies
- State and local government facilities, including government service centers
- Relief facilities, including food pantries and shelter facilities
- Residential buildings
- Grocery stores, markets, convenience stores, pharmacies, and drug stores
- Truck stops, gas stations, and auto-repair facilities
- Retail or business establishments, where more than ten (10) people may be present but are generally not within six (6) feet of one another;
- Healthcare facilities, including hospitals, medical facilities, home health agencies, personal care agencies, hospices, adult family homes, mental health centers, and pharmacies;
- Alcohol and drug treatment centers;
- Long-term care and assisted living facilities, including nursing homes and assisted living facilities, as long as the facility complies with guidance and directives from the CDC, the Wyoming Department of Health, and appropriate licensing and regulatory agencies.

- Any gathering not covered by this Order should follow the public health recommendations of the Centers for Disease Control and the Wyoming Department of Health, including washing your hands often with soap and water, practicing social distancing by avoiding close contact with others including meetings over ten (10) people, avoiding touching your face, eyes, nose and mouth, and covering your cough or sneeze into your elbow or by using a tissue.
- This order has been extended until April 30, 2020.
- On April 27, 2020, the Governor signed Emergency Order #34, expanding allowed operations for essential businesses, and allowing nonessential businesses to do curbside drop-off of goods and animals.\footnote{Wyoming Emergency Order #34, https://content.govdelivery.com/attachments/WIGOV/2020/04/27/file_attachments/1436850/EMO34-SAHDialTurn.pdf}
- On April 28, 2020, the Governor announced new public health orders, which will authorize gyms, barber shops, hair salons and other personal care services to reopen under specific operating conditions, beginning May 1.\footnote{https://governor.wyo.gov/media/news-releases/2020-news-releases/governor-gordon-authorizes-re-opening-of-gyms-personal-care-services-under}
- On April 28, 2020, Governor Mark Gordon announced new \textbf{public health orders},\footnote{Wyoming Department of Health Order, Third Continuation and Modification of Statewide Public Health Order #3: Temporary Closure of Nail Salons, Hair Salons, Barber Shops, Massage Therapy Services, Tattoo, Body Art and Piercing Shops and Cosmetology, Electrology and Esthetic Services, https://drive.google.com/file/d/1NxCSkAMMJuhWMaav94hV23-JXEcfMTUI/view.} to allow certain businesses in the state to reopen on May 1. Beginning on May 1, and continuing through May 15, 2020, unless revoked or extended by the Wyoming Department of Health before May 15, 2020, the following are ordered to remain closed to members of the public in order to help stop the spread of COVID-19, EXCEPT AS OUTLINED BELOW:
  - Nail salons, hair salons, and barber shops;
  - Cosmetology, electrology, and esthetic services;
  - Massage therapy services (excluding massage performed for medical purposes); and
  - Tattoo, body art, and piercing shops.
- The closures listed above may open in limited capacity, under the following conditions:

\footnote{Wyoming Department of Health Order, Third Continuation and Modification of Statewide Public Health Order #3: Temporary Closure of Nail Salons, Hair Salons, Barber Shops, Massage Therapy Services, Tattoo, Body Art and Piercing Shops and Cosmetology, Electrology and Esthetic Services, https://drive.google.com/file/d/1NxCSkAMMJuhWMaav94hV23-JXEcfMTUI/view.}
At no time shall more than 9 people be present in a room or confined space.

Patrons may only be served at stations that are at least 6 feet apart from other stations serving patrons.

Staff must be screened at the beginning of their shift for symptoms of illness or exposure to a person with COVID-19 infection within the previous 14 days; staff with symptoms of illness or known exposure to a person with COVID-19 infection within the previous 14 days shall not be allowed to work.

All patrons must wear face coverings as much as possible when receiving service.

All staff must wear face coverings.

Service may be provided by appointment only.

The facility must maintain adequate records of its patrons, including names and telephone numbers, for purposes of COVID-19 tracing in the event contact tracing is necessary.

The facility must maintain adequate records of its staff, for purposes of COVID-19 tracing in the event contact tracing is necessary.

No patron shall remain in a waiting area prior to receiving services.

Cleaning and sanitizing must be completed after each patron is served, including hand washing and surface sanitation.

The restrictions imposed by this Order do not prohibit owners, employees, contractors, vendors, or suppliers of the services listed above from entering, exiting, or occupying that place of business in their professional capacity.

Specific service provider exceptions to the restrictions and closures within this Order may be granted, at the discretion of the County Health Officer, under the direction and supervision of the State Health Officer, if demonstrated, in writing, to the County Health Officer that effective cleaning and safety measures are implemented by the service provider. Any specific exception under this paragraph must be approved in writing by the State Health Officer.

Countywide variances to the restrictions and closures in this Order may be granted in the form of a Countywide Variance Order if approved and signed by both the County Health Officer and the State Health Officer. Countywide Variance Orders may be less restrictive (or more restrictive) than the measures imposed in this Order.

ELECTIVE SURGERIES: On April 24, 2020, the Department of Health issued updated guidance to hospitals and health care providers outlining how they can resume elective surgeries. That is effective immediately.

On April 28, 2020, the state health officer issued guidelines stating the following places of public accommodation are ordered closed to ingress, egress, use, and occupancy by members of the public, EXCEPT AS OUTLINED BELOW:

- Restaurants, food courts, cafes, coffeehouses, and other similar places of public accommodation offering food or beverage for on-premises consumption.
- Bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption;
- Cigar bars;
- Gymnasiums; and
- Movie and performance theaters, opera houses, concert halls, and music halls.

The following conditions apply to places of public accommodation subject to this Order:

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549 Wyomining Department of Health, Third Continuation, and Modification, of Statewide Public Health Order Closing Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 Schools, Colleges, Universities and Trade Schools Statewide, https://drive.google.com/file/d/1YsSDWRHW6HryO-6RiaTgbS2zmml-Ohgl/view

Last Updated: 6-3-20
**FOOD:** Places of public accommodation are encouraged to offer food and beverage using delivery service, window service, walk-up service, curbside delivery, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. Online and telephonic credit card transactions are strongly encouraged (e.g. Venmo, Squarecash, Google Pay, Apple Pay and similar payment apps).

- Staff who handle cash or credit cards may not be involved in the preparation, handling, or delivery of food.
- In offering food or beverage, a place of public accommodation may permit up to 5 members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as those individuals are at least 6 feet apart while on the premises.
- For hotel restaurants, food items may only be delivered as room service or as described above.
- Management shall ensure, on a daily basis, that no employee who presents symptoms of illness, or has had close contact with a person with COVID-19 infection during the previous 14 days, will be permitted to work.

**GYMS:** Gymnasiums may open in a limited capacity, under the following restrictions to be enforced by staff of the facility:

- Staff of the facility must wear face coverings at all times.
- Staff must be screened at the beginning of their shift for symptoms of illness, and staff must be screened for exposure to a person with COVID-19 infection during the previous 14 days.
- Staff with symptoms of illness, or known exposure to a person with COVID-19 infection within the previous 14 days, shall not be allowed to work.
- The facility must maintain a record of customer usage, by date and time, and a record of staff working hours, by date and time for purposes of COVID-19 tracing in the event contact tracing is necessary. If this record keeping is done manually, sanitizing measures must be taken on the instruments used for record keeping in between use.
- Close-contact activities are prohibited, including but not limited to one-to-one personal training, close-contact sports, weight lifting requiring “spotters,” and any other close-contact activities.
- Locker rooms must remain closed, except for restrooms.
- Workout equipment must be no less than 6 feet apart.
- Workout equipment must be cleaned by staff in between each patron use.
- Handwashing stations or hand sanitizer must be readily available for all patrons.
- No more than 9 patrons are allowed to be in a given room or section at any given time.
- Group workout classes are prohibited.
- Overall number of patrons in the entire facility must not exceed 1 person per 120 square feet and patrons must maintain physical distancing during their workout.
- Swimming pools must be limited to one swimmer per lane.
- Spas and saunas must remain closed.

**CHILD CARE FACILITIES:** In order to help protect the health and safety of children, child care centers or home daycares may re-open or continue to operate under the following conditions:

- The child care provider must restrict groups of people (children and providers) to less than 10 in each separate room. The child care provider can allow 10 or more people in the facility only if each group of less than 10 individuals is in a room separated by walls from other groups.
The child care provider must ensure that all people (children and providers) wash hands with soap and water upon arrival to the facility.

The child care provider must ensure that staff and children are screened for symptoms of COVID-19 at the beginning of the day on arrival and not allow any symptomatic individuals to enter the facility.

In the event of a confirmed case of COVID-19 within the facility, the provider must close the facility and consult with their local county health officer on next steps and when to re-open.

The child care provider must ensure that enrolled children are met at the entrance and that parents, or other individuals dropping off or picking up children, do not enter the facility, unless absolutely necessary.

The child care provider must ensure that surfaces and areas that are used and touched often are cleaned and sanitized after each use (e.g. shared toys, keyboards, desks, remote controls), or at least twice a day (e.g. doorknobs, light switches, toilet handles, sink handles, countertops).

- Child care providers operating under these guidelines must prioritize providing child care for children of essential personnel. Essential personnel includes:
  - Staff and providers of childcare and education services, including custodial and kitchen staff and other support staff; who do not do their work remotely.
  - Providers of healthcare including, but not limited to, employees of clinics, hospitals, nursing homes, long-term care and post-acute care facilities, respite houses, designated agencies, emergency medical services, as well as necessary custodial, kitchen, administrative, and other support staff.
  - Criminal justice personnel including those in law enforcement, courts, and correctional services.
  - Public health employees.
  - Firefighters, Wyoming National Guard personnel called to duty for responding to COVID-19, and other first responders.
  - State employees determined to be essential for response to the COVID-19 crisis.
  - Active duty military staff.
  - Pharmacy staff.
  - Foster families with children through grade 8.
  - 2-1-1 and 9-1-1 call center staff; critical infrastructure and utility workers, including electrical, plumbing, telecommunications, water, and wastewater operators, workers, and staff.
  - State, municipal, and commercial public works and sanitation crews.
  - Grocery and food supply workers.
  - Supply chain, postal, and delivery drivers and warehouse workers.
  - Manufacturers of medical devices, equipment, testing equipment, and supplies.
  - Fuel distribution workers.

- In addition to the measures noted above, a child care center or home daycare that remains open is required to follow all health guidelines from the CDC and Wyoming Department of Health for limiting the risk of transmission of COVID-19, to the extent possible when caring for children.

- **K-12 SCHOOLS:** All K-12 schools shall not hold in person classes until no sooner than May 18, 2020, unless an exception is granted under this Order or a Countywide Variance Order is granted.
  - Staff and teachers may continue to work in school buildings to facilitate adaptive learning/instruction or to complete administrative tasks as directed by school superintendents. Food may still be prepared to be made available to those in need, as directed by school superintendents.
HIGHER EDUCATION: All colleges, universities, and trade schools shall not hold in-person classes until no sooner than May 18, 2020 unless an exception is granted under this Order or a Countywide Variance Order is granted.

- Staff and teachers may continue to work in facility buildings to facilitate adaptive learning/instruction or to complete administrative tasks. Food may still be prepared to be made available to those in need.

For clarity, this Order does not apply to any of the following:

- Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, retail stores that offer food, convenience stores, pharmacies, drug stores, and food pantries.
- Room service in hotels.
- Health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities.
- Crisis shelters or similar institutions.
- Airport concessionaires.
- Any emergency facilities necessary for the response to the events surrounding the public health emergency and state of emergency caused by COVID-19.

EXCEPTIONS: Specific exceptions to the closures mandated in this Order may be granted, at the discretion of the County Health Officer, under the direction and supervision of the State Health Officer, if demonstrated, in writing, to the County Health Officer that effective cleaning and safety measures are implemented. Any specific exception under this paragraph must be approved in writing by the State Health Officer.

Countywide variances to the closures mandated in this Order may be granted in the form of a Countywide Variance Order if approved and signed by both the County Health Officer and the State Health Officer. Countywide Variance Orders may be less restrictive (or more restrictive) than the measures imposed in this Order.

This Order supersedes all individual county health orders currently in effect. To the extent any county health order currently in effect is more restrictive, the more restrictive provisions of the county health order shall continue to apply.

No business closed through the public health orders is required to open on May 1. Businesses that choose to stay closed are still eligible for assistance from Small Business Administration (SBA) programs.

Municipal Ordinances:

City of Atlanta (GA)550

- The order directs all individuals in the City of Atlanta to stay at their place of residence, and all gatherings of any number of people outside a single household are prohibited, except for Essential Activities, Essential Government Functions, or to operate Essential Businesses.
- All businesses are ordered to cease all activities at facilities within the City except Minimum Basic Operations (including maintaining the value of inventory, ensuring security, processing payroll, and facilitating working from home).
- Essential Activities include:
  - Tasks essential to health and safety of household members (including pets)

550 City of Atlanta Stay at Home order, https://www.atlantaga.gov/Home/ShowDocument?id=45510
To obtain necessary services or supplies for operation of the residence
Engaging in outdoor activity, if in compliance with social distancing requirements
Caring for a family member (or pet) in another household

- **Essential Businesses** include:
  - Healthcare Operations (hospitals, clinics, dentists, pharmacies, pharmaceutical and biotech companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related or ancillary healthcare services (including veterinary care)).
  - Essential Infrastructure (public works, construction, airport operations, utility, water, sewer, gas, electrical, oil refining, roads and highways, railroads, public transportation, taxi/rideshares, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national and local infrastructure for computing services, business infrastructure, communications, and web-based services))
  - Grocery stores and other markets
  - Food cultivation
  - Providing food, shelter and social services to the disadvantaged
  - Media services
  - Gas stations and auto supply and repair facilities
  - Banks and related financial institutions
  - Hardware stores
  - Lodging businesses (including conference centers)
  - Plumbers, electricians, exterminators, and others who provide services necessary to maintain residences or authorized businesses
  - Mailing and shipping services
  - Educational institutions
  - Laundromats and dry cleaners
  - Restaurants, only for delivery and carry out
  - Businesses that provide supplies for people to work from home
  - Businesses that supply other essential businesses with support or supplies to operate
  - Shipping groceries, food, or goods or services to residences
  - Home-based care for seniors, adults or children
  - Professional services, including legal and accounting
  - Child care facilities

- **Essential Government Functions** include all services needed to ensure the continuing operation of government agencies and to provide for the health safety and welfare of the public. First responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel are categorically exempted.

**Town of Arlington (TN)**

- On April 9, 2020, Town of Arlington Mayor Mike Wissman issued Executive Order No. 05-2020\(^{551}\) extending the Safer at Home Directive and continuing the closure of non-essential services and businesses initially issued via Executive Order No. 02-2020\(^{552}\) issued on March 23, 2020.
- Executive Order No. 05-2020 is effective at 6:00 p.m. on April 10, 2020 and will remain in effect until 6:00 p.m. on April 17, 2020, unless otherwise extended.

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• **Safer at Home.** All individuals currently living within the Town are required to stay at their place of residence unless engaged in Essential Activities as outlined in this Order. For purposes of this Order, residences include, but are not limited to, hotels, motels, shared rental units, and similar facilities.

• **Closure of Non-Essential Businesses.** All businesses with a facility in the Town, except Essential Businesses as defined in this Order, are required to cease all activities at facilities located within the Town except Minimum Basic Operations, as defined in this Order.
  o For the purposes of this Order, "Essential Businesses" shall be defined as "Essential services" is defined in the Shelby County Health Officer's April 4, 2020 Health Directive, or any amendment thereto. The Directive defines essential services as:
    ▪ Federal and state offices and services, including post offices and airports.
    ▪ Essential County and municipal government functions including law enforcement, transportation, and businesses that provide government programs and services.
    ▪ Businesses that provide social services and other necessities of life for seniors, adults, children, or people with disabilities, substance abuse disorders, or mental illness. This includes residential facilities and shelters.
    ▪ Legally permitted food and beverage to include: grocery and beverage stores, farmers' markets, food banks, catering, convenience stores selling food, agriculture, food processing, feed mills, and other businesses that directly support the food supply.
    ▪ Legally permitted restaurants and other businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment or delivery, are permitted to continue, with the limitation that there are no more than ten (10) employees within the establishment at any one time and that those employees are minimally six (6) feet apart. This shall include any business that did not previously provide goods or services in this manner but obtains a legal permit and develops a procedure to provide its goods and services in this manner. This Directive does not permit on-site dining.
    ▪ Health care, mental and behavioral health, and biomedical research and businesses that directly support the healthcare industry including health information technology, staffing and supplies.
    ▪ Sanitation and waste removal businesses and services.
    ▪ Energy, water, and sewage businesses and services.
    ▪ Pharmacies and medical supply businesses, and other related-businesses that directly support the drug and medical supply pipeline.
    ▪ Vehicle fuel, support, service stations and businesses.
    ▪ Banks, savings and loans, insurance companies, accounting businesses, and other businesses that directly support the insurance and financial services sector.
    ▪ Legal and judicial services as prescribed by state and federal courts.
    ▪ Laundromats/laundry/cleaning services.
    ▪ Home and business repair, hardware supply.
    ▪ Warehousing and storage.
    ▪ Construction and facilities design businesses.
    ▪ Product logistics, transport, and distribution businesses.
    ▪ Parcel/mailings transportation and delivery businesses.
    ▪ Transportation services including buses, taxis, and other private transportation providers.
    ▪ Veterinary and pet supply business and services including agricultural services and the caring and feeding of all livestock and farm animals.
    ▪ Home and business cleaning and maintenance services.
• All businesses which rely upon deliveries may continue, including florists
• Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).
• Print, online and broadcast media.
• Funeral and burial services.
• Certain other business and services that the Shelby County Health Department, in coordination with the Shelby County Mayor's Office and Shelby County Attorney's Office, determine are essential for the continued safety and security of Shelby County.
  o For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

• **Essential Activities.** For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities:"
  o To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
  o To obtain necessary services or supplies for themselves and their family or household members or to deliver those services or supplies to others.
  o To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Order, such as, by way of example and without limitation, walking, hiking, dog walking, or running.
  o To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
  o To perform payroll and other critical administrative functions for any business, including businesses not defined as essential.
  o To care for a family member or pet in another household.

• **Essential Infrastructure.** For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to:
  o Public works construction;
  o Construction of housing (in particular affordable housing or housing for individuals experiencing homelessness);
  o Airport operations;
  o Water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal and grass mowing; and
  o Internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

• **Minimum Basic Operations.** For the purposes of this Order, "Minimum Basic Operations" include the following, provided that employees comply with Social Distancing Requirements as defined this Order, to the extent possible, while carrying out such operations:
  o The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
  o The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

• **Enforcement and Jurisdiction.**
The Shelby County Sheriff’s Office and other Town and Shelby County officials are authorized to enforce and close those businesses within the Town of Arlington in violation of this Order.

**City of Austin/ Travis County**

- On March 24, 2020, Mayor Steve Adler issued the Stay Home and Work Safe Order, which directs all that all individuals currently living within the City of Austin shelter at their place of residence until April 13, 2020. In addition, Travis County Judge Sarah Eckhardt issued an identical order directing all residents of Travis County to shelter in place under the same timeframe.

- All businesses or operations with a facility in the City of Austin, except Essential Businesses and Essential Government Functions as defined in the order are required to cease all activities at facilities located within the city except Minimum Basic Operations. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

- All Essential Businesses Essential Government Service, and Critical Infrastructure are strongly encouraged to remain open, especially those that provide the basic necessities for food, water, and shelter.

- This order shall not be construed to hinder the ability of the industries identified in the U.S. Department of Homeland Security Cyber and Infrastructure Security Agency’s (“CISA”) Essential Critical Infrastructure Workforce Memorandum dated March 19, 2020 to continue their operation appropriately modified to account for CDC workforce and consumer protection guidance.

- The following Essential Businesses may remain open pursuant to this order:
  - **Healthcare Operations:** Healthcare Operations and Critical Infrastructure, including but not limited to caregivers, hospital and laboratory personnel, and pharmacy employees, including hospitals, clinics, dentists, pharmacists, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, and related retail sales or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare and life-saving services provided to animals. This shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined;
  - **Stores that sell Groceries and Certain Other Essential Supplies:** Grocery stores, supermarkets, big-box stores, farmers' markets, food banks, convenience stores, liquor stores and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
  - **Food Cultivation:** Food cultivation, including farming, livestock, and fishing;
  - **Social Services and Charitable Organizations:** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  - **News Media.** Newspapers, television, radio, and other news media services;
  - **Gas Stations and Businesses Needed for Transportation:** Gas stations, automobile dealerships, auto-manufacturing and assembly, auto-supply, auto-repair, and other related facilities;

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554 Travis County Order 2020-5 [https://traviscountytx.gov/images/docs/200314-gathering-order.pdf](https://traviscountytx.gov/images/docs/200314-gathering-order.pdf)
o **Financial Institutions:** Banks and related financial institutions, consumer lenders, sales and finance lenders, credit unions, appraisers, title companies, pawnshops, entities that issue bonds, insurance companies, underwriters, agents, brokers, and related insurance claims and agents;

o **Hardware and Supply Stores:** Hardware stores and businesses that sell electrical, plumbing, and other material necessary to support Essential Businesses, Critical Infrastructure, and Essential Government Functions;

o **Critical Trades:** Plumbers, electricians, exterminators, pool cleaners, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, essential activities, Essential Businesses, Essential Government Functions, or Critical Infrastructure, including but not limited to utilities such as electricity, gas, water and wastewater, and other public works;

o **Mail and Delivery Services:** Businesses providing mailing and shipping services, including post office boxes;

o **Laundry Services:** Laundromats, dry cleaners, and laundry service providers;

o **Restaurants for Consumption Off-Premises:** Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only;

o **Supplies to Work from Home:** Businesses that supply products needed for people to work from home;

o **Supplies for Essential Businesses, Critical Infrastructure and Essential Government Functions:** Businesses that supply other Essential Businesses, Critical Infrastructure, and Essential Government Functions with the support, supplies, or components necessary to operate including but not limited to computers, audio and video electronics, microelectronics, semiconductors, hardware, paint, electrical and plumbing material, sanitary equipment, medical equipment, and food and beverages;

o **Food Delivery Services:** Businesses that ship or deliver groceries, food, goods or services directly to residences;

o **Transportation:** Aircraft, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of essential activities, Essential Businesses, Critical Infrastructure, Essential Government Functions, or Essential Travel;

o **Home-Based Care and Services:** Home-based care for seniors, adults, or children, including caregivers who may travel to provide care;

o **Residential Facilities and Shelters:** Residential facilities and shelters for seniors, adults, children, and animals;

o **Professional Services:** Professional services, such as legal or accounting services, insurance services, and real estate services when necessary to assist in compliance with legally mandated activities or to further Essential Businesses, Essential Government functions, or Critical Infrastructure;

o **Information Technology Services:** IT and IT services and their essential services vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing as well as telecommunications services, internet access, and broadband/communications services;

o **Moving Supply Services:** Businesses that provide residential and/or commercial moving services and necessary moving supplies;

o **Hotels and Motels:** Hotels and motels, to the extent used for lodging or delivery or carry-out food services;
Funeral Services: Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible;

Educational Institutions. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing other essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible; and

Childcare Facilities: Childcare facilities providing services that enable individuals exempted in this order as permitted.

Minimum Basic Operations: Businesses may facilitate "Minimum Basic Operations," include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:

- The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions; or

- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

Enforcement: Peace officers, City of Austin Code Department inspectors, and the Office of the Austin Fire Marshal, are hereby authorized to enforce this order. A violation is a misdemeanor punishable by a fine not to exceed $1,000 and/or confinement in jail for a term not to exceed 180 days. In regard to Travis County's directive, the Travis County Sheriff's Office, the Travis County Fire Marshal's Office, and other peace officers, are authorized to enforce the order.

Bay Area California

- Alameda, Contra Costa, Marin, Santa Clara, San Francisco, San Mateo, Sonoma, plus the City of Berkeley (which operates its own public health department) made a joint announcement that shelter-in-place orders would be extended to May 3.
- The initial stay at home order started on March 17 and was set to end on April 7, however, as President Trump extended social distance guidelines to April 30, the Bay Area soon followed.
- In addition to the restrictions put in place for the original three-week shelter-in-place order, officials are now requiring new rules: The Order is in effect until Sunday, May 3, 2020 at 11:59 p.m., unless the Health Officer extends or shortens it.
- Social distancing requirements are mandatory for everyone, including essential workers.
- These requirements include maintaining six-foot social distancing between individuals who are not members of your household.
- Individuals may move residences only if it’s not possible to wait until after the Order expires. In other words, you can move if the move is already planned or if it’s necessary to maintain shelter, to stay safe, or to stay in a livable residence.

556 [https://813dcad3-2b07-4f3f-a25e-23c48c566922.filesusr.com/ugd/ee8930_0608f9f381f14597bbf009bbeb2aaa4d.pdf](https://813dcad3-2b07-4f3f-a25e-23c48c566922.filesusr.com/ugd/ee8930_0608f9f381f14597bbf009bbeb2aaa4d.pdf)
558 [https://www.sccgov.org/sites/phd/DiseaseInformation/novel-coronavirus/Pages/order-health-officer-033120.aspx](https://www.sccgov.org/sites/phd/DiseaseInformation/novel-coronavirus/Pages/order-health-officer-033120.aspx)
559 [https://www.sfdph.org/dph/alerts/files/HealthOfficerOrder-C19-07b-ShelterInPlace-03312020.pdf](https://www.sfdph.org/dph/alerts/files/HealthOfficerOrder-C19-07b-ShelterInPlace-03312020.pdf)
• If you move into or out of the Bay Area region, you are strongly encouraged to quarantine for 14 days, following the guidance of the U.S. Centers for Disease Control and Prevention.

• In addition to activities allowed under the Prior Shelter Order, you may leave your residence to:
  o Attend a funeral with no more than 10 individuals present, provided you maintain social distancing.
  o Manage after-death arrangements and burial.
  o Arrange for shelter or avoid homelessness.
  o Avoid domestic violence or child abuse.
  o Travel for parental custody arrangements.
  o Travel to a temporary residence to avoid exposing others to COVID-19.

• For Healthcare:
  o You are allowed to leave your residence to access any healthcare services, including preventative care services.
  o You are allowed to leave your residence to work or volunteer at healthcare operations, as well as to provide or access health care services.
  o Blood banks and blood drives can continue to operate. You’re allowed to work or volunteer for blood banks or blood drives, and you can donate blood.

• For Businesses (New Requirements for All Essential Businesses):
  o Before Friday, April 3, 2020, essential businesses that continue to operate facilities in the County must create, post, and implement a Social Distancing Protocol for each facility frequented by employees or the public, using the template attached to the Order. Essential businesses must also provide a copy of their Social Distancing Protocol to all employees and must provide evidence of its implementation to any authority enforcing the Order on demand.
  o Essential businesses must maximize the number of employees who can work from home. Only those employees who cannot perform their job duties from home may work outside their homes.
  o Businesses with both essential and non-essential components must scale down operations to only the essential components. However, retail outlets that sell a significant proportion of essential goods like food, hygiene, and consumer household products may keep open to the public (and stock) the portions of their retail storefronts dedicated to non-essential products.
  o Essential businesses must follow industry-specific guidance issued by the California Department of Public Health related to COVID-19.

• Removals from the List of Essential Businesses:
  o Businesses that supply products needed for people to work from home no longer qualify as essential businesses.

• Additions to the List of Essential Businesses:
  o Service providers that enable residential transactions, including real estate agents, escrow agents, notaries, and title companies. Residential viewings may only occur virtually, or if virtual viewing is impossible and the residence is unoccupied, by appointment with no more than two visitors from the same household and one person showing the unit.
  o Funeral home providers, mortuaries, cemeteries, and crematoriums.
  o Services to assist individuals in finding employment with essential businesses.
  o Moving services that facilitate residential or commercial moves allowed by the Order.
  o Rental car companies and rideshare services (including shared bicycles and scooters) providing services necessary for Essential Activities.
  o Licensed Cannabis businesses.

• Clarifications to the List of Essential Businesses:
  o Retailers that sell non-alcoholic beverages are essential businesses.
Establishments that sell multiple categories of specified essential products (unprepared food, pet supplies, hygienic products, and household consumer products necessary for sanitation, habitability, or operation of residences) are essential businesses if they sell a significant amount of those essential products. This includes, for instance, a liquor store that sells a significant amount of food.

Arborists, landscapers, gardeners, and similar service professionals are essential businesses, but only to provide services necessary to maintain the safety and healthy operation of a business or residence. This means they can provide services for fire prevention like weed abatement. But they cannot provide services that are cosmetic or that constitute general upkeep.

Gas stations, auto-supply, and auto-repair businesses, and auto dealerships may operate only to provide auto-supply and auto-repair services (and not, for example, car washes or onsite car sales).

Only essential businesses can pick up orders from non-essential retail storefronts, and only if those orders are necessary to their business operation. Non-essential retailers are prohibited from providing curbside pickup service or onsite sales to members of the general public.

Businesses are prohibited from operating facilities to manufacture or assemble nonessential products.

Childcare facilities may only operate to provide childcare to children or dependents of workers exempt under the Order, including volunteers and contractors (e.g. employees of essential businesses, workers who must leave their residence to perform minimum basic operations, and workers performing essential governmental functions). Non-exempt workers cannot use childcare facilities.

Clarifications for Non-Essential Businesses:

- Non-essential businesses may deliver existing inventory directly to residences or other businesses.
- Minimum basic operations include activities necessary to maintain the safety and sanitation of the business, as well as previously listed functions.

Essential Infrastructure:

- Essential infrastructure is clarified to include solid waste facilities (including collection, removal, disposal, and processing facilities), cemeteries, mortuaries, and crematoriums.
- The Order removes public works construction and construction of housing from the list of essential infrastructure. Construction is restricted to the types of projects described below.

Construction is restricted to the following types of projects:

- Projects immediately necessary to the maintenance, operation, or repair of essential infrastructure. This means that construction related to essential infrastructure is not allowed if the infrastructure will not be ready for an extended period of time. The expansion of an infrastructural facility that will not be completed for a year, for example, is not fulfilling an immediate need.
- Projects associated with healthcare operations, but only if the construction is directly related to the COVID-19 response.
- Affordable housing, including multi-unit or mixed-use development with at least 10% income-restricted units. Other residential construction is not permitted.
- Public works projects, but only if they are specifically designated as an essential governmental function by the lead governmental agency.
- Construction or debris removal activities undertaken pursuant to Chapters 40 and 40A of the County Code, or any other rebuild construction and debris removal activities on fire damaged or destroyed properties within the incorporated areas of the County.
- Shelters and temporary housing, but not including hotels or motels.
• Projects immediately necessary to provide critical non-commercial services to those experiencing homelessness, elderly persons, persons who are economically disadvantaged, and persons with special needs.
• Construction strictly necessary to ensure that a site that is shut down under this Order is safe and secure.
• Construction or repair necessary to ensure that a residence or a building containing essential businesses is safe, sanitary, and habitable if that work cannot be reasonably delayed.

- The Order expands and clarifies the list of social distancing requirements. These requirements now include:
  • Maintaining at least six-foot social distancing from other individuals who are not part of your household;
  • Frequently washing your hands with soap and water for at least 20 seconds or using hand sanitizer recognized by the CDC to be effective in combatting COVID-19;
  • Covering cough and sneezes with a tissue or fabric or, if that’s not possible, coughing or sneezing into your sleeve or elbow (not into your hands); and
  • Avoiding all social interaction outside your home when you’re sick with a fever or cough.
  • Social distancing requirements are mandatory, except between members of the same family or living unit. Everyone must strictly comply with the social distancing requirements when they’re not in their home unless the Order specifically allows otherwise. Exceptions are for activities where strict social distancing is impossible:
    • When providing care (including childcare, adult or senior care, care to individuals with special needs, and patient care);
    • When the work of essential businesses, essential governmental functions, or provision of minimum basic operations requires some amount of closer contact;
    • By transit agencies and people riding on public transit, when strict compliance is impossible.

- Tourism:
  • The Order states short-term rentals (hotels, motels, Airbnb, Vrbo) are prohibited, unless they provide:
    ▪ Lodging to protect the County homeless population;
    ▪ Lodging for County residents displaced and cannot return to their residence that must isolate or quarantine or is at an increased risk of serious illness.
    ▪ Lodging for a County resident who needs to isolate or quarantine and housing support for COVID-19 related essential functions.

- Enforcement:
  • The Order clarifies that it can be enforced by law enforcement and also through civil remedies:
    ▪ Failure to comply with the requirements is a misdemeanor punishable by fine, imprisonment, or both.
    ▪ Violation of the Order constitutes a public nuisance and a violation of the County Ordinance Code. The County may take appropriate actions to stop businesses from violating the Ordinance, including obtaining a temporary restraining order and pulling an applicable permit or revoking an applicable license.

- Additional Clarifications:
  • Residences include both the living structures and outdoor spaces associated with them, such as patios, porches, backyards, and front yards that are only accessible to a single family or household unit.
City of Birmingham (AL)

- On March 24, 2020 the Council of the City of Birmingham passed an ordinance establishing a “Shelter in Place Order” that creates a city-wide curfew enforceable by a $500 fine or up to 30 days in prison.
- The order incorporates the requirements of the Jefferson County Chief Health Officer (as amended March 27, 2020) for City residents in Jefferson County, and of the State Health Officer for City residents in Shelby County. These restrictions are summarized separately.
- All private and public gatherings of 10 or more persons are prohibited, unless a consistent distance of 6 feet can be maintained, except as exempted below.
- The curfew does not apply to:
  - Public safety or emergency service activities, including law enforcement
  - First responders, crisis intervention workers, public workers, and related contractors
  - Persons in utilities, cable and telecommunications and engaged in activities necessary to maintain and restore services
  - Persons providing fire, police, sanitation, security, emergency and hospital services, food delivery services and other deliveries of merchandise or mail
  - Persons seeking essential services or commodities
  - Persons supplying restocking businesses in order to provide essential services or products, including home improvement, groceries fuel delivery, pharmacies or other retailers offering emergency supplies, transportation of fuels, movement of equipment and personnel for the provision of humanitarian support, and movement of equipment necessary for critical infrastructure of public safety
  - Persons employed by federal, state county or city government working within the course and scope of their public service employment
  - Persons experiencing homelessness
- All travel, including on foot, bicycle, automobile or public transit is prohibited (except transportation in interstate commerce).
- Exempted Essential Activities include:
  - Visiting a health or veterinary care professional
  - Obtaining medical supplies
  - Obtaining grocery items for household use or to deliver to others
  - Travel related to caring for minors, the elderly, the disabled, or other vulnerable people
  - Travel through the city, or travel into or out of the city to reach one’s residence
  - Travel to comply with an order of law enforcement or court order
  - Travel to and from a business which provides essential services
  - Travel for legally mandated government purposes
- Exempted essential infrastructure includes:
  - Construction (commercial, office, residential, institutional and housing)
  - Airport operations
  - Food supply, concessions and construction
  - Port operations and construction
  - Water, sewer, gas electrical, oil extraction and refining
  - Roads and highways, public transportation and rail
  - Solid waste collection and removal
  - Flood control and watershed protection


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o Internet and telecommunications systems (including essential global, national and local infrastructure for computing services, business infrastructure, communications, and web-based services)

o Manufacturing and distribution companies essential to the supply chains of essential infrastructure

• Individuals may go out for several personal reasons:
  o To engage in outdoor activity and recreation, including travel to and from places for outdoor activity, provided they comply with social distancing requirements
  o To care for or support a friend, family member, or pet in another household

• On April 28, 2020, the Birmingham City Council passed an ordinance, effective May 1, requiring people in public places to wear a mask. “Public place” is defined as “any place other than an individual’s home or personal vehicle.” The requirement generally applies to all persons, including employees, customers and clients of businesses within the City. 564

City of Bristol/County of Sullivan, TN

• On March 30, 2020, officials from the Sullivan County Regional Health Department issued a Safer at Home Health Order 565 for the citizens of Sullivan County effective beginning at 12:01 AM EDT on Tuesday, March 31, 2020 that will remain in effect until further notice.

• In conjunction with the Safer at Home Health Order, Bristol, Tennessee Mayor Margaret Feierabend and City Manager Bill Sorah also issued an Executive Order proclaiming a local and civil emergency within the City of Bristol, Tennessee.

• This order urges citizens to shelter at home as much as possible except when engaging in essential activities.

• All gatherings are strongly discouraged, and those with more than 10 people are prohibited. Gatherings include any event or convening unrelated to essential services that brings together groups of individuals, including, but not limited to: community, civic, public, leisure, faith-based, or sporting events, parades, concerts, festivals, conventions, fundraisers, and similar activities.

• City and County parks may remain open. Citizens using these open spaces are directed to adhere to Centers for Disease Control and Prevention (CDC) guidance on social distancing and hand hygiene, remaining 6 feet apart.

• All businesses not performing essential services shall close their business facilities, subject to exceptions stated in this Order. Facilities shall remain accessible as needed to service computer and other equipment, process mail, and maintain security.

• Nothing in this Order shall prohibit any business possessing applicable licenses or permits from conducting deliveries; however, CDC guidance on social distancing shall be followed when possible.

• Nothing in this order is intended to prohibit individuals from performing business functions of nonessential businesses from their own homes, provided that such business functions comply with existing law and are only performed by residents of that home.

• This Order does not apply to activities necessary to maintain continuity of operations of critical infrastructure sectors as outlined at https://www.cisa.gov/identifying-critical-infrastructure during covid-19. As set forth by the Federal Department of Homeland Security in the link above the federal government has identified 16 critical infrastructure sectors whose assets, systems and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, economic security,

public health or safety, or any combination thereof. Individuals working in these 16 critical infrastructure sectors may continue their work because of the importance of these sectors to the health and well-being of individuals residing or working in Sullivan County.

- Daycare and childcare business shall prioritize children of parents working for essential infrastructure sectors, businesses, or service providers to the extent practicable.
- Assisted living facilities, nursing homes, adult daycare centers, home health businesses, and senior residential facilities shall follow CDC guidance on social distancing and hand hygiene to the extent practicable. Non-essential social and educational programs at senior citizen and other assisted living communities and centers shall end until further notice.
- Hotels, short term rental properties, commercial lodges, and dormitories shall cease entertainment or dine-in services, subject to allowing food and beverage pick-up and room-service.
- Essential services, especially grocery stores and pharmacies, shall make best efforts to establish hours of operations during which their services are available only to senior citizens or otherwise vulnerable populations.
- Essential services shall continue to adhere to CDC guidance on social distancing and hand hygiene in the workplace, including encouraging work-from-home and allowing employees when possible to work on-site in shifts to optimize social distancing in the workplace, where possible.
- Essential services are encouraged to utilize, to the maximum extent possible, any telecommuting or work-from-home procedures they can safely utilize.
- The following essential activities will remain open:
  - Federal and state offices and services, including post offices and airports
  - Essential Sullivan County government functions including law enforcement, transportation, and businesses that provide government programs and services
  - Food and beverage: grocery and beverage stores, farmers markets, food banks, catering, convenience stores selling food, agriculture, food processing, feed mills, and other businesses that directly support the food supply
  - Health care, mental and behavioral health, and biomedical research and businesses that directly support the healthcare industry including health information technology, staffing and supplies
  - Sanitation and waste removal businesses and services
  - Energy, water, and sewage businesses and services
  - Pharmacies and medical supply businesses, and other businesses that directly support the drug and medical supply pipeline
  - Vehicle fuel, support, service stations and businesses
  - Banks, savings and loans, insurance companies, accounting businesses, and other business that directly support the insurance and financial services sector
  - Legal and judicial services
  - Laundromats/laundry/cleaning services
  - Home and business repair, hardware supply
  - Warehousing and storage
  - Construction and facilities design businesses
  - Product logistics, transport, and distribution businesses
  - Parcel transportation and delivery businesses
  - Veterinary and pet supply business and services including agricultural services and the caring and feeding of all livestock and farm animals
  - Home and business cleaning and maintenance services
  - All businesses which rely upon deliveries may continue, including florists
  - Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services)
Print, online and broadcast media

In addition:

- Daycare and childcare business will remain open, but will prioritize children of parents working in essential services.
- Hotels and commercial lodges will remain open, but must end entertainment or dining services in restaurants or group settings. Pick-up and room-service food services may continue.
- Housing and rental services may continue, but agents should practice social distancing, hold no open houses, or gather in groups larger than 10.
- Essential services listed above may continue as long as appropriate distancing is physically possible and encouraged. These businesses will adhere to CDC guidance on social distancing and hand hygiene in the workplace, including encouraging work-from-home and allowing employees when possible to work on-site in shifts to optimize social distancing in the workplace.
- All essential services, especially grocery stores and pharmacies, will make best efforts to establish hours when only available to senior citizens or otherwise vulnerable populations.

This Order does not apply to employees of government agencies working within the course and scope of their public service employment. Employees of Sullivan County, Kingsport, Bristol, and Bluff City shall follow any current or future directives issued by the Mayor(s) or City Manager’s.

Individuals may leave their residences to provide any services or goods or perform any work necessary to the operations, maintenance and manufacturing of essential infrastructure, including without limitation:

- Construction of commercial and institutional buildings, and residential buildings and housing
- Airport operations, food supply, concessions, and construction
- Water, sewer, gas, electrical, oil extraction and refining.
- Roads, highways, public transportation and rail.
- Solid waste collection and removal.
- Flood control and watershed protection.
- Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services)
- And manufacturing and distribution companies deemed essential to the supply chains of the above industries

On April 6, 2020, the Mayor and the City Manager issued Executive Order No. 20-02 extending the declaration to April 14, 2020.

On April 13, 2020, the Mayor and the City Manager issued Executive Order No. 20-03 extending the declaration to April 21, 2020.

**Broward County Florida**

- On March 22, 2020, Broward County Administrator Bertha Henry issued an emergency order directing all non-essential businesses in Broward County to close. On March 26, 2020, an

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amended order was issued directing all residents of Broward County to shelter in place, other than to engage in essential activities.\textsuperscript{569}

- All nonessential retail, non-profit, and commercial business locations are ordered closed except to the extent necessary to perform Minimum Basic Operations. "Minimum Basic Operations" means the minimum activities necessary to maintain the value of inventory, preserve plant and equipment condition, ensure security, process payroll and employee benefits, and facilitate employees working remotely.

- The following retail, non-profit, and commercial businesses are deemed essential and existing retail and commercial business locations of these businesses may remain open, but shall practice, and ensure persons interacting with and within such businesses practice, social distancing and all other measures as advised by the CDC:
  - Except to the extent precluded by the Governor's Executive Order 20-72\textsuperscript{570} or any subsequent Executive Order, healthcare providers and public health operations, including but not limited to: hospitals; doctors' and dentists' offices; urgent care centers, clinics, and rehabilitation facilities; physical therapists; mental health professionals; psychiatrists; therapists; research and laboratory services; blood banks, medical cannabis facilities; medical equipment, devices, and other healthcare manufacturers and reproductive health care providers; eye care centers; home healthcare services providers; substance abuse treatment providers; medical transport services; and pharmacies;
  - Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments primarily engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, baby products, pet supply, liquor, fresh or frozen meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This authorization to remain open includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences and other structures;
  - Businesses engaged in food cultivation, including farming, livestock, and fishing;
  - Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  - Newspapers, television, radio, and other media services;
  - Gas stations, marine fueling stations, new and used automobile dealerships, and auto-supply, auto-repair, motorcycle, scooter, and motorcycle or scooter repair shops, bicycle and bicycle repair shops, and related facilities;
  - Banks and related financial institutions, including insurance firms, but excluding pawn shops;
  - Hardware, gardening, and building material stores;
  - Contractors and other tradesmen, building management and maintenance (including janitorial companies servicing commercial businesses), home security firms, fire and water damage restoration, public adjusters, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to

\textsuperscript{569} Executive Order 20-03, \url{https://www.broward.org/CoronaVirus/Documents/BC-EmergencyOrder20-03.pdf}

\textsuperscript{570} Executive Order 20-72 states that “all hospitals, ambulatory surgical centers, office surgery centers, dental, orthodontic and endodontic offices, and other health care practitioners' offices in the State of Florida are prohibited from providing any medically unnecessary, non-urgent or non-emergency procedure or surgery which, if delayed, does not place a patient's immediate health, safety, or wellbeing at risk, or will, if delayed, not contribute to the worsening of a serious or life-threatening medical condition. Accordingly, all health care practitioners licensed in the State of Florida, including dentists, shall immediately cease performing these elective services.
maintaining the safety, sanitation, and essential operation of residences and other structures;
Businesses primarily providing mailing, logistics, pick-up, and shipping services, including post office boxes;
Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning, perform critical research, or perform essential functions, and university, college, or technical college residence halls, but only to the extent needed to accommodate students who cannot return to their homes;
Laundromats, dry cleaners, and laundry service providers;
Restaurants and other facilities that prepare and serve food, but subject to the limitations and requirements of the Governor's Executive Orders 20-68, 20-70, and 20-71 and further subject to the following requirements: no more than ten (10) people may utilize or congregate at or near any such restaurant, facility, or food truck at any time, and any person in line must adhere to all measures advised by the CDC regarding social distancing: if more than ten (10) people congregate around multiple food trucks, the food trucks must be separated by at least fifty (50) yards.
Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only.
Businesses that primarily supply office products needed for people to work from home (but not including businesses that primarily sell or lease furniture);
Businesses that primarily supply other essential businesses, as stated in this Emergency Order, with the support or supplies necessary to operate, and which do not interact with the general public, including cybersecurity firms (but not including businesses that primarily sell or lease furniture);
Businesses that primarily ship or deliver groceries, food, goods, or services directly to residents;
Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, boat, bus, or train;
Businesses engaged in providing home-based care for seniors, adults, or children;
Assisted living facilities, nursing homes, adult day care centers, and home-based and residential settings for adults, seniors, children, and/or people with disabilities or mental illness;
Businesses providing professional services, such as legal or accounting services, to the extent those services are necessary to comply with state or local laws or regulations during the declared Broward County emergency and only if such services cannot be performed as permitted in Section 4 below;
Landscape and pool care businesses, including residential landscape and pool care services;
Childcare facilities providing services that enable employees exempted in this Emergency Order to work as permitted.
Businesses operating at any airport, seaport, or other government facility, except as provided in the Governor's Executive Order 20-71, which requires all restaurants and food establishments licensed under Chapters 500 and 509 to suspend on-premises food and alcohol consumption, and except as to businesses operating from Broward County facilities as to which separate directives have or will be issued;
Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;
Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;
Businesses engaged in the provision of propane or natural gas;
o Businesses engaged in the provision of office space and administrative support necessary to perform any of the above-listed activities;

o Open construction sites, irrespective of the type of building;

o Businesses providing architectural, engineering, or land surveying services, but only with regard to ongoing construction projects in which construction has already commenced and provided that such businesses operate in full compliance with all measures advised by the CDC regarding social distancing;

o Factories, warehouses, manufacturing facilities, bottling plants, or other industrial distribution and supply chain facilities used to the extent the entity supplies goods or products necessary for the continued operation of essential businesses listed in the order;

o Waste management services, including business engaged primarily in the collection and disposal of waste;

o Private and municipal marinas and boat launches, docking, fueling, marine supply, and other marina services, but only to the extent to conduct the following limited operations:
  - Allow any person with a commercial saltwater license issued by the Florida Fish and Wildlife Conservation Commission to enter and use Broward County marina or boat launch for commercial fishing purposes only:
  - To support patrol, enforcement, and rescue activity by federal, state, or local government agencies;
  - To accommodate boats, ferries, or other vessels in support of Port Everglades operations;
  - To accommodate persons living aboard their vessels;
  - To accommodate persons returning to the United States from international voyages;
  - To authorize entry by persons needing to remove their vessels from the water;
  - To perform emergency maintenance on a vessel, marinas, or fueling stations, and/or
  - To perform marine supply services

o Hotels, motels, other commercial lodging establishments, and temporary vacation rentals, subject to the limitations stated in the Governor's Executive Order 20-70. Hotels, motels, and other commercial lodging establishments shall not accept new reservations for persons other than Essential Lodgers.
  "Essential Lodgers" are defined as: (1) healthcare professionals; (2) first responders; (3) National Guard members; (4) law enforcement; (5) state or federal government employees; (6) airline crewmembers; (7) patients; (8) patients' families; (9) journalists; (10) others providing direct services in response to COVID-19; (11) displaced residents or visitors from local lodging due to the COVID-19 crisis; (12) persons utilizing hotels as transitional living arrangements; (13) persons sheltering in hotels due to domestic violence; (14) hotel employees, service providers, and contractors; or (15) individuals who, for any reason, are temporarily unable to reside in their home due to exigent circumstances;

o Veterinarians and pet boarding facilities;

o Mortuaries, funeral homes, and cemeteries including funeral and cremation services;

o Firearm and ammunition supply stores;

o Businesses providing services to any local, state, or federal government, pursuant to a contract with such government and provided such services relate directly to a governmental response to the COVID-19 crisis or relate to a governmental public works construction project within Broward County;

o Any business that employs five (5) or fewer persons, including management or ownership, where the employees do not come in regular contact with the general public

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in the regular course of business and the business can conduct its business in a manner
that complies with the recommended social distancing and other requirements of previous
executive orders, except to the extent inconsistent with any Executive Order or regulation
issued by the Governor of Florida, the state, or any federal authority;
  o Electrical production and distribution services; and
  o Moving, storage, and relocation services; and
  o Real estate sales and real property title services, provided such services are performed
    only electronically or remotely as permitted in Section 4.
• This order does not affect or limit the operations of Broward County, any public utility, any
  municipality, the Broward County School District, the North Broward Hospital District, the South
  Broward Hospital District, any other local government entity in Broward County, or any State or
  Federal office or facility.
• The provisions of this Emergency Order shall serve as minimum standards, and in no way modify
  any power possessed by municipalities within Broward County to impose more stringent
  standards within their jurisdictions. This Emergency Order shall apply to retail and commercial
  businesses based upon their regular course of their business as of March 21, 2020; any change to
  an entity's scope of business after March 21, 2020, shall not modify the characterization of the
  entity as essential or nonessential.

Cameron County (TX)
• On March 26, 2020, County Judge Eddie Trevino issued an amended emergency management
  order mandating countywide shelter in place. This Order will remain in effect until Tuesday April
  7, 2020, or until it is rescinded in writing by the Cameron County Judge. 571
• Residents shall shelter in place, except to perform Essential Personal Activities:
  o To engage in activities or perform tasks essential to their health and safety, or for the
    health and safety of their family or household
  o To obtain necessary services or supplies for themselves and their family, household
    members, and pets, or to deliver those services or supplies to others
  o To engage in outdoor activity, provided the individuals comply with Social Distancing
    (walking, hiking, biking, or running);
  o To perform work providing essential products and services at an Essential Business or to
    otherwise carry out activities specifically permitted in this Order, including Minimum
    Basic Operations (means operations consisting exclusively of employees or contractors
    performing activities at their own residences (i.e., working from home); and or to care for
    a family member or pet in another household.) or Obtaining Healthcare Operation
    Services (does not include fitness and exercise gyms or similar operations/facilities.
    Operations do not include elective medical, surgical, and dental procedures (such as teeth
    cleaning) or Performing Essential Infrastructure Operations (any services or
    performance of work necessary to the operations and maintenance of public works
    construction, commercial construction) or Performing or Accessing Essential
    Governmental Functions or To Operate Essential Businesses.
• "Essential Businesses" include:
  o Healthcare Operations and Essential Infrastructure Operations;
  o Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food
    banks, convenience stores, liquor stores, and other establishments engaged in the retail
    sale of canned food, dry goods, fresh fruits and vegetables, pet food and supplies, fresh

meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products).

- Agriculture, food and beverage cultivation, processing, and distribution, including but not limited to, farming, ranching, fishing, dairies, creameries, distilleries, and breweries in order to preserve inventory and production including cross border trade (not for retail business);
- Services necessary to maintain residences or support Essential Businesses, for example, hotels and other temporary residence facilities, laundromats, dry cleaners and laundry service providers, trash and recycling collection, processing and disposal, mail and shipping services, cleaning and building maintenance, warehouse, distribution and fulfillment, and storage for Essential Businesses;
- Professional services such as engineering, architectural and surveying;
- Legal, accounting, and related services, when necessary to assist in compliance with legally mandated activities;
- Businesses necessary to supply agriculture, food, and beverage cultivation, processing, and distribution; including custom brokers;
- Businesses that provide food, shelter, and social services and other necessities of life for economically disadvantaged or otherwise needy individuals;
- Newspapers, television, radio, and other media services;
- Gas stations and auto-supply, auto-repair, and related facilities;
- Banks and related financial institutions including pawn shops, casas de cambio, credit unions, check cashing and loans, auto, home, commercial insurance, payroll and health insurance processing;
- Real estate, appraisal, abstract and title service companies;
- Hardware stores;
- Plumbers, electricians, exterminators, HVAC repairs, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Personal Activities, and Essential Businesses;
- Landscaping, irrigation, and pool cleaning services;
- Businesses providing mailing and shipping services, including post office boxes;
- Restaurants and other related facilities open for drive thru or carry out only
- Businesses that supply products needed for people to work from home;
- Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
- Businesses that ship or deliver groceries, food, goods or services directly to residences;
- Airlines, taxis, and other private transportation for hire that provide transportation services necessary for Essential Activities and other purposes expressly authorized;
- Home-based care for seniors, adults, or children;
- Residential facilities and shelters for seniors, adults, and children;
- Funeral homes

- Except for Essential Businesses, all operating businesses located within, or using a facility in Cameron County shall cease all business activities other than Minimum Basic Operations.

Carter County (TN)

- County Mayor Rusty Barnett issued a Safer At Home directive on March 30, 2020, effective on April 1 and will remain in effect until April 7.
- All individuals currently living within the unincorporated limits of Carter County are required to stay at their place of residence unless engaged in Essential Activities as outlined in this Order.

• All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and travel for Essential Activities as defined in this Order, is prohibited.

• All businesses with a facility in the County, except for Essential Businesses as defined in this Order, are required to cease all activities at facilities located within the county except Minimum Basic Operations, as defined in this Order. Businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residence (i.e., working from home).

• **Essential Activities.** For the purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities”:
  o To engage in activities or perform tasks essential to their health and safety, or the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
  o To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others.
  o To engage in outdoor activity.
  o To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
  o To perform payroll and other critical administrative functions for any business, including businesses not defined as essential.
  o To care for a family member or pet in another household

• **Essential Business.** For the purpose of this Order, “Essential Business” means:
  o Healthcare Operations.
    ▪ For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations,” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, medical supply companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, as broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.
  o Essential Infrastructure.
    ▪ For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highway, public transportation, solid waste collection and removal, grass mowing, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web based services), provided that they carry out
those services or that work in compliance with Social Distancing Requirements as defined in this Order, to the extent possible.

- Grocery and beverage stores, certified farmers’ market, farm and produce stands, supermarkets, food banks, convenience stores, catering, and other similar establishments. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
- Food cultivation, including farming, livestock, and fishing.
- Businesses that provide food, shelter, and social services, and other necessities of life for the economically disadvantaged or otherwise needy individuals.
- Newspapers, television, radio, and other media services.
- Gas stations and auto supply, auto repair, and related facilities.
- Banks and related financial institutions.
- Hardware stores, home and business repair, construction (commercial and residential), and facilities design businesses.
- Insurance businesses and services.
- Plumbers, electricians, exterminators, cleaning, janitorial, property management, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Business.
- Businesses providing mailing, shipping and logistic services, including post office boxes.
- Laundromats, dry cleaners, and laundry service providers.
- Electronic, cell phone, and internet retail businesses.
- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site.
- Manufacturing companies, distributors, and supply chain companies producing, storing, shipping, and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, medical supplies, shipping and paper supplies, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses.
- Businesses that supply other Essential Businesses with the support or supplies necessary to operate or facilitate individuals to work from home, such as office supplies.
- Businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment, or delivery. This shall include any business that did not previously provide goods or services in this manner, but develops a procedure to provide its goods and services in this manner.
- Transportation services including buses, airlines, taxis, and other private transportation providers (such as Uber and Lyft) providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
- Home-based care for seniors, adults, or children, people with developmental disabilities, intellectual disabilities, substances use disorders, and/or mental illnesses.
- Residential facilities and shelters for seniors, adults, children, people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness.
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.
- Childcare and daycare facilities, prioritizing services to employees of businesses exempted in this Order to work as permitted. Daycare and childcare facilities must use Social Distancing and COVID-19 risk mitigation practices in their operations, and shall have no more than ten (10) people in a room.
- Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
- Funeral homes, crematoriums, mortuary, and burial services.
- Private waste removal and recycling services.
- Blood donor operations.
- Any other business or service that the Mayor determines is essential for the safety and public health of the County.

**Essential Travel.**
- Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
- Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and for other related services.
- Travel return to a place of residence from outside the jurisdiction.
- Travel required by law enforcement or court order.
- Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.

**Minimum Basic Operations.**
- The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- The minimum necessary activities to facilitate deliveries, curbside pickup, or door side pickup.

**Enforcement and Jurisdiction.**
- The Carter County Sheriff’s Office and certain other appropriate County officials as designated by the Mayor are authorized to enforce this order and close those businesses within the unincorporated boundaries of Carter County found to be operating in violation of this Order.
• On April 6, 2020, Carter County Mayor Russell Barnett issued Executive Order 2 which extends the previous Executive Order declaring a Local State of Emergency for an additional seven days.  

• On April 14, 2020, Carter County Mayor Russell Barnett issued Executive Order 3 which extends the previous Executive Orders declaring a Local State of Emergency for an additional seven days. 

City of Charleston (SC)

• On March 24, 2020 the Charleston City Council passed an Emergency Ordinance on Stay at Home, effective at midnight on March 26, 2020.
• Individuals are required to stay in their homes and not travel through or congregate in the City, including at businesses, except for the purposes of working at or conducting business with Essential Services.
• Essential Services are defined to include (and the list may be modified by the Mayor):
  o Health care operations, including research and lab services, hospitals, walk in clinics, elder care, medical wholesale and distribution, home health care, doctor and emergency dental, nursing homes, residential health care facilities, medical supplies and equipment manufacturers and providers
  o Essential infrastructure operations, including utilities including power generation, fuel supply and transmission, public water and wastewater, telecommunications and data centers, airports/airlines, transportation infrastructure such as bus, rail, or for-hire vehicles, garages, hotels, and places of accommodation, and the South Carolina Port Authority
  o Essential manufacturing operations, including food processing, manufacturing agents, including all foods and beverages, chemical, medical equipment/instruments, pharmaceuticals, sanitary products, telecommunications, microelectronics/semi-conductor, agriculture/farm, household paper products, vehicle and aircraft manufacturing
  o Essential retail operations, including grocery stores, food and beverage stores, big box stores or wholesale clubs, pharmacies, convenience stores, direct farm to consumer sales, gas stations, restaurants/bars (only for take-out or delivery), hardware stores
  o Other essential services operations, including garbage collection and disposal, mail and shipping, laundromats and dry cleaning, building cleaning and maintenance, child care services, warehouse and fulfillment, funeral homes, crematoriums and cemeteries, storage for essential businesses, animal shelters, educational institutions (for the purpose of facilitating distance learning, performing critical research or performing essential functions)
  o News media
  o Financial institutions and professional services operations, including banks, check cashing services, insurance, payroll, accounting, services related to financial markets, and legal services
  o Providers of basic necessities to economically disadvantaged persons, including homeless shelters, food banks, human services providers in state licensed or funded programs, care of individuals in community and residential facilities, community shelters

o **Construction**, including electricians, plumbers, related construction professionals for essential infrastructure or emergency repair and safety, and other construction where the contractor can ensure social distancing

o **Defense operations**, both US government and contractors

o **Essential services for safety, sanitations and essential operations of residences or other essential businesses**, including law enforcement, fire prevention and response, building code enforcement, security, emergency management, building cleaners, general maintenance, auto repair, disinfection, shipping, logistics, delivery and pickup services

- Individuals who are authorized to go out should practice social distancing.
- Social gatherings of over 10 people are forbidden, and policy may disperse smaller groups if they determine it may pose a health risk.
- Those providing Essential Services shall take all reasonable measures to ensure social distancing.
- Bars and restaurants are prohibited from offering on premises consumption, but may offer pickup, takeout or delivery services.
- Individuals should limit outdoor recreational activities to those that allow social distancing.

**Charlotte North Carolina: Mecklenburg County**

- On March 26, 2020, all Mecklenburg County residents were ordered to shelter at home and limit movements outside of their homes except for essential needs.\(^{576}\) This order is valid through April 16, 2020 (will be regularly reviewed and evaluated and may be revised based upon recommendations by the Mecklenburg County Public Health Director and Charlotte-Mecklenburg Emergency Management).
- Non-essential business and operations must cease.
- All public and private gatherings of more than 10 people are prohibited, except for the limited purposes permitted by this Proclamation.
- All places of public amusement where people may gather, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, recreation centers, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed to the public. (This Proclamation supersedes the restrictions outlined in the Public Health Order to Restrict Mass Gatherings, which prohibited gatherings of 50 people or more.)
- Restrictions on nursing homes, long term care facilities and assisted living facilities:
  - All are prohibited from allowing residents, customers, clients, or visitors from assembly in spaces that do not permit appropriate social distancing which consists of separation of 6 feet or more between each individual.
  - All are prohibited from allowing a person to enter the facility and visit a resident unless each of the following criteria are met: (1) the visitor is an adult, (2) the resident has not already had a visitor that day; and (3) the visit takes place in the resident's room. This prohibition does not apply to end of life situations.
  - No person is allowed to visit a resident unless the visitor has been screened prior to entry for signs and symptoms of COVID-19.
  - No person is allowed to visit a resident unless the visitor shows identification, signs into a visitor's log that includes the date and time in and time out, and provide their name and contact information including phone number and email if available. (Operators and staff of nursing homes, long term care and assisted living facilities are prohibited from destroying each day's visitor log for a period of 30 days from that day.)

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\(^{576}\) Charlotte Stay at Home Order, [https://charlottenc.gov/covid19/Pages/StayHomeOrder.aspx](https://charlottenc.gov/covid19/Pages/StayHomeOrder.aspx)
• All **Essential Businesses** are strongly encouraged to remain open but comply with Social Distancing requirements as defined by CDC. **Essential Businesses and Operations include:**
  o Stores that sell groceries and medicine.
  o Food, beverage, and agriculture.
  o Organizations that provide charitable and social services.
  o Media.
  o Gas stations and businesses needed for transportation.
  o Financial institutions.
  o Hardware and supply stores.
  o Critical trades.
  o Mail, post, shipping, logistics, delivery, and pick-up services.
  o Educational institutions; Educational institutions-including public and private pre-K-12 schools, colleges, and universities-for purposes of facilitating distance learning, performing critical research related to COVID-19, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. This Proclamation is consistent with and does not amend or supersede NC Governor's March 10, 2020 Executive Order, except that affected schools are ordered closed through May 15, 2020; Charlotte-Mecklenburg School System remains under the command and control of the superintendent of schools.
  o Laundry services.
  o Restaurants for consumption off-premises.
  o Supplies to work from home.
  o Supplies for Essential Businesses and Operations.
  o Transportation.
  o Home-based care and services.
  o Residential facilities and shelters.
  o Professional services. Professional services, such as legal services, accounting services, insurance services, real estate services restricted to appraisal and title services
  o Childcare centers
  o Manufacture, distribution, and supply chain
  o Hotels and motels.
  o Funeral services
• Violation will result in a Class 2 misdemeanor in accordance with G.S. 14-288.20A.
• This order was recently extended to coincide with the Governor’s Executive Order No. 121, which remains effective until April 30.
• Additionally, this order is now amended to reduce restriction on retail businesses to coincide with Executive Order No. 131.

**Hamilton County/City of Chattanooga**

• Mayor Andy Berke issued Executive Order 2020-01\(^{577}\) on March 13, 2020, establishing a COVID-19 Communicable Disease Policy for the city of Chattanooga and declaring a state of emergency in Chattanooga, as allowed under the provisions of TCA 58-8-104.

• On March 19, 2020, Mayor Berke issued Executive Order 2020-02\(^{578}\) closing in-person dining and closing gym and fitness facilities.

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• Executive Order 2020-03\(^{579}\) was executed on March 20, 2020, proclaiming a public health civil emergency and authorizing the Mayor to exercise all emergency management powers relative to municipal operations.

• On March 23, Chattanooga Mayor Andy Berke signed Executive Order 2020-04\(^{580}\), which mandates additional steps to limit community exposure to the virus and protect workers.
  o Effective at midnight on March 25, 2020, the following businesses will be required to close:
    ▪ Indoor areas of shopping malls and all retail stores
    ▪ Salons, beauty shops, and barbershops
    ▪ Massage parlors, spas, tanning salons, and tattoo parlors
    ▪ For those workplaces that do remain open, all workers should have their temperatures checked by their employers upon entering and exiting their place of business. Employees who are feverish should be immediately sent home to self-quarantine and seek medical care.
  o Additionally, all public gatherings of any size are to be suspended until further notice, including worship services, funerals, festivals, fairs, and public performances. City parks are still open but public access has been suspended at City playgrounds, basketball courts, baseball fields, soccer fields, the Chattanooga Skate Park, and the hockey rink for now.

• On March 27, 2020, Mayor Berke issued Executive Order 2020-05\(^{581}\) allowing for temporary off-premises beer sales and deliveries and closing City Hall, City Development Resource building, and Annex Business offices.

• On April 2, 2020, Mayor Berke issued a Shelter at Home Order (Executive Order 2020-06\(^{582}\)). This Order will be effective at 12:01 AM on Saturday, April 4, 2020, and remain in effect until withdrawn or extended pursuant to Tennessee law.
  o The Shelter in Place order requires all individuals currently living within the City to shelter at their place of residence unless otherwise exempted as outlined in this Order. For purposes of this Order, residences include hotels, motels, shared rental units, and similar facilities. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Services Businesses as defined in this Order.
  o Travel. All travel within the City, except Essential Travel and Essential Activities as defined in this Order, is prohibited. This Order allows travel into or out of the City to perform Essential Activities, operate Essential Services Businesses, or maintain Essential Governmental Functions.
  o Closure of Non-Essential Services Businesses. All businesses with a facility in the City which do not perform Essential Services are required to cease all activities at facilities located within the City except Minimum Basic Operations, as defined in this Order.
  o Essential Activities. For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities.”
    ▪ To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not


limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.

- To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others.
- To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Order.
- To care for a family member or pet in another household.
- To engage in any listed Essential Activities set out in Executive Order No. 22 by Governor Lee dated March 30, 2020.

- **Essential Services Businesses.** For the purposes of this Order, “Essential Services” Businesses” means all Essential Services referenced in Attachment A to Governor Lee’s Executive Order No. 22 dated March 30, 2020, except as otherwise stated in this section and including:
  

- **Health Care and Public Health Operations.** This includes, but is not limited to: hospitals; clinics; medical practices and services; mental health and substance abuse services; dental offices; pharmacies; public health entities, including those that compile, model, analyze, and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain components); organizations collecting blood, platelets, plasma, and other necessary materials; obstetricians and gynecologists; eye care centers, including those that sell glasses and contact lenses; home health care services providers; mental health and substance use providers; other health care facilities and suppliers; providers of any related and/or ancillary health care services; entities that transport and dispose of medical materials and remains; manufacturers, technicians, logistics, and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood, platelets, and plasma products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products; veterinary care and all health care services provided to animals. This also includes any medical or administrative personnel necessary to operate those functions in this paragraph. Health Care and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of health care, broadly defined. Health Care and Public Health Operations does not include any procedures that would violate Governor Lee’s Executive Order No. 18, which remains in effect;

- **Human Services Operations.** This includes, but is not limited to: government or government-funded human services to the public through state-operated, institutional, or community-based settings; long-term care facilities; day care centers, day care homes, or group day care homes; residential settings and shelters for adults, seniors, children, or people with developmental disabilities, intellectual disabilities, substance use disorders, or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, or developmental disabilities, seniors, adults, or children; field
offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or individuals otherwise in need. Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined;

- **Essential Infrastructure Operations.** This includes, but is not limited to: food production, distribution, and sale; construction-related services, including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, school construction, construction related to Essential Activity or Essential services, and housing construction; building management and maintenance; landscape management; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical services, including power generation, distribution, and production of raw materials; distribution centers; oil and biofuel refining; services related to roads, highways, railroads, ports, and public transportation; cybersecurity operations; flood control; solid waste and recycling collection, removal, and processing; and internet, video, and telecommunications systems and services, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services. Essential Infrastructure Operations shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined;

- **Essential Government Functions.** This includes, but is not limited to: first responders, emergency management personnel, emergency dispatchers, and those supporting 911 and emergency services; legislators and legislative branch officials and employees, as determined by the Legislative Branch; judges, judicial branch employees, court personnel, jurors, and grand jurors, as determined by the Judicial Branch; law enforcement personnel; corrections and community supervision personnel; hazardous materials responders; election officials and operations; child protection and child welfare personnel; housing and shelter personnel; park personnel that provide admission, maintenance, and operation of park facilities that provide outdoor recreation; military; and other governmental employees working for or to support Essential Activity or Essential Services. Essential Government Functions also means all services provided by the State, the political subdivisions of the State, and boards, commissions, or agencies of government needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety, and welfare of the public. Essential Government Functions also includes contractors performing or supporting such functions. Each branch of government and government entity shall determine its Essential Government Functions and ensure a plan is in place for the performance of these functions. This paragraph does not apply to the United States government; provided, however, that any employee, official, or contractor of the United States government shall not be restricted from performing their functions under law;

- **Food and Medicine Stores.** This includes, but is not limited to: stores that sell groceries and medicine; grocery stores; pharmacies; certified farmers’ markets; farm and produce stands; supermarkets; convenience stores; and other establishments engaged in the retail sale of groceries, canned food, dry goods,
frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, prepared food, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products); and the supply chain and administrative support operations for Food and Medicine Stores. Food and Medicine Stores also includes stores that sell groceries or medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products and products necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activity, and Essential Services;

- **Food and Beverage Production and Agriculture.** This includes, but is not limited to: food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other agricultural production, including cultivation, marketing, production, and distribution of animals and goods for consumption; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;

- **Organizations that Provide Charitable and Social Services.** This includes, but is not limited to: businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, social services, and other necessities of life for economically disadvantaged or individuals otherwise in need, individuals who need assistance as a result of this emergency, or persons with disabilities;

- **Religious and Ceremonial Functions.** This includes, but is not limited to: religious facilities, entities, groups, personnel, services, rites, and gatherings, including weddings and funerals, provided that the Health Guidelines set forth in Governor Lee’s Executive Order No. 22 are followed to the greatest extent practicable;

- **Media.** This includes, but is not limited to: newspapers, books, television, radio, publishing, and other media services and related supply chain operations;

- **Gas Stations and Businesses Needed for Transportation.** This includes, but is not limited to: gas stations, travel centers, and truck stops; automotive suppliers, manufacturers, repair services, and related facilities; roadside assistance operations; farm and construction equipment related services; boat repair services; bicycle shops; and related facilities;

- **Financial Institutions and Insurance Entities.** This includes, but is not limited to: banks, currency exchanges, consumer lenders, including but not limited to payday lenders, pawnbrokers, consumer installment lenders, sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, institutions selling financial products, insurance companies, underwriters, insurance agents, insurance brokers, and related insurance claims and agency services;

- **Hardware and Supply Stores.** This includes, but is not limited to: Hardware stores and businesses that sell electrical, plumbing, and heating materials;

- **Critical Trades.** This includes, but is not limited to: building and construction tradesmen and tradeswomen and other trades, including, but not limited to, plumbers, electricians, exterminators and pest control, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other manufacturing, distribution, retail or service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of
residences, Essential Activity, and Essential Services, including electronic security and life safety services to assist with fire prevention and response, security, and emergency management and response;

- **Mail, Post, Shipping, Logistics, Delivery, and Pick-up Services.** This includes, but is not limited to: post offices and other businesses that provide shipping and delivery services and businesses that ship or deliver groceries, food, alcoholic or non-alcoholic beverages, goods, vehicles, or services to end users or through commercial channels;

- **Educational institutions.** This includes, but is not limited to: public and private pre K schools, K-12 schools, colleges, and universities for purposes of facilitating distance learning, providing food or shelter, performing critical research, or performing essential functions, provided that the Health Guidelines set forth in Governor Lee’s Executive Order No. 22 are followed to the greatest extent practicable. Schools providing food services to students or members of the public shall provide the food on a carry-out basis only and shall not permit the food to be eaten at the site where it is provided, consistent with Governor Lee’s Executive Order Nos. 17 and 21;

- **Laundry Services.** This includes, but is not limited to: laundromats, dry cleaners, industrial laundry services, and laundry service providers;

- **Restaurants for Off-Premises Consumption.** This includes, but is not limited to: restaurants, bars, or other similar food or drink establishments that prepare and serve food, **but only for consumption off-premises, consistent with Governor Lee’s Executive Order Nos. 17 and 21.** Entities providing food services to members of the public shall provide the food on a carry-out basis only and shall not permit the food to be eaten at the site where it is provided or at any other gathering site. This paragraph is consistent with and does not supersede Governor Lee’s Executive Order Nos. 17 and 21;

- **Supplies to Work from Home.** This includes, but is not limited to: businesses that sell, manufacture, or supply products necessary for persons to work from home or engage in distance learning;

- **Supplies for Essential Businesses and Operations.** This includes, but is not limited to: businesses that sell, manufacture, or supply other Essential Services with the support or materials necessary to operate, including computers; audio and video electronics; household appliances; IT and telecommunication equipment; hardware; paint; flat; electrical, plumbing, and heating material; sanitary equipment; personal hygiene products; food and food additives, ingredients, and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food, and beverages, chemicals, soaps, and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;

- **Transportation.** This includes, but is not limited to: airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, marinas, docks, boat storage, and other private, public, and commercial transportation and logistics providers necessary for Essential Activity or Essential Services under Governor Lee’s Executive Order No. 22;

- **Home-based Care and Services.** This includes, but is not limited to: home-based care for adults, seniors, children, or persons with developmental disabilities, intellectual disabilities, substance use disorders, or mental illness;
and caregivers, including nannies, who may travel to a home to provide care or other in-home services, including meal delivery;

- **Residential Facilities and Shelters.** This includes, but is not limited to: Residential facilities and shelters for adults, seniors, children, pets, or persons with developmental disabilities, intellectual disabilities, substance use disorders, or mental illness; **Childcare and daycare facilities, providing services to Essential Services Businesses personnel and workers at Essential Services businesses exempted in this Order shall continue to operate and work as permitted.** Those Daycare and childcare facilities must use Social Distancing and COVID-19 risk mitigation practices in their operations; **all other Licensed, certified, and registered child care programs, other than those providing services to Essential Services employees exempted in this Order shall cease operations at the close of business on Friday, April 10, 2020 until further Order of the Mayor.**

- **Professional Services.** This includes, but is not limited to: legal services, accounting services, insurance services, or real estate services (including appraisal and title services);

- **Manufacturing, Distribution and Supply Chain for Critical Products and Industries.** This includes, but is not limited to: manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, health care, chemicals, sanitation, waste pickup and disposal, agriculture and agricultural products, food and beverage, household consumer products, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, defense and national defense, and communications, as well as products used by or component parts of other Essential Services;

- **Hotels and Motels.** This includes, but is not limited to: hotels, motels, lodges, dormitories, and short-term rentals, **to the extent used for lodging and delivery or carry out food and beverage services only;**

- **Funeral Services.** This includes, but is not limited to: funeral, mortuary, cremation, burial, cemetery, and related services; all services shall only be attended by close family or less than 10 people per venue pursuant to Governor Lee’s Executive Orders No. 17 and 22.

  - Any business related to Essential Activity, as defined in Governor Lee’s Executive Order No. 22, **shall not include** any City outdoor recreation area, park, site, or trail that provides opportunities for outdoor recreation while maintaining adherence to the Health Guidelines; **during the temporary closure and suspension of access to all city-owned public spaces authorized under Section 15 of this Order.**

  - Any other business or organization that operates at all times with ten (10) or fewer persons accessing the premises of the business or organization at a time, including employees, customers, and other visitors; provided, that the premises allows for operation within the Health Guidelines and that such Health Guidelines are followed at all times; or
    - The minimum necessary activities required to maintain any business or organization, whether otherwise essential or not, including:
      - Maintaining the value of the business’s or organization’s inventory;
      - Preserving the condition of the business’s or organization’s physical plant and equipment, livestock, or other assets;
      - Ensuring the security of the business or organization;
      - Processing the business’s or organization’s mail, payroll, and employee benefits;
Facilitating employees of the business or organization being able to continue to work remotely from their residences; or

Conducting any functions related to these activities.

- **Non-Essential Services Businesses.** Any business previously closed by a prior Executive Order from the Governor of Tennessee or this administration shall remain closed under the terms of this Order. For the purposes of this Order, any other “Non-Essential Services Businesses” shall be required to close operations during the pendency of this emergency order effective close of business on Friday, April 3, 2020 and shall remain closed until further Order of the Mayor and/or Governor:

  - All recreational and entertainment businesses, including but not limited to the following list, **must close to the public as long as this order remains in effect:**
    - Personal appearance businesses (hair salons, eyelash salons, barber shop, tattoo shop, body piercing shop, day spas)
    - Vaping supply stores (unless providing delivery and curbside pickup only)
    - Beauty supply stores (unless providing delivery or curbside pickup only)
    - Car washing businesses
    - Retail with no exclusive delivery or curb-side pick-up
    - Entertainment and recreation facilities (bowling alleys, trampoline parks)
    - Indoor rock climbing
    - Craft/Art Business
    - Gyms, including yoga, barre and spin facilities
    - Concert venues
    - Theaters
    - Movie theaters
    - Shopping malls
    - Golf courses
    - Sporting event venues
    - Skating rink
    - Dance Schools
    - Private Clubs (except for the provision of food for take-out)

- This Order does not prohibit an employee, contractor, vendor, or supplier of subject establishments from entering, exiting, using, or occupying that establishment in their professional capacity.

- **Closure of Public Spaces.** This Order further provides for the Temporary closure and Suspension of access to all city-owned public spaces, including Miller Park, Walnut Street Bridge, Stringer’s Ridge, and all city owned public parks which are included in the Attached Master List of City Parks.

- **Enforcement and Jurisdiction.**
  - The Chattanooga Police Department, Land Development Office, and Fire Marshal is authorized to enforce and close those businesses within the City of Chattanooga in violation of this Order.

- On April 17, 2020, Mayor Berke issued an Executive Order 2020-08 which extends the city’s shelter in place mandate for an additional seven days.\(^{583}\)

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On April 28, 2020, the Hamilton County Health Department and County Mayor Jim Coppinger announced that businesses that choose to reopen must comply with the Gov. Lee's "Tennessee Pledge."  

**Davidson County**

- On March 22, 2020, the Metro Public Health Department issued the Safer at Home Order, which directs all residents of Nashville and Davidson County to stay inside their homes and immediately limit all movement outside of their residence beyond what is necessary to take care of essential needs.

- The Order will go into effect Monday, March 23, 2020, and continue for a duration to be determined. Metro Health authorities will monitor the situation daily to determine the duration of these restrictions and any changes that may be necessary.

- The Order does not apply to activities necessary to maintain continuity of operations of critical infrastructure sectors, as defined by CISA's federal guidelines. The Federal Department of Homeland Security has identified 16 critical infrastructure sectors whose assets, systems and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, economic security, public health or safety, or any combination thereof. Individuals working in these 16 critical infrastructure sectors may continue their work because of the importance of these sectors to the health and well-being of individuals residing or working in Nashville and Davidson County.

- All businesses not performing essential services shall close their business facilities, subject to exceptions stated in this Order. Facilities shall remain accessible as needed to service computer and other equipment, process mail, and maintain security. This closure order includes, but is not limited to:
  - On-site activities at hospitality, educational, and entertainment venues, businesses, and facilities are directed to close to the public. On-line activities and deliveries through these businesses may continue.
  - Personal appearance businesses, including hair, nail, massage, tattoo, tanning, waxing, and other such facilities are directed to close, except when the service is medically necessary.
  - Public and private social clubs are directed to close.

- The following **essential businesses and services** may remain open:
  - Federal and state offices and services, and private companies or individuals performing under federal, state, or local government contracts;
  - Essential government functions including, but not limited to, law enforcement, public transportation, and businesses that provide government programs and services, including functions assisting economically disadvantaged populations and individuals experiencing homelessness;
  - Companies providing media, communication and telecommunication services;
  - Grocery and beverage stores, farmers markets, food banks, caterers, convenience stores selling food, agriculture, food manufacturing and processing, feed mills, and other businesses that directly support the food supply, including but not limited to farming, livestock, and food cultivation;

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o Health care, mental and behavioral health, biomedical research, laboratory services, and other businesses that directly support the healthcare industry including, but not limited to, health information technology, staffing and supplies;
o Sanitation and waste removal;
o Energy, water, and sewage businesses and services;
o Pharmacies, medical supply, and other businesses that directly support the drug and medical supply pipeline;
o Vehicle fuel, support, and service stations, vehicle parts and repair businesses, and vehicle sales, leasing and rental businesses;
o Banks, savings and loans, insurance companies, accounting businesses, and other business that directly support the insurance and financial services sectors;
o Real property marketing, leasing, purchase, and sale services;
o Legal and judicial services;
o Laundromats, laundry, and cleaning services;
o Home and business structure and equipment repair, hardware, building supply, and appliance sale and repairs;
o Warehousing and storage facilities;
o Construction, architectural, engineering, or surveying services;
o Product logistics, transport, and distribution businesses;
o Parcel transportation and delivery businesses;
o Veterinary and pet supply business and services;
o Home and business cleaning and maintenance services;
o Educational institutions, public and private K-12 schools, private colleges and universities, trade schools, post-secondary, and technical colleges, but only as needed to facilitate online or distance learning and essential functions;
o Landscaping and nurseries;
o Production, distribution, and sale of household consumer goods such as cleaning and personal care products;
o Essential building maintenance and security;
o Individuals whose job functions require them to be at their work location and who are essential to preserving the information systems, accounting, and human resource infrastructures of any business which is otherwise in substantial compliance with this order;
o Nonprofit entities providing support and assistance to victims of the tornado that struck Nashville on March 3, 2020, and the COVID-19 epidemic; and
o Other businesses and services that may be determined are essential for the continued safety and security of Davidson County.

- Additionally, the Order stipulates the following regarding essential services:
o Daycare and childcare business will remain open, but will prioritize children of parents working in essential services.
o Assisted living facilities, nursing homes, adult daycare centers, home health businesses, and senior residential facilities shall follow CDC guidance on social distancing and hand hygiene to the extent practicable. Non-essential social and educational programs at senior citizen and other assisted living communities and centers shall end until further notice.
o Hotels, short term rental properties, commercial lodges, and dormitories shall cease entertainment or dine-in services, subject to allowing food and beverage pick-up and room-service.
o Essential services listed above may continue as long as appropriate distancing is physically possible and encouraged. These businesses will adhere to CDC guidance on social distancing and hand hygiene in the workplace, including encouraging work-from-
home and allowing employees when possible to work on-site in shifts to optimize social distancing in the workplace.

- All essential services, especially grocery stores and pharmacies, will make best efforts to establish hours when only available to senior citizens or otherwise vulnerable populations.

- On April 1, 2020, the Metro Public Health Department issued Amended Safer at Home Order 3, which aims to curb observed social gathering at certain facilities within Metro Nashville parks, and clarifies certain restrictions for non-essential businesses providing delivery and curbside pickup. 587

- The order provides that City parks and greenways will remain open, but playgrounds, dog parks, basketball courts, tennis courts, picnic shelters, and skate parks must close.

- The order clarifies additional non-essential businesses that are directed to close including:
  - On-site activities at hospitality, educational, and entertainment venues, businesses, and facilities are directed to close to the public. On-line activities and deliveries through these businesses may continue.
  - Personal appearance businesses, including hair, nail, massage, tattoo, tanning, waxing, and other such facilities are directed to close, except when the service is medically necessary.
  - Public and private social clubs are directed to close.
  - Car washes and ancillary functions, including but not limited to vacuum stations, are directed to close. Fully automated car washes may continue to operate.

- Nothing in this order shall prohibit any business possessing applicable licenses or permits from conducting deliveries pursuant to CDC guidance on social distancing.

- An individual, entity or organization conducting take-out, window, drive-through or curb-side service pursuant to Amended and Restated Order 1 shall prohibit gatherings inconsistent with CDC guidance on social distancing and gathering sizes. This prohibition includes, but is not limited to, gatherings of customers waiting for or having received take-out orders.

- Essential services, especially grocery stores and pharmacies, shall make best efforts to establish hours of operations during which their services are available only to senior citizens or otherwise vulnerable populations. Grocery stores and other retail establishments shall limit customer occupancy to no more than the number of people who can engage in social-distancing protocols at one time.

- This order will remain in effect until April 24, 2020.

- On April 21 2020, the Metro Public Health Department extended Amended Safer at Home Order 3, 588 which directs all residents of Nashville and Davidson County to stay inside their homes and immediately limit all movement outside of their residence beyond what is necessary to take care of essential needs, through May 1, 2020. 589

- On April 30, 2020, Mayor John Cooper announced that Nashville’s Safer at Home Order, which mandates the closure of non-essential businesses and requires residents to shelter in place, will be extended until at least May 8. Citing a recent spike in Davidson County coronavirus cases, and evidence that the outbreak is still trending upward throughout the city, Mayor Cooper expressed that Nashville is not ready to take the initial steps toward Phase One of reopening. 590

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587 Davidson County Amended Safer at Home Order 3, [https://www.asafenashville.org/public-health-orders/](https://www.asafenashville.org/public-health-orders/)


• On May 21, 2020, Mayor John Cooper announced that Metro Nashville may enter Phase Two of the city’s Roadmap to Reopening on Monday, May 25, subject to certain modifications of the initial framework.591

• Citing concerns with viral transmission, Dr. Alex Jahangir, Chair of the Metro Coronavirus Taskforce, announced that the gathering limitation will not increase to the original Phase Two benchmark of 50 people or less, and will instead be limited to gatherings of 25 people or less. Limits set for gatherings in Phase Three and Phase Four, applicable to events, meetings, weddings, and other occasions, have been removed from the guidelines, and will now be determined and adjusted according to public health data. Employees interacting with the public or other coworkers will still be required to wear facial coverings.

• Phase Two of Nashville’s reopening framework enables the following measures:
  o Restaurants and retail stores may increase to 75% capacity, subject to the following limitations:
    ▪ Bar areas must remain closed.
    ▪ Live entertainment is permitted with proper social distancing – no more than 2 performers at one time, and dance floors must remain closed.
  o Personal care services, including nail and hair salons, may reopen at 50% capacity, and services by appointment are encouraged.
  o Gyms and fitness facilities may reopen at 50% capacity, subject to the following limitations:
    ▪ Limit use of shared equipment
    ▪ For aerobic activities, increase social distancing to 10 ft.
    ▪ Pools may open at 50% capacity
    ▪ Tennis courts may open with social distancing
    ▪ Team sports must remain closed
    ▪ Playgrounds must remain closed
    ▪ Recreation leagues must remain closed
  o Museums & attractions may reopen at 50% capacity, subject to the following limitations:
    ▪ Interactive exhibits closed
    ▪ Arcades closed
    ▪ Tours closed
  o Smaller venue, minimal-touch entertainment venues, including, but not limited to, bowling alleys, miniature golf, go-carts, movie theaters, Top Golf, water parks, zip lines, paintball and similar establishments, may reopen at 50% capacity, subject to the following limitations:
    ▪ Entertainment ancillary to the main business (arcade type games, ping-pong, foosball, pool and similar side entertainments) are to remain closed.
    ▪ All shared implements (bowling balls, golf clubs, steering wheels, etc.) must be sanitized between each group’s usage.
  o Day camps may reopen, subject to the following limitations:
    ▪ Buses must run at 50% capacity
    ▪ Cafeterias closed; packed or box lunches only
    ▪ No overnight camps
  o Metro Parks may reopen community centers, golf course clubhouses, museums, Sportsplex and nature centers at 50% capacity.
    ▪ Dog parks, basketball and tennis courts, playgrounds, sports and recreations leagues, skate parks and splash pads shall remain closed

Dallas County

On March 22, 2020, Dallas County Judge Clay Jenkins issued an amended order directing all residents of Dallas County to shelter in place. Individuals may leave their residences only for essential activities, to provide or perform essential governmental functions, or to operate essential businesses. Businesses not outlined in the essential businesses section may continue to operate as long as employees or contractors work from home.

Essential businesses that may remain open include:

- Essential Healthcare Operations: Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare.

- Essential Government Functions: All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public.

- Essential Critical Infrastructure: Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible.

- Essential Retail: Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers’ markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto and bicycle repair, hardware stores, and related facilities. Businesses that supply products needed for people to work from home.

- Providers of Basic Necessities to Economically Disadvantaged Populations: Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

- Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses: Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes.

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crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with support or supplies needed to operate.

- **Media**: Newspapers, television, radio, and other media services.
- **Childcare Services**: Childcare facilities providing services that enable employees exempted in this Order to work as permitted.

### City of Dallas (TX)
- On March 30, 2020, City of Dallas, Texas Mayor Eric Johnson adopted the Amended Order of County Judge Clay Jenkins, which was issued on March 29, 2020, as the Third Amended Emergency Regulations of the City of Dallas.\(^5^9^3^\)
- The Third Amended Emergency Regulations directs that all individuals currently living within the City of Dallas shelter at their place of residence.
- The order became effective immediately and is set to continue in place until it is either rescinded, superseded, or amended or until they expire pursuant to applicable law.
- This order is identical to the Stay Home, Stay Safe Order\(^5^9^4^\) issued by Dallas County Judge Clay Jenkins on March 29, 2020. However, the County Order expires at 11:59 p.m. on April 3, 2020.
- **Enforcement and Jurisdiction.**
  - A person who violates any provision of these regulations under the order of the City of Dallas, upon conviction, is punishable by a fine of not less than $50 and not more than $2,000.

### Denver County, Colorado
- On March 23, 2020, Mayor Michael B. Hancock today announced a new Public Health Order, Executive Order 2020-013\(^5^9^5^\), with an explicit stay at home directive for the City and County of Denver that went into effect at 5 p.m. on Tuesday, March 24 and continue until April 10.
- All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined by the Order. Individuals experiencing homelessness are exempt from this section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use COVID-19 risk mitigation practices in their operation).
- Individuals may leave their residence only to perform any of the following "Essential Activities, to perform work providing essential products and services at the site of an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
- Individuals may leave their residence to work for or obtain services at any "Healthcare Operations" including, but not limited to:
  - Hospitals, clinics, and walk-in health facilities
  - Medical and dental care, excluding elective procedures.
  - Research and laboratory services

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Medical wholesale and distribution
Home health care companies, workers, and aides
Pharmacies, Pharmaceutical and biotechnology companies
Behavioral health care providers
Nursing homes, residential health care, or congregate care facilities
Medical supplies and equipment manufacturers and providers, or any related and/or ancillary healthcare services
Veterinary care, livestock services, and all healthcare services provided to animals
Animal shelters and pet boarding services
This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined.
"Healthcare Operations" does not include health clubs, fitness and exercise gyms, and similar facilities.

• Individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to:
  Utilities, including power generation, fuel supply, and transmission
  Water, sewer, gas, sanitation, and electrical services
  Construction operations and projects, including commercial and residential construction (especially affordable housing or housing for individuals experiencing homelessness), government construction for public infrastructure and facilities, construction necessary to support or maintain the operation of any Essential Business, and renovation or restoration construction services. Construction businesses must develop and strictly implement written Physical Distancing protocols
  Skilled trades such as electricians and plumbers
  Other related firms and professionals who provide services necessary to maintain the safety, sanitation, and essential operation of residences
  Airport operations (including passenger and cargo operations and services)
  Oil refining, oil and gas operations
  Roads and highways
  Public transportation
  Solid waste collection and removal
  Internet and telecommunications systems, including the provisions of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services

• Personnel working for or to support Essential Businesses are categorically exempt from this Order and nothing in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions," which means all services needed to ensure the continuing operation of the government agencies and departments, and provide for the health, safety, transportation, and welfare of the public. Therefore, individuals may leave their residence to provide operate, and support "Essential Governmental Functions," including, but not limited to:
  Public safety personnel
  Law enforcement
  Fire prevention and response
  Building code enforcement
  Airport and transportation personnel
  Security personnel
  Emergency management and response
  Emergency dispatchers
  Public and environmental health functions
  Court personnel
Military personnel and supporting essential civilian personnel
Colorado State Legislature
Colorado state, county, and municipal courts
Denver City Council
Other Denver City boards, commissions, and quasi-judicial proceedings
All Essential Governmental Functions shall be performed in compliance with Physical Distancing Requirements as defined this Section, to the extent possible.

- Individuals may leave their residence to work for or obtain services at any "Essential Businesses," which for purposes of this order means:
  - Healthcare Operations, Essential Infrastructure, and Essential Governmental Functions;
  - Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
  - Food and plant cultivation, including farming, livestock, and fishing;
  - Businesses that provide food, shelter, and physical services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  - Newspapers, television, radio, and other media services;
  - Gas stations and auto-supply, auto-repair, and related facilities;
  - Banks and related financial institutions;
  - Hardware stores;
  - Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
  - Businesses providing mailing and shipping services, including post office boxes;
  - Educational institutions-including public and private K-12 schools, colleges, and universities-for purposes of facilitating distance learning or performing essential functions, provided that physical distancing of six-feet per person is maintained to the greatest extent possible;
  - Laundromats, dry cleaners, and laundry service providers;
  - Restaurants and other facilities that prepare and serve food, but only for delivery, take out or drive thru as clarified in the Executive Director's public health order, dated March 16, 2020 and as amended March 17, 2020, and the Governor's Executive Order, also dated March 16, 2020. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only.
  - Businesses that supply products needed for people to work and learn from home, including technology suppliers providing hardware or software essential for communication or connectedness.
  - Businesses that supply other essential businesses with the support or supplies necessary to operate;
  - Businesses that ship or deliver groceries, food, goods or services directly to residences;
  - Indoor/outdoor malls are closed except to the extent that they must remain open to allow operation of and access to Essential Businesses;
  - Licensed marijuana stores, so long as written Physical Distancing protocols are developed and strictly implemented to limit the number of people on the licensed premises at the same time;
Licensed liquor stores, so long as written Physical Distancing protocols are developed and strictly implemented to limit the number of people on the licensed premises at the same time;

Airlines, taxis, other private transportation providers, and transportation support, including automobile or bicycle repair shops, providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;

Home-based care for seniors, adults, or children. Nanny and babysitting services shall not be permitted under this Order unless the nanny or babysitter (1) resides in the home of the senior, adult, or children for whom they are providing care, (2) provides medical care to the senior, adult, or children, or (3) is providing care in order to allow parents or guardians of a senior, adult or children to work for an Essential Business or perform an Essential Government Function;

Residential establishments and facilities, including hotels, motels, and shelters for seniors, adults, and children;

Professional services, such as legal, insurance, accounting, real estate, and tax preparation services, including ancillary and supporting services;

Faith-based establishments and houses of worship, including but not limited to, churches, synagogues, chapels, and mosques; however, these institutions are strongly encouraged to implement an electronic platform for services and/or more frequent services with smaller congregations.

Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, and in accordance with existing law, childcare facilities must operate under the following mandatory conditions:

- Childcare must be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day).
- Children shall not change from one group to another.
- If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
- Childcare providers shall remain solely with one group of children.

"Minimum Basic Operations" include the following activities, so long as employees comply with Physical Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:

- The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- The minimum necessary activities to facilitate employees of the business being able to continue filling online product orders and to process customer orders remotely.

District of Columbia

- On March 24, 2020, District of Columbia Mayor Muriel Bowser issued Executive Order 2020-053 directing all non-essential business activities in the District of Columbia to cease operations by 10:00 PM on Wednesday, March 25 ("Order"). The Order is in effect through April 24, 2020.

- Essential businesses or entities providing services or functions include but not limited to:

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Last Updated: 6-3-20
Healthcare and public health operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other health care facilities, health care suppliers, home health care and assisted living services, mental health providers, medical marijuana dispensaries, calibrators and operators of medical equipment, or any related and/or ancillary health care services. It also includes veterinary care and all health care services provided to animals.

Essential Infrastructure, including public works, such as roads, sidewalks, street lighting, traffic control devices, railways, and government facilities; utilities, such as electricity, gas, telecommunications, water and wastewater, and drainage infrastructure, and solid waste collection and removal by private and public entities.

Food and Household Products and Services, including grocery stores, supermarkets, licensed farmers' markets, food banks, convenience stores, liquor stores, and other establishments engaged in the retail sale, wholesale supply or distribution of food products, alcohol, any other household consumer products, laundromats, dry cleaners, laundry service providers, and medical marijuana cultivation centers.

Social Services Providing the Necessities of Life, including businesses and organizations that provide food (including food preparation), shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, and organizations or components of organizations that process eligibility for such services.

Communications and Information Technology, including newspapers, television, radio, and other media services and the engineers, technicians and associated personnel responsible for communications.

Energy and Automotive, including businesses that maintain, ensure, or restore, or are otherwise involved in the electricity industry; or petroleum, natural, or propane gas including, gas stations, auto repair/mechanic shops, auto supply stores, and related facilities.

Financial Services, including banks, credit unions, and related financial institutions.

Educational Institutions, including public and private K-12 schools, colleges, and universities, but solely for purposes of facilitating distance learning and facilitating distance operations or modifying facilities to provide support for addressing COVID-19 or providing support for efforts to address the public emergency and public health emergency declared by the Mayor.

Transportation and Logistics, including businesses that ship or deliver groceries, food, goods, or services directly to residences; taxis, ride-sharing companies, and other private transportation providers providing transportation services necessary for Essential Businesses or Essential Governmental Functions and other purposes expressly authorized in this Order; businesses providing mailing and shipping services, including post office boxes and moving companies; and bicycle sales, management, and repair businesses.

Construction and Building Trades, including plumbers; pipefitters; steamfitters; electricians; boilermakers; exterminators; roofers; carpenters; bricklayers; welders; elevator mechanics; businesses that sell supplies and materials for maintenance of commercial and residential buildings and homes, including 'big box' supply stores, plumbing distributors, electrical distributors, and HVAC distributors.

Housing and Living Facilities, including residences and residential facilities; group housing and shelters; university housing; hotels, except as to conference
facilities, ballrooms, and dining-in facilities of their restaurants, which are non-
esential; and animal shelters.
  o Professional Services, including legal, insurance, notary public, tax preparation and
    accounting services, but only when necessary to assist in compliance with legally
    mandated activities.
  o Childcare facilities.
  o Essential Government Functions include first responders, including police,
    firefighting, and emergency medical services, emergency management,
    911/311 call center; law enforcement functions; services needed to ensure the
    continuing operation of government agencies.

• Prohibited businesses or entities:
  o Tour guides and touring services
  o Gyms, health clubs, spas, and massage establishments
  o Theaters, auditoriums, and other places of large gatherings
  o Nightclubs
  o Hair, nail, and tanning salons and barbershops
  o Tattoo parlors
  o Sales not involved in essential services
  o Retail clothing stores

• On March 30, Mayor Bowser issued a Stay-at-Home Order limiting residents from leaving their
  residence except to engage in essential business or other essential activities, including obtaining
  medical care, obtaining food, and certain outdoor recreational activities.597

• On April 15, 2020, Mayor Bowser issued Mayor’s Order 2020-063 to extend the state of
  emergency and public health emergency for Washington, DC through May 15. The order also
  requires face masks to be worn by hotel workers, guests, and visitors; individuals using taxis,
  ride shares, private transportation providers; workers and customers of food sellers; and strongly
  encouraged for workers and individuals using public transit.598

Denton County (TX)
• On March 31, 2020, Denton County Commissioners Court unanimously agreed to extend the existing
  Executive Order and Disaster Declaration through April 7, 2020. The order, issued by Denton County
  Judge Andy Eads on March 24 and ratified by the Commissioners Court in an emergency meeting on
  March 27, includes a shelter in place mandate and the continued closure of non-essential
  businesses.599

• The new executive order is effective through 11:59 p.m. on April 7, 2020. All individuals currently
  living within Denton County are ordered to stay at home or their current place of residence.

• Restaurants and beverage bars with or without drive-in or drive-through services and microbreweries,
  micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as
  allowed by law.

• Any business not listed in as essential must close to the public. Essential Businesses include:
  o Essential Healthcare Operations-- Home-based and residential-based care for seniors, adults,
    or children is also considered healthcare operations. Healthcare operations also include
    veterinary care and all health and welfare services provided to animals.

597 https://coronavirus.dc.gov/stayhome
599 Denton County Shelter in Place Order, https://news.dentoncounty.gov/2020/03/31/commissioners-court-extends-stay-at-home-mandate-through-april-7/
Healthcare operations do not include fitness and exercise gyms and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures.

- Essential Government Functions.
- Education—The Superintendent, Headmaster, or CEO of a school district, charter school, or private school shall designate school personnel who are essential to the operation and support of distance-learning for students, preparation and distribution of meals to students, and maintenance/cleaning of facilities during the time of this Order.
- Essential Critical Infrastructure.
- Essential Retail—does not include furniture stores.
- Providers of Basic Necessities to Economically Disadvantaged Populations.
- Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.
- Automotive Sales—online only unless repair services.
- News media.
- Childcare Services.
- Religious services only allowed by video or teleconference.

- Residents working for a nonessential business are required to stay home and not travel to their place of employment.
- Outdoor clubs, including shooting ranges, shall be closed
- Any manufacturer who retools their business for manufacturing and producing ventilators and other medical equipment may qualify for an "Essential Business" exemption under this Order.
- Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. Many Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies and equipment in Denton County for the next 60 days.
- Retail suppliers shall use commonsense rationing of household products and groceries that are in limited supply.
- If someone in a household has tested positive for COVID-19, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function until cleared by a medical professional or in accordance with CDC guidance.
- Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
- Public and private schools and institutions of higher education are instructed by this Order to review and update their Emergency Management Plans at least 72 hours before students return to a classroom setting
- **Violation**— Texas Commissioned Peace Officers are hereby authorized to enforce this Order. Pursuant to Texas Government Code Section 418.173, failure to comply with the order is an offense punishable by a fine not to exceed $1,000, confinement in jail for a term not to exceed 180 days, or both. Any other lawfully available enforcement measures may be taken including, but not limited to, revocation of a certificate of occupancy.
- This Order has been extended until April 30, 2020.
• On May 13, 2020, the Mayor extended the Stay-at-Home Order and related directives to June 8, 2020.\(^{600}\)

**City of East Ridge (TN)**

• On March 20, 2020, Mayor Brian Williams and City Manager Chris Dorsey issued Executive Order 2020-01 declaring a public health civil emergency and directing East Ridge residents who have traveled to an area for which the Centers for Disease Control and Prevention has issued Warning Level 3 or Alert Level 2 Travel Health Notice, or have been in close contact with a person who has traveled to such an area, and who develop symptoms of fever, cough, shortness of breath, or difficulty breathing within 14 days of such travel or close contact, to immediately contact their health care provider and self-isolate until advised otherwise.\(^{601}\)

• The order directs establishments whose primary business is alcohol service or food service (other than pick-up, delivery or drive-thru service) within the City of East Ridge to close for on-site consumption.

• The order also mandates that all gyms and exercise and fitness facilities close to the public.

• The Building Official, the East Ridge Police Department and the East Ridge Fire Marshall are authorized to enforce and close those businesses in violation of the order.

• On March 25, 2020, the Mayor issued Executive Order 2020-02\(^{602}\) regarding essential businesses. The Order is not intended to shut down business operations in their entirety within the City. This Order shall be effective at 11:00 p.m. on Thursday, March 26, 2020 and shall remain in effect until withdrawn.

• For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

• All businesses which continue in daily operation are requested and urged to comply with CDC guidelines on employee temperature recording two times daily to determine that they do not have a fever and sending any employees home who maintain a temperature range outside CDC recommended guidelines until such time as such employees have returned to a normal temperature range for fourteen (14) days.

• **Non-Essential Businesses Activities:**
  o All restaurant and bar activities as outlined in Governor Bill Lee's Executive Order No 17.
  o All restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, engaging in on-premise consumption of alcohol and food; provided, however, such establishments are permitted to operate their normal business hours and to offer food delivery and/or take-out services.
  o Gyms and fitness centers and classes in accordance with Executive Order No. 17 by Governor Bill Lee.
  o Entertainment centers, including but not limited to, movie theaters, country clubs, performing arts centers, concert venues, and nightclubs.
  o All indoor portions of retail shopping malls, notwithstanding, however, all restaurants and other stores located within shopping malls that have their own dedicated external entrances open to the public, separate from the general mall entrance.


\(^{601}\) [City of East Ridge Executive Order 2020-01, file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20East%20Ridge%20Executive%20Order%202020-01.pdf](file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20East%20Ridge%20Executive%20Order%202020-01.pdf)

\(^{602}\) [City of East Ridge Executive Order 2020-02, file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20East%20Ridge%20Executive%20Order%202020-02.pdf](file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20East%20Ridge%20Executive%20Order%202020-02.pdf)
Facilities where personal care services are performed that, by their very nature, result in noncompliance with social distancing guidelines, including but not limited to cosmetology shops; barber shops; beauty salons; spas, at which solely elective and cosmetic medical procedures are performed, massage parlors, tanning salons, tattoo parlors.

**Essential Activities:**
- Activities or performance of tasks essential to an individual's health and safety, or to the health and safety of his or her family or household members (including, but not limited to, pets).
- Obtaining necessary services or supplies for an individual and/or his or her family or household members, or to deliver those services or supplies to others.
- Engaging in outdoor activity.
- Performing work providing products and services or to otherwise carry out activities which are not specifically prohibited in this Order and are in compliance with the requirements of this Order, including without limitation Minimum Basic Operations.
- Caring for a family member or pet in another household.

**This Order does not prohibit an employee, contractor, vendor, or supplier of subject establishments from entering, exiting, using, or occupying that establishment in their professional capacity, provided such conduct does not involve engaging in activities prohibited by this Order.**

**Enforcement and Limitations.**
- The East Ridge Police Department is authorized to enforce and close those businesses not in compliance of Governor Lee's Executive Order #17 or this Order.
- Nothing in this Order shall be construed to limit, prohibit, or restrict in any way access to essential services for low-income residents, including but not limited to food banks.
- Nothing in this Order shall be construed to limit, prohibit, or restrict in any way the operations of newspapers, television, radio, and other media services, provided, however, such operations are engaging in conduct to the extent possible with the Social Distancing Requirements and CDC guidelines.
- Nothing in this Order shall be construed to limit, prohibit, or restrict in any way the operations of manufacturing or critical infrastructure sectors as defined by Department of Homeland Security.
- Nothing in this Order shall be construed to limit, prohibit, or restrict in any way the operations of Child Care Facilities. They should continue to follow guidelines provided by the Tennessee Department of Human Services.

**Minimum Basic Operations.** For the purposes of this Order, "Minimum Basic Operations" include the following, provided that employees comply with Social Distancing Requirements as defined in the order.
- The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

On March 27, 2020, Mayor Brian Williams extended Executive Order 2020-02 through April 3, 2020.  
On March 31, 2020, City Manager Chris Dorsey issued Executive Order 2020-04 authorizing existing holders of on premise consumption permits to sell beer with delivery or carry out orders.
by requesting a temporary off-premises carry-out permit ("Temporary Off-Premises Permit") by contacting the City Manager via email at cdorsey@eastridgetn.gov. 604

- The City Manager may issue a Temporary Off-Premises Permit for up to thirty (30) days allowing the Permittee to make off-premises sales and deliveries of beer pursuant to this Order and subject to any applicable federal, state, and local laws.
- A Temporary Off-Premises Permit may be renewed upon request by the Permittee for additional thirty (30) day periods until the civil emergency has concluded or this Order has been terminated, at which time any and all Temporary Off-Premises Permits issued pursuant to the Order shall expire and be null and void.
- Beer to be sold or delivered pursuant to this Order must be in closed containers.
- The City Manager may immediately revoke the permission granted by this Order, without prior notice or a hearing, upon the filing of a report by the City Manager or his designee identifying the violations of any sale of beer, including without limitation the sale to a minor or an intoxicated person.

City of Elizabethton (TN)

- On March 30, 2020, the City Manager of the City of Elizabethton issued a Safer at Home Order605 effective April 1, 2020 until April 16, 2020, unless extended by law.
- All individuals currently living within the City are required to stay at their place of residence unless engaged in Essential Activities as outlined in this Order.
- All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and travel for Essential Activities as defined in this Order, is prohibited.
- All businesses with a facility in the City, except for Essential Businesses as defined in this Order, are required to cease all activities at facilities located within the city except Minimum Basic Operations, as defined in this Order. Businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residence (i.e., working from home).

Essential Activities. For the purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities”:

- To engage in activities or perform tasks essential to their health and safety, or the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
- To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others.
- To engage in outdoor activity.
- To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
- To perform payroll and other critical administrative functions for any business, including businesses not defined as essential.
- To care for a family member or pet in another household.

**Essential Business.** For the purpose of this Order, “Essential Business” means:

- Healthcare Operations.
  - For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations,” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, medical supply companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, as broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.

- Essential Infrastructure.
  - For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highway, public transportation, solid waste collection and removal, grass mowing, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined in this Order, to the extent possible.

- Grocery and beverage stores, certified farmers’ market, farm and produce stands, supermarkets, food banks, convenience stores, catering, and other similar establishments. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintain the safety, sanitation, and essential operation of residences.

- Food cultivation, including farming, livestock, and fishing.

- Businesses that provide food, shelter, and social services, and other necessities of life for the economically disadvantaged or otherwise needy individuals.

- Newspapers, television, radio, and other media services.

- Gas stations and auto supply, auto repair, and related facilities.

- Banks and related financial institutions.

- Hardware stores, home and business repair, construction (commercial and residential), and facilities design businesses.

- Insurance businesses and services.

- Plumbers, electricians, exterminators, cleaning, janitorial, property management, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Business.

- Businesses providing mailing, shipping and logistic services, including post office boxes.

- Laundromats, dry cleaners, and laundry service providers.

- Electronic, cell phone, and internet retail businesses.

- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to
students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site.

- Manufacturing companies, distributors, and supply chain companies producing, storing, shipping, and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, medical supplies, shipping and paper supplies, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses.
- Businesses that supply other Essential Businesses with the support or supplies necessary to operate or facilitate individuals to work from home, such as office supplies.
- Businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment, or delivery. This shall include any business that did not previously provide goods or services in this manner, but develops a procedure to provide its goods and services in this manner.
- Transportation services including buses, airlines, taxis, and other private transportation providers (such as Uber and Lyft) providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
- Home-based care for seniors, adults, or children, people with developmental disabilities, intellectual disabilities, substances use disorders, and/or mental illnesses.
- Residential facilities and shelters for seniors, adults, children, people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness.
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.
- Childcare and daycare facilities, prioritizing services to employees of businesses exempted in this Order to work as permitted. Daycare and childcare facilities must use Social Distancing and COVID-19 risk mitigation practices in their operations, and shall have no more than ten (10) people in a room.
- Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
- Funeral homes, crematoriums, mortuary, and burial services.
- Private waste removal and recycling services.
- Blood donor operations.
- Any other business or service that the City Manager determines is essential for the safety and public health of the City.

**Essential Travel.**

- Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
- Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
o Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and for other related services.

o Travel return to a place of residence from outside the jurisdiction.

o Travel required by law enforcement or court order.

o Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel.

**Minimum Basic Operations.**

- The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.

- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

- The minimum necessary activities to facilitate deliveries, curbside pickup, or door side pickup.

- **Enforcement and Jurisdiction.**
  - The City of Elizabethton is authorized to enforce and close those businesses within the City of Elizabethton in violation of this Order.

- On April 16, 2020, the Mayor extended the city’s Civil Emergency Proclamation and Safer at Home Directive through May 1, 2020. 

**El Paso County, TX**

- Effective Tuesday, March 24, 2020 at 11:59 PM MDT, unless terminated or modified by a subsequent Order, the County Judge of El Paso County, Texas, deems it in the public interest to issue this Order, and orders that all individuals currently living in El Paso County, Texas to stay at home or at their place of residence except as allowed by this Order.

- All businesses or operations with a facility in the County of El Paso, except Essential Businesses as defined by the Order, are required to cease all activities at facilities located within the County except Minimum Basic Operations as defined by the Order, and except to allow staff to deliver (or provide curbside) products that individuals have purchased online or for which they have otherwise prepaid.

- For clarity businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home).

- For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities”. People at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.

- For Health and Safety. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).

- To obtain Necessary Supplies and Services. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer

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products), and products necessary to maintain the safety, sanitation, and essential operation of residences.

- For Outdoor Activity. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements of six feet (for example, walking, biking, hiking, or running). Individuals may go to public parks and open outdoor recreation areas, but are discouraged from using playground or outdoor exercise equipment.

- For Certain Types of Work. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.

- To Take Care of Others. To care for a family member or pet in another household or to care for a friend, child, the elderly, sick or dying.

- To Seek Safe Residence. Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their homes and stay at a safe alternative home or residence.

- Essential Critical Infrastructure. Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential critical infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines.

- Essential Government Functions. All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Government Functions.” Each government body shall determine its Essential Government Functions and identify employees and/or contractors necessary to the performance of those functions. All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.

- Businesses Covered by this Order. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

- Essential Business. For purposes of this Order, Essential Business shall be defined as the following:

  - Healthcare Operations. Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. This includes all ancillary workers necessary for the delivery of healthcare services. Healthcare operations do not include fitness and exercise gyms and similar facilities. In accordance with the Governor Abbott’s orders issued on Sunday, March 22, 2020 healthcare operations do not include elective medical, surgical, and dental procedures.
o Essential Retail. Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Automobile dealerships, auto manufacturing and assembly, auto-supply, auto and bicycle repair, hardware stores, and related facilities. Businesses that supply products needed for people to work from home. This exemption does not apply to outdoor food stalls or other goods sold in an outdoor market, including but not limited to farmers’ markets and swap meets.

o Providers of Basic Necessities to Economically Disadvantaged Populations. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

o Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses. Trash and recycling collection, processing and disposal, building cleaning, maintenance and security, warehouse/distribution and fulfillment, and storage for essential businesses. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with support or supplies needed to operate. Petroleum refineries.

o Media. Newspapers, television, radio, and other media services. Members of the media will be required to follow the Social Distancing Requirements as listed in this Section I below.

o Financial Institutions. Banks and related financial institutions, consumer lenders, sales and finance lenders, credit unions, appraisers, and title companies.

o Mail and Delivery Services. Businesses providing mailing and shipping servings, including post office boxes.

o Educational Institutions. Educational institutions- including public and private K-12 schools, colleges, and universities-for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible.

o Supplies for Essential Businesses, Critical Infrastructure and Essential Government Functions. Businesses that supply other Essential Businesses, Critical Infrastructure, and Essential Government Functions with the support or supplies necessary to operate; including but not limited to computers, audio and video electronics, hardware, paint, electrical and plumbing material. Sanitary equipment, medical equipment and supplies, and food and beverages. This includes businesses and manufacturers that retool so that a substantial part of their business is for the purpose of manufacturing and producing ventilators.

o Food Delivery Services. Businesses that ship or deliver groceries, food, goods or services directly to residences or stores that sell groceries or other essential supplies.

o Transportation. Taxis, trains, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of Essential Activities, Essential Businesses, Critical Infrastructure, Essential Government Functions, and Essential Travel. This includes transportation maintenance services such as mechanics necessary to keep transportation services operational.
Home-Based Care and Services. Home-based care for the sick or dying, seniors, adults, or children, including caregivers who may travel to provide support and/or care.

Residential Facilities and Shelters. Residential facilities and shelters for seniors, adults, children, including but not limited to homeless shelters, centers against family violence, and transitional housing.

Information Technology Services. IT and IT services and their essential services vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing. This includes stores primarily engaged in repairing computers, electronics and cell phones.

Childcare Facilities. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:

- Childcare must be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day).
- Children shall not change from one group to another, unless there is a closure of a childcare facility that requires a child to be placed in a new childcare facility. Children coming from facilities that may have closed shall be grouped together in one group, when possible.
- If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
- Childcare providers shall remain solely with one group of children.

Animal Shelters and other Business that Maintain Live Animals. Business that maintain and care for live animals are not permitted to allow any visitors or patrons, but may continue to operate to the extent necessary to provide for the animals. Nothing in this Section shall prohibit a non-employee from entering the premises to perform an Essential Health Care Services or another Essential Business Service.

Vector and Pest Control. Establishments primarily engaged in exterminating and controlling birds, mosquitos, rodents, termites, wasps, and other insects and pests.

Funeral and Post-Mortem Services: Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers. Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to behavioral health services to family members, responders, and survivors of an incident.

Minimum Basic Operations. For the purposes of this Order, “Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:

- The minimum necessary activities to maintain the value of the business’s inventory, preserve the condition of business’s physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions; or
- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

City of Franklin

- Mayor Dr. Ken Moore issued a Stay at Home Executive Order beginning at 12:01 a.m., March 25, 2020, and effective for seven days.
- Essential Activities/ Businesses:

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608 City of Franklin Stay-At-Home order, Executive Order 2020-02
Activities or tasks essential to health and safety, or to the health and safety of family or household members (including, but not limited to, pets).

To obtain necessary services or supplies for yourself and your family or household members, or to deliver those services or supplies to others.

To engage in outdoor activity.

To perform payroll and other critical administrative functions for any business, including businesses not defined as essential.

Grocery and beverage stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, catering, and other similar establishments. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences.

Food cultivation, including farming, livestock, and fishing.

Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

Newspapers, television, radio, and other media services.

Gas stations and auto-supply, auto-repair, and related facilities.

Banks and related financial institutions.

Hardware stores, home and business repair, construction (commercial and residential), and facilities design businesses; insurance businesses and services.

Plumbers, electricians, exterminators, cleaning, janitorial, property management, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses.

Businesses providing mailing, shipping and logistic services, including post office boxes.

Laundromats, dry cleaners, and laundry service providers.

Electronic, cell phone, and internet retail businesses.

Restaurants and other facilities that prepare and serve food, but only for delivery or carry out.

Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only.

Manufacturing companies, distributors, and supply chain companies producing, storing, shipping, and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, medical supplies, shipping and paper supplies, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses.

Businesses that supply other Essential Businesses with the support or supplies necessary to operate or facilitate individuals to work from home, such as office supplies.

Businesses that provide goods or services exclusively through curbside pick-up, drive thru, shipment or delivery.

Transportation services including buses, airlines, taxis, and other private transportation providers (such as Uber and Lyft) providing transportation services necessary for Essential Activities and Essential Business.
o Home-based care for seniors, adults, or children, people with developmental disabilities, with intellectual disabilities, substance use disorders, and/or mental illness.

o Residential facilities and shelters for seniors, adults, children, people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness.

o Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.

o Childcare and daycare facilities.

o Hotels and motels, to the extent used for lodging and delivery or carry-out food services.

o Funeral homes, crematoriums, mortuary and burial services.

o Private waste removal and recycling services.

o Blood donor operations.


- Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations is permitted.

- The City of Franklin’s Order was recently extended through extended through April 15, 2020.609

- On April 21, 2020, Mayor Moore issued Executive Order 2020-10, extending the Stay at Home Order for 7 days, through April 30, 2020. Mayor Moore stated that the city is currently drafting a plan relative to business reopening guidelines, but is awaiting state guidance for further information.610

City of Gallatin (TN)

- On March 20, 2020, Mayor Paige Brown signed into effect Executive Order No. 2020-1, suspending all disconnection of utility services with Gallatin Public Utilities for non-payment of services and waiving late fees on any bills that are past due. The order is effective until rescinded by an Executive Order by the Mayor.

- On March 22, 2020, Mayor Paige Brown issued Executive Order No. 2020-2 closing all City-owned buildings to all persons except to city employees and persons necessary to conduct essential business. This Order will remain in effect until further Executive Order of the Mayor.

- On March 24, 2020, Mayor Paige Brown adopted Emergency Executive Order No. 2020-3 to support and adopt Sumner County’s Safer at Home Declaration.
  - The declaration is to remain in effect until March 31, 2020 unless modified or rescinded by further mayoral action as circumstances require.
  - The intent of this order is to ensure that the maximum number of people self-isolate in their places of residence to the greatest extent feasible while enabling essential services to

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609 City of Franklin Order Extension, https://www.franklintn.gov/home/showdocument?id=31909
611 The City of Gallatin, Tennessee Executive Order No. 2020-1 is available upon request to Nicole Watson at Nicole.watson@wallerlaw.com.
612 The City of Gallatin, Tennessee Executive Order No. 2020-2 is available upon request to Nicole Watson Nicole.watson@wallerlaw.com.
613 The City of Gallatin, Tennessee Executive Order No. 2020-3 is available upon request to Nicole Watson at Nicole.watson@wallerlaw.com.
continue and while complying with the requirements set forth in Executive Order No. 17 issued by Governor Lee.
  - The Order intends for residents of the City of Gallatin to comply with Sumner County's Safer at Home declaration\(^{614}\), which was extended until April 2, 2020.
  - This Order by the city is valid and effective immediately for a period not to exceed seven days, and maybe incrementally extended as deemed necessary.
- On March 31, 2020, Mayor Paige Brown issued Executive Order 2020-4, revoking all current permits and suspending issuance of new permits for door to door sales and solicitations in the City of Gallatin.\(^{615}\)
- On March 31, 2020, Mayor Paige Brown issued Executive Order 2020-5 which extends the declaration of civil emergency and proclamation of a local state of emergency an additional seven days until April 7, 2020.\(^{616}\)
  - The stated intent of this order is support and adopt Governor Lee’s Executive Order. No. 17, 21, 22 and 23 and Sumner County’s Safer at Home Declaration, which will ensure that the maximum number of people self-isolate in their places of residence to the greatest extent feasible, while enabling essential services to continue to slow the spread of COVID- 19.
- On April 7, 2020, Mayor Paige Brown issued Executive Order 2020-6, which extends the declaration of civil emergency and proclamation of a local emergency an additional seven days until April 14, 2020.\(^{617}\)
- On April 14, 2020, Mayor Paige Brown issued Executive Order 2020-7, which extends the declaration of civil emergency and proclamation of a local emergency an additional seven days until April 21, 2020.\(^{618}\)

**Galveston County, Texas**

- On March 24, 2020, Galveston County Judge Mark Henry issued a shelter in place order directing all residents of Galveston County to remain in their homes. Individuals may only leave their residence for Essential Activities, to provide or perform Essential Governmental Functions, or to operate Essential Businesses.\(^{619}\) This order will remain in effect until April 3, subject to extension by local authorities.


\(^{615}\) City of Gallatin Executive Order 2020-4, [file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20Gallatin%20Executive%20Order%202020-4.pdf](file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20Gallatin%20Executive%20Order%202020-4.pdf).

\(^{616}\) City of Gallatin Executive Order 2020-5, [file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20Gallatin%20Executive%20Order%20%202020-5%20-%20Extension%20%201.pdf](file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20Gallatin%20Executive%20Order%20%202020-5%20-%20Extension%20%201.pdf).

\(^{617}\) City of Gallatin Executive Order 2020-6, [file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20Gallatin%20Executive%20Order%20%202020-6%20-%20Extension%20%202.pdf](file:///C:/Users/aebeckstrom/Desktop/AB/City%20of%20Gallatin%20Executive%20Order%20%202020-6%20-%20Extension%20%202.pdf).


\(^{619}\) Galveston County Order to Stay Home, [https://bloximages.newyork1.vip.townnews.com/galvnews.com/content/tncms/assets/v3/editorial/6/ec/6ec44f2e-f367-5297-b1b2-7c672eac7a3e/5e793e0abac4f.pdf.pdf](https://bloximages.newyork1.vip.townnews.com/galvnews.com/content/tncms/assets/v3/editorial/6/ec/6ec44f2e-f367-5297-b1b2-7c672eac7a3e/5e793e0abac4f.pdf.pdf).
• All businesses operating within Galveston County, except Essential Businesses, are required to cease operations within the County. Businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. Working from home).

• Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.

• All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided in the order.

• All elective medical, surgical, and dental procedures are prohibited anywhere in Galveston County. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.

• The following entities are considered Essential Businesses which may continue operations:
  o Essential Healthcare Operations: Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations.
  o Essential Government Functions: All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Government Functions."
  o Essential Critical Infrastructure: Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, and essential manufacturing operations.
  o Essential Retail: Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers’ markets that sell food products and household staples; food cultivation, including farming, fishing, and livestock; businesses that ship or deliver groceries, food, goods or services directly to residences; restaurants and other facilities that prepare and serve food, but only for delivery or carry out; schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only; the restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities; Laundromats, dry cleaners, and laundry service providers; Gas stations, auto supply, auto and bicycle repair, hardware stores, and related facilities; businesses that supply products needed for people to work from home.
  o Providers of Basic Necessities to Economically Disadvantaged Populations: Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
  o Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses: Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security,
warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses; Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities; Businesses that supply other essential businesses with support or supplies needed to operate.

- **News Media:** Newspapers, television, radio, and other media services.
- **Childcare Services:** Childcare facilities providing services that enable employees exempted in this order to work as permitted.

- Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Galveston County for the next 60 days.
- Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end of life visitation.
- Tolls are waived at the San Luis Pass toll booth during the duration of this Disaster.

### Cities of Germantown, Bartlett, & Collierville

- **On March 23, 2020,** Germantown\(^{620}\), Bartlett\(^{621}\) and Collierville\(^{622}\) issued their nearly-identical orders.
- The orders from Germantown and Collierville go into effect at 6:00 PM on March 24, 2020, will remain in effect until rescinded by their mayors.
- Bartlett's order, which goes into effect midnight on March 24, remains in place until March 31 unless extended by seven day periods.
- In Germantown, Collierville and Bartlett, essential activities that residents may still participate in include:
  - Going to the grocery, convenience or warehouse store.
  - Going to the pharmacy to pick up medications and other health care necessities.
  - Going to medical appointments (check with your doctor or provider first).
  - Going to a restaurant for takeout, delivery or drive-thru.
  - Caring for or supporting a friend or family member.
  - Taking a walk, riding your bike, hiking, jogging and being in nature for exercise (while keeping at least 6 feet between you and others).
  - Walking your pets and take them to the veterinarian if necessary.
  - Helping someone to get necessary supplies.
  - Receiving deliveries from any business which delivers.
  - Performing essential job functions.

- A list of "essential businesses" allowed to remain open is included in the executive orders and mirrors the essential businesses in Memphis.
- The orders say that law enforcement of the various municipal governments or the county have the authority to enforce the order, including by shutting down businesses in violation of the order.

\(^{620}\) City of Germantown Executive Order No. 03-2020 [https://www.germantown-tn.gov/home/showdocument?id=25249](https://www.germantown-tn.gov/home/showdocument?id=25249)


• On April 10, 2020, City of Bartlett Mayor Keith McDonald extended Executive Order 07-2020 through April 17, 2020.623
• The Town of Collierville shelter in place order will remain in effect until rescinded by the mayor. The Town will closely monitor the situation every day to determine if the Executive Order needs to be extended.624
• The City of Germantown shelter in place order will remain in effect until rescinded by the mayor.625

Gwinnett County (GA)626

• On March 27, 2020 the Gwinnett County Board of Commissioners Chair Charlotte Nash issued an Executive Order in response to the spread of COVID-19.
• Individuals living in unincorporated Gwinnett County are directed to stay at their residence except as specifically authorized for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses.
• All businesses other than Essential Businesses are required to cease all activities in the county except Minimum Basic Operations (which are the minimum necessary to maintain the value of inventory, ensure security, process payroll and benefits, and facilitate employees working remotely from their residence).
  o Businesses may continue operations consisting of employees or contractors working from home
  o To the greatest extent feasible, Essential Businesses shall comply with social distancing requirements
• All public and private gatherings of any number of people occurring outside a single household are prohibited, except as otherwise provided.
• All travel except Essential Travel and Essential Activities is prohibited.
  o Public transit may only be for purposes of performing Essential Activities or travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions
  o Individuals riding on public transit must comply with social distancing requirements
• “Essential Activities” are defined as:
  o Activities essential to health and safety of an individual, their family or household members, including obtaining medical supplies, visiting a healthcare provider, or obtaining supplies to work from home
  o Obtaining necessary services or supplies from Essential Businesses or accessing Essential Government Services
  o Engaging in outdoor activities, provided individuals comply with social distancing requirements
  o Performing work at an Essential Business or to otherwise carry out activities permitted by the order, including Minimum Basic Operations
  o Caring for a family member or pet in another household
• Individuals may leave their residence to work for or obtain services at any Healthcare Operations, including:
  o Hospitals
  o Dentists

626 Gwinnett County Executive Order, https://www.gwinnettc County.com/static/departments/boc/pdf/Local%20Emergency%20Order%201-4%203%2027%202020.pdf
- Pharmacies
- Pharmaceutical and biotech companies
- Healthcare suppliers
- Home healthcare services providers
- Mental health providers
- Veterinary care.

- Individuals may leave their residence to provide services or perform work necessary to the operation and maintenance of Essential Infrastructure (so long as they comply with social distancing requirements), including:
  - Public works construction
  - Private construction and all related activities

Harris County, Texas

- On March 24, 2020, Harris County Judge Lina Hidalgo issued a shelter in place order directing all individuals currently living within Harris County to stay at their place of residence except for Essential Activities as defined in the order. Individuals may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses.
- All businesses operating within Harris County, except Essential Businesses as defined below, are required to cease all activities at facilities located within the County. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).
- Restaurants, bars, micro-breweries, micro-distilleries, wineries and other establishments that serve food, with or without drive-in or drive-through services, are prohibited from serving food for consumption on the premises and may only serve food and/or alcohol by take out, delivery, or drive-through services as allowed by law, and detailed in the Harris County Judge's Order of March 19, 2020, pertaining to restaurants and bars.
- **Essential Businesses** which may remain open include the following:
  - **Essential Critical Infrastructure**: work necessary to the operations and maintenance of the 16 critical infrastructure sectors identified by the U.S. Department of Homeland Security National Cybersecurity and Infrastructure Security Agency (CISA), provided that they carry out those services or that work in compliance with social distancing requirements of six feet to the extent possible.
  - **Essential Government Functions**: all services provided by local governments and municipalities located in Harris County needed to ensure their continuing operation to provide for the health, safety and welfare of the public, including law enforcement, jail operations and other services. Further, nothing in this Order shall prohibit any individual from performing "Essential Government Functions".
  - **Essential City of Houston Government Functions**: All services provided by the City of Houston that the Mayor of the City of Houston determines to be essential Government Functions.
  - **Essential Healthcare Operations**: Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also include

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veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare.

- **Essential Retail**: Food producers and service providers, including grocery stores, warehouse stores, furniture suppliers, big box stores, bodegas, liquor stores, gas stations and convenience stores, farmers' markets that sell food products and household staples. Food cultivation, including farming, ranching, fishing, and livestock. Food production, including the production of canned goods, bottled beverages and other grocery items. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery, drive-thru or carry-out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry-out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto supply, auto and bicycle repair, hardware stores, and related facilities. Businesses that supply products needed for people to work from home.

- **Providers of Basic Necessities to Economically Disadvantaged Populations**. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

- **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses**. Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, yard and maintenance crews, housekeepers, janitorial staff, pool cleaners and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other Essential Businesses with support or utilities needed to operate. Caregivers and helpers who provide services to seniors and disabled individuals.

- **Childcare and Adult Care Services**: Childcare and adult care facilities providing services that enable employees exempted in this Order to work as permitted.

- **Infrastructure, Development, Operation and Construction**: For example, public works construction, construction of housing or other types of construction including commercial, manufacturing, airport operations and aircraft manufacturing, maintenance or repair, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

- **Transportation**: Businesses related to the operation, maintenance, construction, and manufacture of transportation services. For example, (a) vehicle manufacturers, automotive suppliers and parts departments, car dealerships, parts distributors, maintenance and repair facilities; (b) public transportation; (c) businesses supporting airport operations; (d) street and highway maintenance and construction; (e) gas stations and other fuel distribution businesses; (f) vehicles for hire, including public transportation services, Uber, Lyft, and taxicabs, that enable persons to travel to or from employers, service providers, or businesses exempted in this Order. People riding on public transit must comply with the six-foot social distancing requirements to the greatest extent feasible.

- **Labor union functions**: Critical labor union functions, including the maintenance of health and welfare funds and checking on the well-being and safety of members.
- **NASA and Port of Houston**: Activities of the National Aeronautics and Space Administration and the Port of Houston.
- **Airports and related operations**: Airport and airline activities, operations, maintenance and repairs, and the hotels that serve these Essential Businesses.
- **Professional services**: Professional services, such as legal or accounting services, insurance services, and "real estate services" when necessary to assist in compliance with legally mandated activities or to further Essential Businesses, Essential Government functions, or Critical Infrastructure.
- Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators, personal protective equipment, or other medical supplies and equipment necessary for the COVID-19 response may apply for an "Essential Business" exemption under this Order.

- After multiple inmates of the Harris County Jail tested positive for COVID-19, local authorities began discussions of implementing an inmate release policy for certain offenders in order to reduce viral spread within the jail population. On March 29, 2020, Governor Abbott attempted to block any efforts to implement inmate release at the county level through the issuance of Executive Order GA-13, which prohibits the release of any violent jail or prison offenders.628

**Hawkins Co (TN)**

- On March 30, 2020 Hawkins County Mayor Jim Lee issued an Executive Orders in response to the spread of COVID-19.629
- All individuals currently living within the County are required to stay at their place of residence unless engaged in Essential Activities, Essential Governmental Functions, or to operate Essential Businesses.
- All travel except Essential Travel and Essential Activities is prohibited.
  - Public transit may only be for purposes of performing Essential Activities or travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions
  - Individuals riding on public transit must comply with social distancing requirements
- All public and private gatherings of more than ten people occurring outside a single household or living unit are prohibited, except for the limited purposes as expressly permitted by this Order.
- All businesses other than Essential Businesses are required to cease all activities in the county except Minimum Basic Operations (which are the minimum necessary to maintain the value of inventory, ensure security, process payroll and benefits, facilitate employees working remotely from their residence, or facilitate deliveries or curbside pickup).
  - Businesses may continue operations consisting of employees or contractors working from home
  - To the greatest extent feasible, Essential Businesses shall comply with social distancing requirements
- “Essential Activities” are defined as:
  - Activities essential to health and safety of an individual, their family or household members, including obtaining medical supplies, visiting a healthcare provider, or obtaining supplies to work from home
  - Obtaining necessary services or supplies from Essential Businesses or accessing Essential Government Services

- Engaging in outdoor activities, provided individuals comply with social distancing requirements
- Performing work at an Essential Business or to otherwise carry out activities permitted by the order, including Minimum Basic Operations
- Caring for a family member or pet in another household

**Essential Businesses are defined as:**
- Healthcare Operations
- Essential Infrastructure
- Grocery stores and other retail sale of food and household consumer products
- Food cultivation
- Providing food shelter and social services for economically disadvantaged individuals
- Newspapers, television, radio and other media services
- Gas stations and auto supply, auto repair and related facilities
- Banks and related financial institutions
- Hardware stores
- Plumbers, electricians, exterminators and others who provide services necessary to maintaining residences, Essential Activities and Essential Businesses
- Mailing and shipping services
- Laundromats, drycleaners and laundry service
- Electronic, cell phone and internet retail businesses
- Restaurants and others that prepare and serve food, but only for delivery and carry out. Schools or other entities that typically provide free food services may continue to do so, on a pick up and take-away basis only.
- Manufacturing companies, distributors and supply chain companies producing, storing and supplying essential products and services for industries such as pharmaceutical, technology, biotechnology, healthcare, medical supplies, shipping and paper supplies, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses.
- Suppliers of products needed for people to work from home
- Businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment or delivery, including businesses who develop new procedures to operate in this manner
- Airlines, buses taxis and other private transportation necessary for Essential Activities
- Home based care for seniors, adults or children or the disabled
- Professional services such as legal, accounting and real estate when necessary to assist in compliance with legally mandated activities
- Childcare facilitates providing services that enable employees exempted in the order to work as permitted, provided they maintain social distancing
- Hotels and motels, to the extent used for lodging and delivery or carry-out food service
- Funeral homes, crematoriums, mortuary and burial services
- Private waste removal and recycling services
- Blood donor operations
- All other critical infrastructure businesses not otherwise listed but identified in the U.S. Department of Homeland Security’s Memorandum of Identification of Essential Critical Infrastructure Workers during COVID-19 Response issued on March 19, 2020

**“Essential Travel” is defined as:**
- Any travel related to the provision or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations
- Travel to care for elderly, minors, dependents, disabled, or other vulnerable persons
- Travel to or from educational institutions to receive materials for distance learning or receiving meals
- Travel to return to a place of residence outside the county
- Travel required by law enforcement or court order
- Travel required for non-residents to return to their residence outside the county
- Individuals may leave their residence to work for or obtain services at any Healthcare Operations, including:
  - Hospitals
  - Dentists
  - Pharmacies
  - Pharmaceutical and biotech companies
  - Healthcare suppliers
  - Home healthcare services providers
  - Mental health providers
  - Veterinary care.
- Individuals may leave their residence to provide services or perform work necessary to the operation and maintenance of Essential Infrastructure (so long as they comply with social distancing requirements), including:
  - Public works construction
  - Construction of housing
  - Airport operations
  - Water, sewer, gas, electrical
  - Oil refining
  - Roads and highways
  - Public transportation
  - Solid waste collection and removal
  - Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications and web-based services)
- Essential Governmental Functions
  - All first responders, emergency management personnel, emergency dispatchers, court personnel and law enforcement personnel, and others who need to perform essential services are exempt from the order
  - Individuals may leave their residence to perform or access Essential Governmental Functions
  - Essential Governmental Functions means all services needed to ensure the continuing operation of the governmental agencies and provide for the health, safety and welfare of the public
- Social Distancing Requirements are specified as:
  - Maintaining at least 6 foot social distancing
  - Washing hands with soap and water for 20 seconds as frequently as possible
  - Using hand sanitizer if soap and water is not available
  - Covering coughs or sneezes into the sleeve or elbow
  - Regularly cleaning high-touch surfaces
  - Not shaking hands
- County offices will remain open with limited staff. Doors will be posed with contact information for conducting public business without office access.
- County Commission may meet by electronic means, with public observation allowed electronically live or as soon after the meeting as possible.
• The Hawkins County Sheriff’s department and other law enforcement officials are authorized to enforce and close those businesses within Hawkins County in violation of this order.

• On April 13, 2020, Hawkins County Mayor Jim Lee issued an extension for the County’s Safer at Home Directive through April 21, 2020.630

City of Jacksonville, Florida

• On April 1, 2020, Mayor Andy Curry issued Executive Order 2020-05 directing all non-essential retail and commercial businesses within the Consolidated City (including the Beaches and Baldwin) to close. No member of the public or employee shall be physically present in any non-essential retail or commercial establishment.631

• The following retail and commercial businesses are deemed Essential Businesses and shall be allowed to remain in operation:
  
  o Healthcare providers, including, but not limited to, hospitals, doctors' and dentists’ offices, urgent care centers, clinics, rehabilitation facilities, physical therapists, mental health professionals, psychiatrists, therapists, and pharmacies;
  
  o Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This authorization includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences;
  
  o Food cultivation, including farming, livestock, and fishing;
  
  o Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  
  o Newspapers, television, radio, and other media services;
  
  o Gas stations; new and used automobile dealerships; and auto-supply, auto-repair, and related facilities, provided however that such businesses should ensure that customers practice the social distancing as advised by the CDC;
  
  o Banks and related financial institutions;
  
  o Hardware stores;
  
  o Contractors and other tradesmen, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;
  
  o Businesses providing mailing and shipping services, including post office boxes;
  
  o Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning and university, college, or technical college residence halls, to the extent needed to accommodate students who cannot return to their homes;
  
  o Laundromats, dry cleaners, and laundry service providers;
  
  o Restaurants and other facilities that prepare and serve food, but subject to the limitations and requirements of Emergency Order 2020-1. Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this


exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- Businesses that supply office products needed for people to work from home;
- Businesses that supply other essential businesses with the support or supplies necessary to operate, and which do not interact with the general public;
- Businesses that ship or deliver groceries, food, goods, or services directly to residences;
- Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, bus, or train;
- Home-based care for seniors, adults, or children;
- Assisted living facilities, nursing homes, and adult day care centers, and senior residential facilities;
- Professional services, such as legal or accounting services, when necessary to assist with compliance with legally mandated activities;
- Landscape and pool care businesses, including residential landscape and pool care services;
- Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
- Businesses operating at any airport, seaport, or other government facility, including parks and government offices;
- Pet supply stores;
- Logistics providers; including warehouses; trucking, consolidators fumigators, and handlers;
- Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;
- Provision of propane or natural gas;
- Office space and administrative support necessary to perform any of the above listed activities;
- Open construction sites, irrespective of the type of building;
- Architectural, engineering, or land surveying services;
- Factories, manufacturing facilities, bottling plants, or other industrial uses;
- Waste management services, including collection and disposal of waste;
- Any business that is interacting with customers solely through electronic or telephonic means, and delivering products via mailing, shipping, or delivery services;
- Private and municipal marinas and boat launches, docking, fueling, marine supply and other marine services, and other private outdoor recreational activities that comply with the spacing, maximum capacity and other requirements of federal, state and local executive orders and proclamations;
- Hotels, motels, other commercial lodging establishments and temporary vacation rentals, subject to the requirements of Executive Order 2020- 4;
- Veterinarians and pet boarding facilities;
- Mortuaries, funeral homes, and cemeteries
- The sale of alcoholic beverages is authorized consistent with Executive Order 2020-1;
- Firearm and ammunition supply stores; and
- Businesses providing services to any local, state, or federal government, including municipalities, pursuant to a contract with such government.

- This Order does not affect or limit the operations of the local governments of the Consolidated City (including the Beaches and Baldwin) or its Independent Authorities/ Agencies or any federal or state government agencies or employees under the jurisdiction of the federal or state governments, except that such entities shall abide by the restrictions of any county, city, state or federal emergency order.

Last Updated: 6-3-20
City of Johnson City, Tennessee

- On March 30, 2020, Mayor Jenny L. Brock and City Manager M. Denis Peterson issued a Declaration of Local Emergency and Proclamation of Civil Emergency, which includes a Safer at Home order that closes non-essential businesses, requires CDC social distancing guidelines, and restricts travel to essential activities and businesses.\(^\text{632}\) The order will remain in effect until April 6, 2020, subject to extension as needed.

- The order reaffirms Governor Bill Lee’s Executive Order No. 17 which includes the prohibition of all public and private gatherings of more than 10 people occurring outside a single household or living unit.

- The shelter in place directive mandates all individuals currently living within the City are required to stay at their place of residence unless engaged in essential activities, essential governmental functions or to operate essential businesses.

- Essential Activities include:
  - To engage in activities or perform tasks essential to their health and safety, or the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
  - To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others.
  - To engage in outdoor activity, provided the individuals comply with the Social Distancing Requirements as defined in this Order, such as, by way of example and without limitation, walking, hiking, dog walking, or running.
  - To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
  - To perform payroll and other critical administrative functions for any business, including businesses not defined as essential.
  - To care for a family member or pet in another household.

- The order requires "non-essential" businesses with a facility in the City to cease all activities at facilities located within the City except for minimum basic operations. Businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residence. All essential businesses are strongly encouraged to remain open.

- Essential businesses include:
  - Healthcare Operations and Essential Infrastructure.
  - Grocery and beverage stores, certified farmers’ market, farm and produce stands, supermarkets, food banks, convenience stores, catering, and other similar establishments. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
  - Food cultivation, including farming, livestock, and fishing.
  - Businesses that provide food, shelter, and social services, and other necessities of life for the economically disadvantaged or otherwise needy individuals.
  - Newspapers, television, radio, and other media services.

- Gas stations and auto supply, auto repair, and related facilities.
- Banks and related financial institutions.
- Hardware stores, home and business repair, construction (commercial and residential), and facilities design businesses.
- Insurance businesses and services.
- Plumbers, electricians, exterminators, cleaning, janitorial, property management, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Business.
- Businesses providing mailing, shipping and logistic services, including post office boxes.
- Laundromats, dry cleaners, and laundry service providers.
- Electronic, cell phone, and internet retail businesses.
- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site.
- Manufacturing companies, distributors, and supply chain companies producing, storing, shipping, and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, medical supplies, shipping and paper supplies, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses.
- Businesses that supply other Essential Businesses with the support or supplies necessary to operate or facilitate individuals to work from home, such as office supplies.
- Businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment, or delivery. This shall include any business that did not previously provide goods or services in this manner, but develops a procedure to provide its goods and services in this manner or are temporarily permitted to do so through a regulation of the City.
- Transportation services including buses, airlines, taxis, and other private transportation providers (such as Uber and Lyft) providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
- Home-based care for seniors, adults, or children, people with developmental disabilities, intellectual disabilities, substances use disorders, and/or mental illnesses.
- Residential facilities and shelters for seniors, adults, children, people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness.
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.
- Childcare and daycare facilities, prioritizing services to employees of businesses exempted in this Order to work as permitted. Daycare and childcare facilities must use Social Distancing and COVID-19 risk mitigation practices in their operations, and have no more than ten (10) people in a room.
- Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
- Funeral homes, crematoriums, mortuaries, and burial services.
- Private waste removal and recycling services.
- Blood donor operations.

o Any other business or service that the City Manager determines is essential for the safety and public health of the City.

o The list of essential businesses was informed by the Department of Homeland Security’s memorandum on identification of essential critical infrastructure workers during COVID-19 response.

- Mayor Brock recently extended Johnson City’s Safer at Home Order through April 13, 2020.
- Mayor Brock recently extended Johnson City’s Safer at Home Order through April 19, 2020.

O’ahu, Hawaii (Honolulu and Honolulu County)

- On March 22, 2020, Mayor Kirk Caldwell issued Emergency Order No. 2020-02 to implement a shelter in place order for the City and County of Honolulu effective at 4:30 PM on March 23, 2020, and will continue through Thursday, April 20, 2020.

- Violation of any of the Orders is punishable as a misdemeanor, with fines of up to $5,000, up to a year in jail, or both.

- All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses.

- Individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including:
  
  o Hospitals
  o Clinics
  o Dentists
  o Pharmacies, pharmaceutical and biotechnology companies
  o Other healthcare facilities
  o Healthcare suppliers
  o Home healthcare services providers
  o Mental health providers
  o Any related and/or ancillary healthcare services
  o Organizations collecting blood, platelets, plasma, and other necessary materials
  o Licensed medical marijuana dispensaries and licensed medical marijuana production centers
  o Eye care centers
  o Further, “healthcare operations” includes prepaid health care plan contractors and other employer-sponsored health and welfare benefit plans, and/or individual or group health insurance plans that provides healthcare insurance benefits for payment or reimbursement for healthcare services provided by Healthcare Operations.

- Individuals may leave their home to work for “Essential Infrastructure” including, but not limited to:
  
  o Public works construction
  o Construction of housing (in particular, affordable housing or housing for individuals experiencing homelessness)
  o Airport operations
  o Water,
  o Sewer,
  o Gas,

636363 https://kitv.images.worldnow.com/library/0a8acac0-81d6-4230-8755-d06dcd28d396.pdf
• This Order shall be construed and applied in compliance and consistent with the United State Department of Homeland Security, Cybersecurity & Infrastructure Security Agency Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response, dated March 19, 2020 (and any subsequent guidance memoranda thereto).

• All first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, jails and prisons personnel, and other working for or to support Essential Businesses are categorically exempt for this Order.

• “Essential government functions” means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety, and welfare of the public.

• “Essential businesses” which may remain open include:
  • Healthcare Operations and Essential Infrastructure;
  • Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products.
  • Food cultivations, including farming, livestock, and fishing;
  • Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  • Newspapers, television, radio, and other media services;
  • Banks and related financial institutions;
  • Hardware stores;
  • Plumber, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitations, and essential operation of residences, Essential Activities, and Essential Businesses;
  • Businesses providing mailing and shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to residences and end users or through commercial channels, and including post office boxes;
  • Education institutions for purposes of facilitating distance learning, performing research, or performing essential functions;
  • Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
  • Restaurants and other facilities that prepare and serve food, but only for delivery or carry out;
  • Businesses that supply products needed for people to work from home;
  • Businesses that supply other essential businesses with the support or supplies necessary to operate;
  • Airlines, taxis and other private transportation providers;
  • Home-based care and residential facilities for people with disabilities, disorders, and mental illness, including child care givers (nannies);
  • Professional services, such as legal or accounting services, insurance services, real estate services when necessary to assist in compliance with legally mandated activity;
  • Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
Animal rescues and shelters;
Hotels and motels, to the extent used for lodging;
Funeral, mortuary, cremation, burial, cemetery, and related services;
Critical trades
  - Building and construction
  - Plumbers
  - Electricians
  - Exterminators
  - Cleaning and janitorial staff for commercial and governmental properties
  - Security staff
  - Operating engineers
  - HVAC
  - Painting
  - Moving and relocation services
  - Other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations
Critical labor union functions that are essential activities;
Licensed private detectives and agencies.

“Minimum Basic Operations” include:
  - The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits.
  - The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

Jefferson County (AL)

- On March 22, 2020 the Jefferson County Health Officer issued an amended Order suspending certain public gatherings and closing nonessential businesses and services.
- All businesses not on the list of nonessential businesses (including pharmacies, grocery stores, gas stations, electronic stores and services for telecommunication, hardware, office supplies, and building supply businesses) must operate in accordance with CDC guidelines for social distancing and sanitation plans.
- Nonessential businesses ordered to close include:
  - Entertainment
    - Night clubs
    - Bowling alleys
    - Arcades
    - Racetracks
    - Indoor children’s play places
    - Pool halls
    - Adult gaming and entertainment venues
    - Casinos
    - Bingo halls
  - Recreation facilities and activities
    - Gyms and fitness centers
    - Swimming pools and spas, excluding licensed physical therapy services
    - Yoga, barre and spin facilities
    - Spectator sports
    - Team sports involving personal contact closer than six feet

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- Shared sporting apparatus and equipment, and playground equipment
  - Barber shops, hair salons, waxing salons, and threading salons
  - Retail stores
    - Furniture and home furnishing stores
    - Clothing, shoe and clothing accessory stores
    - Jewelry, luggage, and leather goods stores
    - Department stores
    - Sporting goods
    - Hobby, book and music stores
    - Florists
  - Nail salons and spas
  - Concert venues and auditoriums
  - Theaters
  - Tourist attractions (including museums, planetariums, parades
  - Body art facilities and tattoo services
  - Tanning salons
  - Massage therapy establishments and services
  - Museums, historical sites and galleries
  - Performing arts centers/events/rehearsals
  - Social clubs
  - Fraternity and sorority meetings and events
  - Proms, formals and other similar events
- All gatherings of 10 persons or more, and smaller gatherings that cannot maintain a consistent six-foot distance between persons are prohibited.
- All Senior Citizen Centers are closed.
- All schools, and all preschools or childcare centers with 12 or more children are closed
  - Employer-operated childcare for the exclusive benefit of essential employees of government, first responders, law enforcement, hospitals, nursing homes or long term care facilities, and end state renal disease treatment clinics are exempted
  - Licensed childcare centers that contract to provide services to the above employers are exempted, provided they are able to maintain a six-foot distance between children
- Visitors are prohibited to nursing homes, long term care facilities, and assisted living and specialty care assisted living facilities.
- All restaurants, bars, brewery or similar establishment may not permit on-premises consumption of food or drink, but are encouraged to offer takeout or delivery service.
- The organizer of an otherwise suspended event may petition the County Health Officer for an exemption from the order, based on two criteria:
  - Effective measures in place to identify any attendees who may potentially be affected, including personal testing and submission of medical clearances, and
  - Effective measures taken to prevent the spread of infection, including facemasks, sanitation and other measures.

**City of Johnson City, Tennessee**

- On March 30, 2020, Mayor Jenny L. Brock and City Manager M. Denis Peterson issued a Declaration of Local Emergency and Proclamation of Civil Emergency, which includes a Safer at Home order that closes non-essential businesses, requires CDC social distancing guidelines,
and restricts travel to essential activities and businesses. The order will remain in effect until April 6, 2020, subject to extension as needed.

- The order reaffirms Governor Bill Lee’s Executive Order No. 17 which includes the prohibition of all public and private gatherings of more than 10 people occurring outside a single household or living unit.
- The shelter in place directive mandates all individuals currently living within the City are required to stay at their place of residence unless engaged in essential activities, essential governmental functions or to operate essential businesses.
- Essential Activities include:
  - To engage in activities or perform tasks essential to their health and safety, or the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
  - To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others.
  - To engage in outdoor activity, provided the individuals comply with the Social Distancing Requirements as defined in this Order, such as, by way of example and without limitation, walking, hiking, dog walking, or running.
  - To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
  - To perform payroll and other critical administrative functions for any business, including businesses not defined as essential.
  - To care for a family member or pet in another household.

- The order requires "non-essential" businesses with a facility in the City to cease all activities at facilities located within the City except for minimum basic operations. Businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residence. All essential businesses are strongly encouraged to remain open.
- Essential businesses include:
  - Healthcare Operations and Essential Infrastructure.
  - Grocery and beverage stores, certified farmers’ market, farm and produce stands, supermarkets, food banks, convenience stores, catering, and other similar establishments. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
  - Food cultivation, including farming, livestock, and fishing.
  - Businesses that provide food, shelter, and social services, and other necessities of life for the economically disadvantaged or otherwise needy individuals.
  - Newspapers, television, radio, and other media services.
  - Gas stations and auto supply, auto repair, and related facilities.
  - Banks and related financial institutions.
  - Hardware stores, home and business repair, construction (commercial and residential), and facilities design businesses.
  - Insurance businesses and services.

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- Plumbers, electricians, exterminators, cleaning, janitorial, property management, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Business.
- Businesses providing mailing, shipping and logistic services, including post office boxes.
- Laundromats, dry cleaners, and laundry service providers.
- Electronic, cell phone, and internet retail businesses.
- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site.
- Manufacturing companies, distributors, and supply chain companies producing, storing, shipping, and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, medical supplies, shipping and paper supplies, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses.
- Businesses that supply other Essential Businesses with the support or supplies necessary to operate or facilitate individuals to work from home, such as office supplies.
- Businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment, or delivery. This shall include any business that did not previously provide goods or services in this manner, but develops a procedure to provide its goods and services in this manner or are temporarily permitted to do so through a regulation of the City.
- Transportation services including buses, airlines, taxis, and other private transportation providers (such as Uber and Lyft) providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
- Home-based care for seniors, adults, or children, people with developmental disabilities, intellectual disabilities, substances use disorders, and/or mental illnesses.
- Residential facilities and shelters for seniors, adults, children, people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness.
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.
- Childcare and daycare facilities, prioritizing services to employees of businesses exempted in this Order to work as permitted. Daycare and childcare facilities must use Social Distancing and COVID-19 risk mitigation practices in their operations, and have no more than ten (10) people in a room.
- Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
- Funeral homes, crematoriums, mortuaries, and burial services.
- Private waste removal and recycling services.
- Blood donor operations.
- Any other business or service that the City Manager determines is essential for the safety and public health of the City.
The list of essential businesses was informed by the Department of Homeland Security’s memorandum on identification of essential critical infrastructure workers during COVID-19 response.

Kansas City (MO)

- On March 21, 2020, Mayor Quinton D. Lucas issued an amended stay at home order, which will remain in effect until 11:59 PM on Friday, April 24, 2020 unless and until it is extended, rescinded, superseded, or amended in writing.636
- Individuals may leave their residences or place of rest only to perform Essential Activities. Essential Activities include:
  - To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members
  - To obtain necessary services or supplies for themselves and their family or household members, or close personal acquaintances, or to deliver those services or supplies to others. To engage in outdoor activity complying with the social distance requirements
  - To engage in outdoor activity
  - To care for a family member, close personal acquaintance, or pet in another household
  - Essential Activities do not include weddings, funerals, wakes, or memorial services
- Non-essential businesses are required to cease operation. "Essential Businesses" include:
  - Healthcare Operations ("Healthcare Operations" does not include fitness and exercise gyms and similar facilities.)
  - Essential Infrastructure (Essential Infrastructure includes public works construction, construction of housing, airport operations, water, sewer, gas, electrical, oil refining, railroad and rail systems, roads and highways, public transportation. solid waste collection and removal, internet, and telecommunications systems, including the provision of essential infrastructure for computing services, business infrastructure, communications, and web-based services)
  - Grocery stores, fanners' markets, farm and produce stands, markets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products)
  - Food cultivation, including farming, livestock, and fishing
  - Human and animal food processing facility workers
  - Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals
  - Newspapers, television, radio, and other media services
  - Gas stations and auto-supply, auto-repair, and related facilities
  - Banks and related financial institution
  - Hardware stores
  - Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses
  - Mailing and shipping services

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o Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions related to distance learning and provision of other services related student welfare
o Laundromats, dry cleaners, and laundry service providers
o Railroads and rail systems
o Restaurants and other facilities that prepare and serve food and drink, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food or drink to be consumed at the site where it is provided, or at any other gathering site.
o Businesses that supply products needed for people to work from home
o Businesses that supply other essential businesses
o Businesses that ship or deliver groceries, food, goods or services
o Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order, as well as transportation maintenance services such as mechanics necessary to keep transportation services operational.
o Home-based care for seniors, adults, or children
o Residential facilities and shelters for seniors, adults, and children
o Professional services. such as legal or accounting services necessary to assist in compliance with legally mandated activities
o Childcare facilities providing services that enable employees exempted in this Order to work as permitted.

• Violation of this Order constitutes an imminent threat, creates an immediate menace to public health, and shall be considered a violation of Section 50-155 of the City's Code of Ordinances.
• Mayor Lucas recently extended his Stay at Home Order until May 15, 2020.

City of Ketchikan, City of Saxman, and the Ketchikan Gateway Borough (Alaska)
• On March 21, 2020, the Greater Ketchikan Area issued a joint proclamation637 strongly urging citizens to Shelter in Place.
• All citizens of the City of Ketchikan, City of Saxman, and the Ketchikan Gateway Borough are urged to:
o Hunker down and shelter in place in order to stop the spread of COVID-19.
o Food supply chains are fully functioning and grocery stores will remain open. Residents who are healthy and do not believe they have been exposed to COVID-19 may shop at grocery stores, but are asked to do so without lingering. If you go out, practice health directives such as handwashing and social distancing by staying six feet away from others.
o Stay home and work from home as much as possible.
o Conduct business via telephonic or electronic means as much as possible.
o To the extent possible, non-essential businesses are urged to close for a period of 14 days.
  ▪ Note: The proclamation did not include a description of “essential businesses”.
o If you are sick or suspect that you may be infected with the COVID-19 virus, you should take steps to help prevent the disease from spreading to people in your home and

637 Greater Ketchikan Area Joint Proclamation https://www.kgbak.us/DocumentCenter/View/7210/03212020---Joint-Proclamation---Stay-in-Place-
community. If you think you have been exposed to COVID-19 and develop a fever and symptoms, such as cough or difficulty breathing, call your healthcare provider for medical advice.

- Follow all health mandates issued by Governor Dunleavy, the Alaska Department of Health and Social Services (DHSS), and the Center for Disease Control (CDC).

Knox County/ City of Knoxville

- On March 23, 2020, the Knox County Health Department issued the Knox County Safer at Home Order, which urges all residents to shelter in place to the extent possible. The order will remain in effect for 14 days, subject to extension.
- All businesses not performing essential services must close their business facilities, subject to exceptions stated in the order. Facilities must remain accessible as needed to service computer and other equipment, process mail, and maintain security.
- This order does not apply to activities necessary to maintain continuity of operations of critical infrastructure sectors, as outlined in CISA federal guidelines. Individuals working in these 16 critical infrastructure sectors may continue their work because of the importance of these sectors to the health and well-being of individuals residing or working in Knox County.
- The following sectors, businesses, and their employees are considered essential services and may remain open:
  - Federal and state offices and services, and private companies or individuals performing under federal, state, or local government contracts;
  - Essential government functions including, but not limited to, law enforcement, public transportation, and businesses that provide government programs and services, including functions assisting economically disadvantaged populations and individuals experiencing homelessness;
  - Companies providing media, communication and telecommunication services;
  - Grocery and beverage stores, farmers markets, food banks, caterers, convenience stores selling food, agriculture, food manufacturing and processing, feed mills, and other businesses that directly support the food supply, including but not limited to farming, livestock, and food cultivation;
  - Health care, mental and behavioral health, biomedical research, laboratory services, and other businesses that directly support the healthcare industry including, but not limited to, health information technology, staffing and supplies;
  - Sanitation and waste removal;
  - Energy, water, and sewage businesses and services;
  - Pharmacies, medical supply, and other businesses that directly support the drug and medical supply pipeline;
  - Vehicle fuel, support, and service stations, vehicle parts and repair businesses, and vehicle sales, leasing and rental businesses;
  - Banks, savings and loans, insurance companies, accounting businesses, and other business that directly support the insurance and financial services sectors;
  - Real property marketing, leasing, purchase, and sale services;
  - Legal and judicial services;
  - Laundromats, laundry, and cleaning services;
  - Home and business structure and equipment repair, hardware, building supply, and appliance sale and repairs;

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- Warehousing and storage facilities;
- Construction, architectural, engineering, or surveying services;
- Product logistics, transport, and distribution businesses;
- Parcel transportation and delivery businesses;
- Veterinary and pet supply business and services;
- Home and business cleaning and maintenance services;
- Educational institutions, public and private K-12 schools, private colleges and universities, trade schools, post-secondary, and technical colleges, but only as needed to facilitate online or distance learning and essential functions;
- Landscaping and nurseries;
- Production, distribution, and sale of household consumer goods such as cleaning and personal care products;
- Essential building maintenance and security;
- Individuals whose job functions require them to be at their work location and who are essential to preserving the information systems, accounting, and human resource infrastructures of any business which is otherwise in substantial compliance with this order;
- Nonprofit entities providing support and assistance for the COVID-19 epidemic; and
- Other businesses and services that may be determined are essential for the continued safety and security of Knox County.

- In addition, the following businesses may remain open subject to compliance with the following conditions:
  - Daycare and childcare business shall prioritize children of parents working for essential infrastructure sectors, businesses, or service providers to the extent practicable.
  - Assisted living facilities, nursing homes, adult daycare centers, home health businesses, and senior residential facilities shall follow CDC guidance on social distancing and hand hygiene to the extent practicable. Non-essential social and educational programs at senior citizen and other assisted living communities and centers shall end until further notice.
  - Hotels, short term rental properties, commercial lodges, and dormitories shall cease entertainment or dine-in services, subject to allowing food and beverage pick-up and room-service.

- On March 31, 2020, City of Knoxville Mayor Kincaid issued a Safer at Home Order, which directly echoes the Knox County Health Department’s shelter in place directive issued on March 24, 2020.640
  - The Order grants City of Knoxville employees who have enforcement and regulatory authority, the ability to take corrective action within Knoxville city limits against those violating Safer at Home orders.

- On April 6, 2020, Mayor Kincaid signed Emergency Order 5, which extends the city’s shelter in place directive through April 13, 2020.641 On April 13, 2020, Mayor Kincaid further extended the shelter in place directive through April 20, 2020.642

• On April 20, 2020, Mayor Kincaid issued Emergency Order 7, which extends the shelter in place directive through April 27, 2020.643

• On April 27, 2020, Knox County Mayor Glenn Jacobs and City of Knoxville Mayor Indya Kincannon announced that the Knoxville area will begin a gradual, phased reopening of businesses on Friday, May 1. Knoxville’s Community Strategy for a Phased Reopening requests that individuals adhere to five core initiatives throughout the reopening process, including practicing social distancing, wearing cloth face covering, practicing proper hand washing, sanitizing surfaces, and staying home when exhibiting symptoms. Each phase of the reopening plan will extend for a minimum of 28 days.644

• Phase One includes more detailed information regarding reopening measures, while Phase Two and Phase Three serve as a broad framework that will be enhanced through a collaborative process within the community. Businesses that may reopen on May 1, subject to stringent protocols, include, but are not limited to, the following:
  - Daycares
  - Restaurants
  - Salons
  - Spas
  - Retail Stores
  - Gyms
  - Places of Worship

• Guidelines relative to employers and other organizations include:
  - Implement strategies addressing the safety of two broad categories of people:
    - Customers, clients, members of the public, etc.
    - Employees, coworkers, contract employees, etc.
  - Develop and implement appropriate policies, in accordance with federal, state, and local regulations and guidance, and informed by industry best practices, regarding:
    - Physical distancing and protective equipment. These practices may include: Requiring employees to wear cloth face coverings (or PPE in medical settings or where industry guidance instructs its use) when unable to consistently maintain 6 feet of physical distancing.
  - For as long as possible, allowing telecommuting, especially for higher-risk individuals. Allowing flexible hours and staggered shifts to increase physical distancing for employees as they enter and leave the workplace.
  - Creating signs and barriers that reinforce 6 feet of physical distancing for the protection of your employees and the public.
  - Marking the floors where necessary to provide customers clear direction when waiting in line. Implementing one-way aisles.
  - Considering making stickers for employees to wear that remind customers to maintain 6 feet of distance.
  - Creating plexiglass protective barriers for employees working registers or providing close proximity services.
  - If the business has overhead announcements, regularly playing announcements encouraging the maintenance of 6 feet of distancing.

o Encouraging customers to come during **non-peak hours**. Implementing **special hours** for seniors and other higher-risk individuals. Offering or continuing to offer delivery or curbside pickup options.

o **General Sanitation.** These practices may include:
  o Encouraging employees to engage in **hand washing** (or the use of hand sanitizer if hands are not visibly soiled) after each customer interaction.
    ➢ Having **hand sanitizer available at the entrance** of the business for customers.
    ➢ **Discouraging workers from using other employees’ equipment**, including phones, desks, offices or other work tools, when possible. When not possible, **hand sanitizer** should be used both prior to use of communal items and immediately after.
    ➢ Routinely sanitizing shared surfaces and equipment throughout the day and between users.
    ➢ Offering customers single-use grocery bags.
    ➢ Considering placing **limitations on returns** or extending the window in which returns can be made to the place of business.

o **Use and disinfection of common and high-traffic areas.** Follow guidance from the CDC for **Cleaning and Disinfecting Your Facility**, **Cleaning and Disinfection for Community Facilities**, and **Cleaning and Disinfecting Non-emergency Transport Vehicles**. These practices may include:
  ➢ Having a **clear plan for enhanced cleaning protocols**, including who is responsible for each task. **Modify business hours** if necessary to allow for deep cleaning.
  ➢ Dedicating an employee to working at the entrance **sanitizing carts and baskets** and encouraging the use of hand sanitizer.
  ➢ Cleaning the **credit card touch screen and/or keypad** after each customer use. **Regularly cleaning checkout lanes or counters**.
  ➢ Cleaning **pens, menus and other communal items** after each use.

o Following guidance outlined in each phase. Look up the **state and local laws for the area** where your employee will travel and if **CDC has guidelines for quarantining after travel**.

o Remaining aware of the **COVID-19 activity in the area** where your employee will travel.

o **Monitor workforce for COVID-19 symptoms and take action.**
  ➢ **Screen all employees daily by asking the following questions:** Have you been told to quarantine/isolate by a medical provider or the health department?; Have you had face-to-face contact for 10 or more minutes with someone who has COVID-19?; Are you feeling ill and/or experiencing any of the symptoms of COVID-19 (regularly check the CDC website for an updated list)? If yes, they should not enter the worksite and should contact their doctor.
  ➢ While it is preferred that **employers conduct daily employee temperature checks with a no-touch thermometer** before they enter the workplace, **employee daily temperature self-checks** are appropriate when a thermal thermometer is not available or daily employer checks are not practical. Communicate the policy with employees. **Daily temperature checks are a tool in your toolbox; they do not replace the need to follow the other recommendations.**
  ➢ **Require any employee to quarantine/isolate** according to the guidance of their medical provider or the Knox County Health Department when the employee is:
    ▪ A positive case for COVID-19; OR
    ▪ Waiting for their results of a COVID-19 test; OR
- A close contact of someone with COVID-19.
  - Do not allow symptomatic people to physically return to the workplace until they are symptom-free and fever free for 72 hours without the use of fever-reducing medication or have been released from quarantine/isolation. Employees should not be required to have a negative test to return to work.
  - Consider implementing generous sick leave policies to encourage employees to report their illnesses and stay home.
  - Maintain employee privacy by not unnecessarily sharing information with others about their illness. Health information is protected by federal law.
    - Develop and implement ways to track close contact interactions.
      - Employers should prepare and implement strategies for determining and tracking close contact interactions between staff and between staff and customers (for example, keeping detailed appointment records and worker shift pairings so you can easily help public health determine close contacts, if needed).
      - This will allow potential cases to be isolated quickly should an employee or customer test positive for COVID-19, preventing future transmissions which protects health and the employer’s ability to continue to serve the community.
  - For more information on industry specific reopening guidelines, please click here.

City of Lakeland, Tennessee

- On March 24, 2020, Mayor Mike Cunningham issued a Safer At Home Order directing all individuals currently living within the City are required to stay at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses.645
  - Travel Restrictions: All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and travel for Essential Activities, is prohibited. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions.
  - Mass Gatherings of more than 10 people are prohibited.
  - Closure of Non-Essential Businesses: All businesses with a facility in the City, except Essential Businesses as defined in this Order, are required to cease all activities at facilities located within the City except Minimum Basic Operations, as defined in this Order.
  - All Essential Businesses are strongly encouraged to remain open.
  - Essential Businesses: "Essential Businesses" shall be defined as "Essential services" is defined in the Shelby County Health Officer's March 24, 2020 Health Directive. Covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.
  - Healthcare Operations: Individuals may leave their residence to work for or obtain services at any "Healthcare Operations" including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, medical supply companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services.

"Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms and similar facilities.

- Essential Infrastructure: Individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, grass mowing, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements.

- Essential Governmental Functions: All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel, as well as and local, state and federal agencies located within City limits are categorically exempt from this Order.

- City parks shall remain open, but Social Distancing Requirements shall be observed.

- The Shelby County Sheriff’s Office and other City and Shelby County officials are authorized to enforce and close those businesses within the City of Lakeland in violation of this Order.

- This order will remain in effect until 6:00 pm on April 17, 2020. Further potential extensions in 7-day increments per Tenn. Code Ann. 58-2-110(3)(A) are possible.

**Long Beach, CA**

- On March 28, 2020, the City of Long Beach issued amendments to the existing “Safer at Home” Order issued by the City of Long Beach Health Officer on March 24, 2020, in an effort to further reduce the spread of COVID-19.

- The amendments provide additional and clarifying information on the closure of all public beaches, public trails, and trailheads within the City of Long Beach. The amendments also impose limitations on, and extends the closure of, certain businesses required by the Health Officer’s Order. Open park space and park pathways may still be utilized by individuals for personal health and wellness purposes, if appropriate social distancing measures are taken.

- Beach and public facility closures are extended to May 1, 2020, while closures and limitations to businesses are in effect until April 19, 2020 or until further notice. A summary of what has changed in the order is outlined below:

- Essential Businesses must make every effort to ensure social distancing among employees, which includes:
  - Allowing telecommuting, video or phone meetings, staggering schedules so less people are at work at one time, separating employees by six feet.
  - Limiting meetings or gatherings of any sort, especially in locations where employees could interact or come in contact with any member of the public.
    - This includes limiting or eliminating (1) employees from traveling in vehicles together and/or (2) the need for employees to physically work in teams of two or more.
    - If meetings or gatherings are absolutely necessary, Essential Businesses must maintain social distancing to the extent practicable.

- Facilities that must close and are now closed:

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Last Updated: 6-3-20
- All public beaches, trails, trailheads, basketball courts, tennis courts, volleyball courts, golf courses, dog parks, playgrounds, skate parks, public park and public beach parking lots, and picnic areas.
- Private gyms in multifamily housing complexes, such as in condominium and apartment complexes.

- Businesses no longer considered “essential”:
  - Businesses that sell exclusively personal care products (e.g. beauty supply)

- Limitations on Essential Businesses:
  - Death care services are limited to the removal, care, preparation, and burial of deceased persons or animals. Funerals are not permitted.
  - Painting services are only permitted if (1) the purpose of painting is to sell or lease new residences, (2) the painting is necessary to maintain the safety or habitability of residences or businesses, or (3) the painting is due to new construction.

- Additional Restrictions:
  - Licensed Medical Cannabis Dispensaries can temporarily do curbside pickup under the following conditions:
    - Payment for cannabis and/or cannabis products must be made in advance of the curbside pickup.
    - Patients must submit proof of a valid government-issued identification and the patient’s medical identification card prior to the curbside pickup.
    - Upon pickup, the medical dispensary must verify that the identification of the patient is the same person who ordered curbside pickup via the presentation of a valid government-issued identification.
    - Products must be delivered to patients in opaque packaging.
    - Uniformed and licensed security personnel must be present during all curbside pickup transactions.
    - All other local and State laws, regulations, and lawful orders are adhered to.

- Enforcement:
  - The City now can issue administrative citations against businesses operating in violation of the “Safer at Home” Order.
  - The Water Department, in consultation with the City Attorney, may shut off water service to non-essential businesses operating in violation of the order, as appropriate.

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Los Angeles County

- On May 19, 2020, Los Angeles County officials issued an amended shelter in place order, Safer At Home Order For Control of COVID-19, which further restricts the gathering of persons and requires the closure of malls, shopping centers, children’s playgrounds, and non-essential retail businesses.  

- The order requires the immediate closure of the following types of commercial properties and businesses:
  - Non-essential retail businesses;
  - Indoor malls and indoor shopping centers, including all stores therein regardless whether they are essential or non-essential retail businesses, with an exception provided for exterior parts of indoor malls and shopping centers that are accessible from the exterior; and;

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Indoor or outdoor playgrounds, except for those located within childcare centers;

**Essential Businesses** are defined as:
- Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of food products;
- Food cultivation, including farming, livestock, and fishing;
- Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- Newspapers, television, radio, and other media services;
- Gas stations and auto-supply, auto-repair, car dealerships and related facilities;
- Banks, credit unions, and related financial institutions;
- Hardware stores, nurseries, building supplies;
- Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of properties and other Essential Businesses;
- Businesses providing mailing and shipping services, including post office boxes;
- Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions;
- Laundromats, dry cleaners, laundry service providers, personal grooming services;
- Restaurants and other facilities that prepare and serve food, but only for drive thru delivery or carry out;
- Businesses that supply products needed for people to work from home;
- Businesses that supply other essential businesses with the support or supplies necessary to operate;
- Businesses that ship or deliver groceries, food, goods or services directly to residences, Essential Businesses, Health Care Operations, or Essential Infrastructure;
- Airlines, taxis, and other private transportation providers providing transportation services;
- Businesses that provides parts or services for Essential Infrastructure;
- Home-based care for seniors, adults, or children;
- Residential facilities and shelters for seniors, adults, disabled persons and children;
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities, and the permitting, inspection, construction, transfer, and recording of ownership, of housing and anything incidental thereto;
- Military/Defense Contractors/Federally Funded Research and Development Centers;
- Childcare facilities providing services that enable employees exempted in this Order to work as permitted; and
- Hotels, motels, shared rental units and similar facilities.

**Essential Infrastructure or Operations** include:
- Healthcare Operations, which shall be broadly construed to avoid any impact on the delivery of healthcare.
- Essential Infrastructure, including but not limited to, public health, public works construction, construction of housing, airport operations, port operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet and telecommunications systems, and manufacturing and distribution companies deemed essential as part of the Essential Infrastructure supply chain.

**Enforcement**
Violation of this order is a misdemeanor punishable by imprisonment, fine or both. The County Health Officer requests that the Sheriff and Chiefs of Police in all cities located in Los Angeles County ensure compliance and enforcement of this order.

- On April 10, 2020, the County of Los Angeles Department of Public Health revised the existing Safer at Home Order for Control of COVID-19. This County of Los Angeles Health Officer Revised Order (Order) amends and supersedes the Orders and Addendums of the County of Los Angeles Health Officer (Health Officer) issued on March 16, 19, 21, 27, and 31, 2020.
- This Order is issued to comply with Executive Order N-33-20 issued by Governor Gavin Newsom, wherein the State Public Health Officer ordered all individuals living in the State of California to stay home or at their place of residence, except as needed to maintain continuity of operations of the federal critical infrastructure sectors.
- Due to the continued rapid spread of the Novel Coronavirus (COVID-19) and the need to protect the most vulnerable members of our community, this Order continues to prohibit all indoor and outdoor public and private gatherings and events.
- The Order specifically requires all businesses to cease in-person operations and remain closed to the public, unless the business is defined as an Essential Business by this Order.
- This Order is effective within the County of Los Angeles Public Health Jurisdiction, defined as, all unincorporated areas and cities within the County of Los Angeles with the exception of the cities of Long Beach and Pasadena, and continues through May 15, 2020.
- The Health Officer now requires Essential Businesses to implement by no later than 11:59 p.m. on April 15, 2020, a Social Distancing Protocol, which includes a requirement to provide all of their employees whose duties require contact with other employees and/or the public with a cloth face covering to wear while performing duties that involve contact with others.
- This Order does not prohibit any individual or members of a single household or living unit from engaging in outdoor activities, as an individual or household, such as jogging, walking, or biking.
- This Order continues to allow individuals to leave their homes to shop at Essential Businesses, including grocery stores and restaurants offering delivery, drive thru or carry out service, so long as all persons practice Social Distancing and wear a cloth face covering while visiting Essential Businesses.
- Further, this Health Officer Order continues the closure of all indoor malls and shopping centers, all swap meets and flea markets, all indoor and outdoor playgrounds, beaches, trails and trailheads, and in-person operations of all non-essential businesses. This Order does not supersede any stricter limitation imposed by a local public entity.
- The County Health Officer will continue to monitor the rate of COVID-19 disease spread, the severity of the resulting illnesses and deaths caused, California Department of Public Health (CDPH) and Centers for Disease Control and Prevention (CDC) recommendations, and the effect of this Order. If needed, this Order may be extended, expanded, or otherwise modified to protect the public’s health.
- Although the county’s shelter in place directive is set to expire May 15, Los Angeles County’s stay-at-home order will “with all certainty” be extended for the next three months, Public Health Director Barbara Ferrer acknowledged during a Board of Supervisors meeting May 12. The update to L.A.’s stay-at-home orders comes as officials try to meet two needs: restarting the economy under a new normal while also ensuring that the resurgence in activity doesn’t upend progress in the fight against the coronavirus.

Madison County, TN

- On April 24, 2020, Madison County officials issued an amended Declaration of Emergency, which extends the county’s shelter in place directive through April 30, 2020, and allows certain businesses, including restaurants and retail establishments, to open pursuant to Governor Lee’s Tennessee Pledge guidelines.650

City of McKinney (TX)651

- On March 27, 2020 the McKinney City Council passed Ordinance ratifying and renewing an existing Mayoral declaration of a local state of emergency, effective immediately.
- Individuals are required to stay in their place of residence, and leave only for Essential Activities, Essential Government Functions, or Essential Business.
- All businesses, except Essential Businesses, are required to cease all activities at facilities located within McKinney, though operations consisting exclusively of working from home may continue.
- All public or private gatherings of any number of people occurring outside a single household are prohibited.
- Restaurants, breweries, distilleries, or wineries may only offer take out delivery or drive-through services.
- Religious services may be conducted by video or other manner that follows social distancing guidelines.
- Essential Activities are defined to include:
  - activities or tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication or visiting a health care professional).
  - obtaining necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products), and products necessary to maintain the safety, sanitation, and essential operation of residences.
  - outdoor activities, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, running, and other exercise activities). Children shall not use playground equipment or any other public recreational structures.
- Essential Businesses are defined as:
  - Essential Healthcare Operations. Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care. Healthcare operations do not include fitness and exercise gyms and similar facilities.

- **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public.

- **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, elimination of hazardous materials, essential manufacturing operations.

- **Essential Retail.** Food service providers, including grocery stores, warehouse stores, bodegas, liquor stores, gas stations and convenience stores, farmers’ markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto, bicycle repair and essential business equipment suppliers, hardware stores, and related facilities. Businesses that supply products needed for people to work from home. Essential Retail businesses shall post entry signage instructing patrons of the need to limit patron visits to necessary purchases only and to maintain social distancing. Essential Retail businesses shall provide a sanitation station as a required first stop for patron entering the business.

- **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

- **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with support or supplies needed to operate.

- **News Media.** Newspapers, television, radio, and other media services.

- **Childcare Services.** Childcare facilities providing services that enable employees exempted in this Ordinance to work as permitted.

- The ordinance suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in McKinney.

- Sales of toilet tissue occurring in McKinney are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.

- If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.

- Non-essential visitors to nursing homes, retirement and long term care facilities are prohibited.

- 72 hours before reopening, schools must provide a safety plan to the Office of Homeland Security and Emergency Management.

- Employees of private businesses and nonprofits with six (6) or more employees in McKinney can use their paid sick leave when they are sick or to care for sick family members.
• The Ordinance also provides detailed social distancing recommendations for a variety of contexts, including:
  ○ Vulnerable populations
  ○ Workplaces and businesses
  ○ Cancelling non-essential events
  ○ Schools
  ○ Transit
  ○ Health care settings
  ○ “Everyone”

• The Ordinance incorporates certain provisions of the Governor’s Executive Order, including:
  ○ Prohibiting social gatherings of more than 10 people
  ○ Avoid eating at bars, restaurants, or visiting gyms
  ○ Visits to nursing homes to should be avoided
  ○ Schools shall temporarily close.

• In response to a lawsuit challenging the validity of the City of McKinney order, Judge Jill Willis indicated that she agrees with the plaintiff’s argument that the order’s directive to close non-essential businesses conflicts with a less restrictive Collin County order. A hearing on the suit was delayed until March 31, to allow additional time for review. If the suit prevails, McKinney officials would be prohibited from enforcing the city’s shelter in place order.
  ○ On March 31, 2020, Judge Willis denied a request for a temporary restraining order to halt enforcement of McKinney’s order.

City of Memphis
• On March 23, 2020, Mayor Jim Strickland issued an executive order directing all individuals living in the City of Memphis to remain in their place of residence unless engaged in essential activities, essential governmental functions, or to operate essential businesses as defined in the order.

• All businesses with a facility in Memphis, except essential businesses as defined in the order, are required to cease all activities at facilities located within the city except minimum basic operations, as defined in the order.

• Essential businesses that may remain open pursuant to this order include:
  ○ Healthcare Operations and Essential Infrastructure as defined in this Order;
  ○ Grocery and beverage stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, catering, and other similar establishments. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
  ○ Food cultivation, including farming, livestock, and fishing;
  ○ Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  ○ Newspapers, television, radio, and other media services;

- Gas stations and auto-supply, auto-repair, and related facilities;
- Banks and related financial institutions;
- Hardware stores, home and business repair, construction (commercial and residential), and facilities design businesses;
- Insurance businesses and services;
- Plumbers, electricians, exterminators, cleaning, janitorial, property management, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- Businesses providing mailing, shipping and logistic services, including post office boxes; Laundromats, dry cleaners, and laundry service providers;
- Electronic, cell phone, and internet retail businesses;
- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out;
- Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only;
- Manufacturing companies, distributors, and supply chain companies producing, storing, shipping, and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, medical supplies, shipping and paper supplies, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other essential businesses;
- Businesses that supply other Essential Businesses with the support or supplies necessary to operate or facilitate individuals to work from home, such as office supplies;
- Businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment or delivery. This shall include any business that did not previously provide goods or services in this manner, but develops a procedure to provide its goods and services in this manner;
- Transportation services including buses, airlines, taxis, and other private transportation providers (such as Uber and Lyft) providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- Home-based care for seniors, adults, or children, people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- Residential facilities and shelters for seniors, adults, children, people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- Childcare and daycare facilities, prioritizing services to employees of businesses exempted in this Order to work as permitted;
- Hotels and motels, to the extent used for lodging and delivery or carry-out food services;
- Funeral homes, crematoriums, mortuary and burial services;
- Private waste removal and recycling services;
- Blood donor operations;
- All other critical infrastructure businesses not otherwise listed but identified in the U.S. Department of Homeland Security's Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response issued on March 19, 2020; and
- Any other business or service that the Mayor determines is essential for the safety and public health of the City.
• In addition, the following entities are exempt from shelter in place restrictions:
  o **Healthcare Operations**: For purposes of this Order, individuals may leave their residence to work for or obtain services at any "Healthcare Operations" including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, medical supply companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined.
  o **Essential Infrastructure.** For purposes of this order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, grass mowing, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services),
  o **Essential Governmental Functions.** For purposes of this order, all first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel, as well as and local, state and federal agencies located within City limits are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions. "Essential Governmental Functions" means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public as determined by the Mayor of the City of Memphis, even if not explicitly described herein.
  o **Minimum Basic Operations.** For the purposes of this order, "Minimum Basic Operations" include the following, provided that employees comply with social distancing requirements, to the extent possible, while carrying out such operations:
    ▪ The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
    ▪ The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
• On April 6, 2020, Mayor Strickland extended the shelter in place directive through April 21, 2020. 656
• On April 21, 2020, Mayor Strickland extended his safer-at-home order by two weeks until May 5, 2020.657
• On Monday, April 27, 2020, local leaders from Shelby County, the City of Memphis, and the six surrounding suburban municipalities released the Back-To-Business Framework, a phased, data-driven plan to reopen non-essential businesses. In order to progress through each phase of the

656Memphis Executive Order 06-2020
Back-To-Business Framework, each municipality must show a positive trajectory in the following metrics:

- Number of new cases remains stable or decline for 14 days
- Hospitalizations remain stable or decline for 14 days
- Hospitals have the capacity to treat all patients
- Testing and tracing capability must be efficient for containment of the virus
- Each phase of the reopening guidelines details general recommendations that correspond with a sector-specific framework, which may be found here. While Shelby County and the City of Memphis’ shelter in place directives are set to expire on May 5, an official reopening date for Phase One of the framework has not been announced.

**Phase One** includes the following recommendations:

- Operations remain status quo for entities currently deemed essential, provided they continue to meet the [COVID-19 Compliant Protocol](https://backtobusiness.memphistn.gov/framework/?fbclid=IwAR37ogjWVmkJZjV8n7EkoRoJcweYQck6zpKTgx_z8hu400M1W3e78-eY) (“CCP”) conditions.
- Entities currently deemed non-essential, which have limited personal contact between staff and/or visitors, may re-open facilities with restrictions and limited occupancy as outlined in the sector-specific framework. This includes restaurants and gyms/fitness facilities.
- Purposeful groups of more than 10 are not permitted.
- Indoor and outdoor facilities and public spaces may open for general recreation and non-contact sports subject to the restrictions of the CCP.
- Non-essential manufacturers/distributors, as well as offices and call centers, may re-open with restrictions and limited occupancy as outlined in the sector-specific framework.
- Elective medical procedures that are deemed medically necessary may resume

**Phase Two** includes the following recommendations:

- Non-essential businesses with close personal contact, such as hair and nail salons, may re-open with restrictions and limited occupancy as outlined in the sector-specific framework.
- Facilities for contact sports may re-open with restrictions and limited occupancy as outlined in the sector-specific framework.
- Purposeful groups of 50 or more not permitted.

**Phase Three** includes the following recommendations:

- Purposeful groups of 50 or more are not permitted, although gatherings of 50+ may be allowable if supported by the characteristics of the space and a clear social distancing plan.
- Larger venues may be permitted to operate under limited capacity and physical distancing protocols

On May 1, 2020, the Shelby County Health Department, the mayors of Memphis, Shelby County, and the six surrounding municipalities announced that May 4, 2020 is the appropriate date for Shelby County to begin phase one of our Back to Business framework.

**Miami-Dade County**

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658 Shelby County/Memphis Back to Business Framework, [https://backtobusiness.memphistn.gov/framework/?fbclid=IwAR37ogjWVmkJZjV8n7EkoRoJcweYQck6zpKTgx_z8hu400M1W3e78-eY](https://backtobusiness.memphistn.gov/framework/?fbclid=IwAR37ogjWVmkJZjV8n7EkoRoJcweYQck6zpKTgx_z8hu400M1W3e78-eY)

On March 19, 2020, Miami-Dade County Mayor Francis Suarez issued a shelter in place order, Miami-Dade County Emergency Order 07-20, which directs the closure of all non-essential retail and commercial establishments.

Essential retail and commercial businesses, which may remain open, include:

- Healthcare providers, including, but not limited to, hospitals, doctors’ and dentists’ offices, urgent care centers, clinics, rehabilitation facilities, physical therapists, mental health professionals, psychiatrists, therapists, and pharmacies;
- Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products);
- Food cultivation, including farming, livestock, and fishing;
- Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- Newspapers, television, radio, and other media services;
- Gas stations and auto-supply, auto-repair, and related facilities;
- Banks and related financial institutions;
- Hardware stores;
- Pet supply stores;
- Contractors and other tradesmen, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;
- Businesses providing mailing and shipping services, including post office boxes;
- Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning;
- Laundromats, dry cleaners, and laundry service providers;
- Restaurants and other facilities that prepare and serve food, but subject to the limitations and requirements of Emergency Order 3-20. Schools and other entities that typically provide free food services to students or members of the public may continue to do so on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only;
- Businesses that supply office products needed for people to work from home;
- Businesses that supply other essential businesses with the support or supplies necessary to operate, and which do not interact with the general public;
- Businesses that ship or deliver groceries, food, goods, or services directly to residences;
- Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, bus, or train;
- Home-based care for seniors, adults, or children;
- Assisted living facilities, nursing homes, and adult day care centers, and senior residential facilities;
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- Landscape and pool care businesses, including residential landscape and pool care services;
- Childcare facilities providing services that enable employees exempted in this Order to work as permitted;
- Businesses operating at any airport, seaport, or other government facility, including parks and government offices;

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Last Updated: 6-3-20
Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;
Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;
Provision of propane or natural gas;
Office space and administrative support necessary to perform any of the above-listed activities;
Open construction sites, irrespective of the type of building;
Architectural, engineering, or land surveying services;
Factories, manufacturing facilities, bottling plants, or other industrial uses; Waste management services, including collection and disposal of waste; and
Any business that is interacting with customers solely through electronic or telephonic means, and delivering products via mailing, shipping, or delivery services

This order does not affect or limit the operations of Miami-Dade County, any public utility, any municipality, the Miami-Dade County School District, or any State or Federal office or facility, except that such entities shall abide by the restrictions of any County, Municipal, State or Federal emergency order, as applicable.

City of Millington (TN)

- On March 24, 2020 Millington Mayor Terry Jones issued an Executive Order in response to the spread of COVID-19, the effect of which has been extended several times.661
- All individuals currently living within the City are required to stay at their place of residence unless engaged in Essential Activities, Essential Governmental Functions, or to operate Essential Businesses.
  - Individuals whose residences are unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location.
  - Homeless persons are exempt from the Order
- All travel except Essential Travel and Essential Activities is prohibited.
  - Public transit may only be for purposes of performing Essential Activities, to operate Essential Businesses or maintain Essential Governmental Functions, and social distancing requirements apply.
- All public and private gatherings of more than ten people occurring outside a single household or living unit are prohibited, except for the limited purposes as expressly permitted by this Order.
- All businesses other than Essential Businesses are required to cease all activities in the county except Minimum Basic Operations (which are the minimum necessary to maintain the value of inventory, ensure security, process payroll and benefits, or to facilitate employees working remotely from their residence).
  - Businesses may continue operations consisting of employees or contractors working from home
  - To the greatest extent feasible, Essential Businesses shall comply with social distancing requirements
- “Essential Activities” are defined as:
  - Activities essential to health and safety of an individual, their family or household members, including obtaining medical supplies, visiting a healthcare provider, or obtaining supplies to work from home

- Obtaining necessary services or supplies for themselves and household, or to deliver them to others.
- Engaging in outdoor activities, provided individuals comply with social distancing requirements
- Performing work at an Essential Business or to otherwise carry out activities permitted by the order, including Minimum Basic Operations
- Caring for a family member or pet in another household

- Essential Businesses are defined by reference to the Shelby County Health Officer’s April 4, 2020 Health Directive or amendments thereto.

- “Essential Travel” is defined as:
  - Any travel related to the provision or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations
  - Travel to care for elderly, minors, dependents, disabled, or other vulnerable persons
  - Travel to or from educational institutions to receive materials for distance learning or receiving meals
  - Travel to return to a place of residence outside the county
  - Travel required by law enforcement or court order
  - Travel required for non-residents to return to their residence outside the county

- Individuals may leave their residence to work for or obtain services at any Healthcare Operations, including:
  - Hospitals
  - Dentists
  - Pharmacies
  - Pharmaceutical and biotech companies
  - Healthcare suppliers
  - Home healthcare services providers
  - Mental health providers
  - Veterinary care.

- Individuals may leave their residence to provide services or perform work necessary to the operation and maintenance of Essential Infrastructure (so long as they comply with social distancing requirements), including:
  - Public works construction
  - Construction of housing
  - Airport operations
  - Water, sewer, gas, electrical
  - Oil refining
  - Roads and highways
  - Public transportation
  - Solid waste collection and removal
  - Grass mowing
  - Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications and web-based services)

- Essential Governmental Functions
  - All first responders, emergency management personnel, emergency dispatchers, court personnel and law enforcement personnel, and others who need to perform essential services are exempt from the order
  - Individuals may leave their residence to perform or access Essential Governmental Functions
Essential Governmental Functions means all services needed to ensure the continuing operation of the governmental agencies and provide for the health, safety and welfare of the public, as determined by the Mayor.

Social Distancing Requirements are specified as:
- Maintaining at least 6 foot social distancing
- Washing hands with soap and water for 20 seconds as frequently as possible
- Using hand sanitizer if soap and water is not available
- Covering coughs or sneezes into the sleeve or elbow
- Regularly cleaning high-touch surfaces
- Not shaking hands

City parks remain open, but social distancing requirements apply.

The Shelby County Sheriff’s department and other law enforcement officials are authorized to enforce and close those businesses within Hawkins County in violation of this order.

Montgomery County and the City of Clarksville (TN)

On March 23, 2020 the City of Clarksville Mayor Joe Pitts and Montgomery County Mayor Jim Durrett issued coordinated and substantially identical Executive Orders in response to the spread of COVID-19.662

Individuals are directed to shelter at home except when engaging in Essential Activities or Essential Services, and should practice social distancing and assume others are infectious, regardless of whether they exhibit symptoms.

All gatherings are strongly discouraged, and those with more than 10 people are strictly prohibited.

All public park areas remain open, but park buildings, structures and playgrounds of any type are closed. Citizens using park open spaces are directed to adhere to social distancing requirements.

All businesses not performing Essential Services shall close. Facilities may remain accessible as needed in order to service computer and other equipment, process mail, and maintain security.

The closure order includes, but is not limited to:
- On-site activates at hospitality, educational and entertainment venues, businesses and facilities (online activities and deliveries may continue)
- Personal appearance businesses, including hair, nail, massage, tattoo, tanning, waxing and other such facilities
- Public and private entertainment and social clubs

Businesses with applicable licenses may continue deliveries, provided they observe social distancing.

Individuals may perform business functions of nonessential businesses from their own homes, provided they comply with existing law and are only performed by residents of that home.

Essential Services are defined as:
- Federal and state offices and services, and contractors performing under government contracts
- Essential government functions, including law enforcement, public transportation, and businesses that provide government services, including services to the homeless. Clarksville’s order also specifies firefighting and building code safety as essential government functions.
- Media, communication and telecommunication services

- Grocery and beverage stores, farmers markets, food banks, caterers; agriculture and food manufacturing; storage businesses or facilities that support food production, supply and transportation; farm equipment sales and repair; farming, livestock and food cultivation
- Health care, mental health, biomedical research, lab services, and other businesses that directly support the healthcare industry
- Sanitation and waste removal
- Energy, water and sewage businesses and services
- Pharmacies, medical supply, and others that support the drug and medical supply pipeline
- Vehicle fuel support and service stations, vehicle parts and repair businesses, and vehicle sales and leasing
- Banks, insurance companies, accounting, and other businesses that support financial services
- Real property marketing, leasing, purchase and sale services
- Legal and judicial services
- Laundromats, laundry and cleaning services
- Home and business structure and equipment repair, hardware, building supply and appliance sale and repairs
- Warehousing and storage facilities
- Construction, architectural, engineering and surveying services
- Product logistics, transport and distribution
- Parcel transportation and delivery
- Veterinary and pet supply business and services
- Home and business cleaning and maintenance
- Educational institutions, but only as needed to facilitate online or distance learning and essential functions
- Landscaping and nurseries
- Production, distribution and sale of household consumer goods such as cleaning and personal care products
- Essential building maintenance and security
- Individuals whose job functions require them to be at their work location and who are essential to preserving the information systems, accounting and human resource infrastructures of any business which is otherwise in substantial compliance with this order
- Nonprofit entities providing support and assistance to victims of COVID-19
- Other businesses that may be determined essential for the safety and security of the city and county

- The following businesses may remain open subject to conditions:
  - Childcare that prioritizes children of parents working for essential infrastructure sectors, businesses, or service providers
  - Assisted living facilities, nursing homes, adult daycare centers, funeral homes, home health businesses and senior residential facilities, provided the follow social distancing requirements, and non-essential social and educational programs at senior citizen communities shall end
  - Hotels, short term rental properties, commercial lodges and dormitories shall cease entertainment and dine-in services
  - Golf courses may remain open, so long as social distancing is observed, but ancillary restaurants, clubhouses, spas, driving or putting facilities shall close except for pick-up or delivery of food and payments for facility use

- Essential Services have several specific provisions:
All Essential Services but especially grocery stores and pharmacies shall make best efforts to establish special hours for exclusive shopping by seniors or medically vulnerable people.

Essential Services shall adhere to CDC guidance on social distancing, including encouraging work-from-home and on-site shifts to optimize social distancing.

Essential Services are encouraged to utilize any telecommuting procedures they can safely.

- Referencing Tennessee Executive Order #21, the following close-contact businesses shall close:
  - Barber shops
  - Hair salons
  - Waxing salons
  - Threading salons
  - Nail salons or spas
  - Spas providing body treatment
  - Body art facilities or tattoo services
  - Tanning salons
  - Massage therapy establishments or massage services

- Referencing Tennessee Executive Order #21, the following entertainment and recreational businesses shall close:
  - Night clubs
  - Bowling alleys
  - Arcades
  - Concert venues
  - Theaters, auditoriums, performing arts centers, or similar facilities
  - Racetracks
  - Indoor children’s play areas
  - Adult entertainment venues
  - Amusement parks
  - Roller or ice skating rinks

- The Orders are not applicable to businesses or individuals working in critical infrastructure sectors as outlined by the US Department of Homeland Security at https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19

- In addition, the City of Clarksville Order incorporates by reference Tennessee Governor Bill Lee’s Executive Orders 17, 21 and 22.

- Montgomery County’s shelter in place directive was recently extended to April 22, 2020.663

City of Murfreesboro

- On March 28, 2020, Mayor Shane McFarland amended the city’s Local State of Emergency Order664 to include a Safe at Home guidelines effective March 28, 2020 until April 4, 2020. The order does not mandate shelter in place.

- **Food and Alcohol.** All establishments whose primary business is alcohol service or food service within the City of Murfreesboro are ordered to remain closed for on-site consumption. Nothing in this order should be deemed to prohibit pick-up, take-out, delivery, or drive-through service, regardless of whether the establishment routinely offers such services.

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• **Gyms.** All gyms and exercise and fitness facilities within the City of Murfreesboro are ordered to remain closed. This section shall not apply to exercise and rehabilitative programs conducted in medical offices and facilities unless otherwise ordered by the Governor, the Tennessee Department of Health, or the Rutherford County Department of Health.

• **Safe at Home Guidelines.**
  - All individuals currently living within the City are strongly encouraged to remain at their place of residence except as is reasonably necessary to maintain their health and economic well-being.
  - While this Order does not mandate sheltering in place, individuals must comply with all other provisions of this Order and any other law, order or rule related to the containment of COVID-19 whenever it is necessary for them to travel away from their residence.
  - In addition, individuals should comply at all times with the guidance and directives issued by the CDC pertaining to the containment of COVID-19.
  - For purposes of this Order, residences include, but are not limited to, hotels, motels, shared rental units, and similar facilities.

• **Enforcement and Jurisdiction.**
  - The City’s Chief Building Official, the Murfreesboro Police Department and the Murfreesboro Fire Marshall are authorized by this Order to enforce and close those businesses in violation of this Civil Emergency Order in the City until this Order is withdrawn.

• On April 14, 2020, Murfreesboro Mayor Shane McFarland renewed the Declaration of “State of Emergency,” extending the City’s previous declarations and adopting Governor Bill Lee’s renewed ‘Stay at Home’ Executive Order No. 27 issued Monday, April 13 in response to the COVID-19 pandemic. The Mayor’s renewed Declaration is effective at 11:59 p.m., Tuesday, April 14 and remains in effect until 11:59 p.m. on Tuesday, April 21.

**New Orleans, LA**

• On March 16, 2020, Mayor Latoya Cantrell issued a shelter in place proclamation canceling public and private gatherings in non-emergency situations and where possible, with the exception of healthcare facilities, pharmacies, grocery stores, corner stores, banks, gas stations, and other essential service providers.

• The order mandates the closure of all Bars, Health Clubs (e.g. gyms and fitness centers), Shopping Centers configured as malls (but not strip centers), Live Performance Venues, Reception Facilities, and other establishments where large gatherings routinely occur.

• The order requires restaurants to limit their operations to takeout and delivery only, including the sale of alcohol in accordance with City and State issued permits.

• In response to this order, the New Orleans Health Department issued additional guidance regarding the definition of essential services. This general prohibition does not apply to essential service providers, including but not limited to the following:
  - Healthcare operations;
  - Any establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products), including stores that

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sell groceries and other non-grocery products, such as products necessary to maintaining the safety, sanitation, and essential operation of residences;

- Food cultivation, including farming, livestock, and fishing;
- Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- Businesses necessary for required construction and/or infrastructure projects; ports and maritime, railroads, solid waste collection and removal, utilities, on- and offshore energy production, energy transmission, refineries and chemical plants, pipeline, and telecommunications systems;
- Newspapers, television, radio, and other media services;
- Gas stations and automobile supply, automobile repair, bicycle supply, bicycle repair, and related facilities;
- Banks and related financial institutions;
- Hardware stores;
- Any other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of businesses or residences (e.g., plumbers, electricians, exterminators, security personnel);
- Businesses providing mailing and shipping services, including post office boxes;
- Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing requirements, including spacing of six-feet per person, are maintained to the greatest extent possible;
- Laundromats, dry cleaners, and laundry service providers;
- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out;
- Businesses that supply products needed for people to work from home;
- Businesses that supply other essential businesses with the support or supplies necessary to operate;
- Businesses that ship or deliver groceries, food, goods, or services directly to residences;
- Airlines, taxis, and other private transportation providers providing essential transportation services;
- Home-based care for seniors, adults, or children;
- Residential facilities and shelters for seniors, adults, and children;
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities; and
- Childcare facilities, provided that social distancing of six-feet per person is maintained to the greatest extent possible.

City of Norman (OK)

- On March 24, 2020, Mayor Breea Clark issued a Proclamation of Local Emergency with an explicit Stay at Home directive for Norman effective at midnight on Wednesday, March 25 through midnight on Tuesday, April 14. The order impacts all non-essential trips and close all non-essential business.
- For purposes of this order, permissible “essential activities” means:
  - To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family and close personal acquaintances.
  - To obtain necessary services or supplies for themselves and their family or household members, or close personal acquaintances, or to deliver those services or supplies to

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667 City of Norman Proclamation of Local Emergency, Stay at Home directive, [https://static1.squarespace.com/static/5e73c3526ab9182890fd4c29/t/5e7a8f1ad3ba3b15f0c02602/1585090332500/Proclamation+2020-04.pdf](https://static1.squarespace.com/static/5e73c3526ab9182890fd4c29/t/5e7a8f1ad3ba3b15f0c02602/1585090332500/Proclamation+2020-04.pdf)
others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.

- To assist in the preparation of food and drink for delivery and carry out, or to pick up food or drink for carry out.
- To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements.
- To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order; and
- To care for a family member, close personal acquaintance, or pet in another household.

- "Essential Businesses" means for-profit or non-profit business regardless of its corporate or entity structure and includes:
  - Health Operations and Essential Infrastructure. (see definitions below)
  - Grocery stores, farmers' markets, farm and produce stands, markets, food banks, convenience stores, liquor stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, drinks, pet supply, fresh meats, fish, and poultry, and any other household consumer products such as cleaning and personal care products. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and persons.
  - Food cultivation, including farming, livestock, and fishing.
  - Human and animal food processing facility workers.
  - Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
  - Newspapers, television, radio, and other media services.
  - Gas stations and auto-supply, auto-repair, and related facilities.
  - Banks and related financial institutions.
  - Hardware stores and stores that sell essential home appliances and related equipment.
  - Stores that sell telecommunication and devices.
  - Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Activities, and Essential Businesses.
  - Businesses providing mailing and shipping services, including post office boxes.
  - Laundromats, dry cleaners, and laundry service providers.
  - Railroads, rail systems, and other forms of public transit.
  - Restaurants and other facilities that prepare and serve food and drink, but only for delivery or carry out.
  - Businesses that supply products needed for people to work from home.
  - Businesses that supply other essential businesses with the support or supplies necessary to operate.
  - Businesses that ship or deliver groceries, food, goods or services directly to residences.
  - Airlines, taxis and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Proclamation, as well as transportation maintenance services such as mechanics necessary to keep transportation services operational.
  - Home-based care for seniors, adults, or children.
o Residential facilities and shelters for seniors, adults, and children.
o Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.
o Childcare facilities providing services that enable employees exempted from this Proclamation to work as permitted.

• "Essential Infrastructure" refers to, but is not limited to:
o Public works construction.
o New commercial and residential construction.
o Airport operations.
o Water, sewer, gas, electrical, oil refining, railroad and rail systems, roads and highways.
o Public transportation.
o Solid waste collection and removal.
o Internet, telecommunication and video systems (including the provision of essential infrastructure for computing services, business infrastructure, communications, and web-based services), provided they carry out those services or that work in compliance with the Social Distancing Requirements as defined herein, to the extent possible.

• "Essential Manufacturing" includes:
o Manufacturing and processing related to all foods and beverages, chemicals, medical equipment and instruments, pharmaceuticals, sanitary products, telecommunications, microelectronics and semi-conductors, agriculture and farms, and needed household products such as heating and air systems, appliances, and household paper products.

• "Healthcare Operations" includes:
o Hospitals, clinics, dentists, pharmacies, medical marijuana dispensaries, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare service providers, mental health providers, or any related and/or ancillary healthcare services.
o "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals.
o "Healthcare Operations" does not include fitness and exercise gyms or similar facilities.

• Enforcement and Jurisdiction.
o A violation of this Proclamation constitutes a violation of Section 2-111 of the Code of the City of Norman, which could result in a maximum penalty of $750 and 60 days in jail per violation.
o The Norman Police Department is empowered to enforce this ordinance but is encouraged to use an education, warning, then citation approach to enforcement.

City of Oklahoma City (OK)668
• On March 28, 2020 the Oklahoma City Mayor David Holt issued a proclamation extending the declaration of a civil emergency in the city, and requiring additional restrictions on movement, effective immediately.
• Persons may leave their residences only for Essential Activities, or to operate Essential Businesses (as defined by the Governor).

668 City of Oklahoma City Revised Proclamation of State of Emergency,
https://www.okc.gov/home/showdocument?id=16535

Last Updated: 6-3-20
• All businesses, except Essential Businesses, are required to cease all activities at facilities located within Oklahoma City, except:
  o operations consisting exclusively of working from home may continue
  o any business may continue to perform essential functions with employees or contractors as necessary to maintain the value of the business’ inventory, preserve the condition of the business’ physical plant and equipment, ensure security, process payroll and employee benefits and related functions.
  o All businesses shall comply with physical distancing requirements to greatest extent feasible.
• Essential Activities are defined as:
  o Activities essential to health and safety of household members or pets (for example, obtaining necessary medical supplies, medication, food and beverage, or other products necessary to maintain safety, sanitation, and essential operation of the residence, visiting a health care professional, obtaining supplies needed to work from home, or performing property maintenance).
  o Outdoor activities, provided individuals comply with social distancing requirements;
  o Performing work at an Essential Business
  o Activities to care for a family member or pet in another residence
  o Moving to another residence either in or outside Oklahoma City
• All events with 10 or more participants at City-operated properties, and city owned contractor-operated properties, as well as public trust properties are suspended.
• All organized gatherings of more than 10 or more people are prohibited. An organized gathering is people coming together at a central point for a meeting, event, sporting activity, or game. It does not include people independently performing work as part of employment, though employers may not have meetings of 10 or more. Other exclusions include organized gatherings in the following locations:
  o Government office buildings
  o Food banks
  o Congregate care, including nursing homes and assisted living facilities
  o Medical and medical research facilities
  o Childcare facilities
  o Day camps
  o Media press conferences
  o Blood drives
  o Other disaster response activities
• Public transit users are required to maintain at least 3 feet between each user.
• All bars without on-premises food service, night clubs, hookah bars, cigar bars, and vaping lounges are closed.
• All bars with on-premises food service, breweries, wineries, taverns and restaurants are restricted to providing only take-out or delivery of food and sale of alcohol. This does not apply to in-house facilities serving hospitals, nursing homes or assisted living facilities.
• The following places are closed:
  o Gyms, exercise facilities, indoor sports facilities, climbing facilities, bowling alleys, skating rinks, trampoline parks, playgrounds, and similar recreational facilities
  o Movie and live theaters;
  o Seating areas of shopping mall food courts
  o Remington Park gaming area
  o Commercial amusement facilities
  o City-owned or operated sport courts, golf courses, sports fields, dog parks or fitness courts

Last Updated: 6-3-20
• The following facilities where 6 feet of distance between persons cannot be maintained are closed:
  o Salons (hair and nail)
  o Barber shops
  o Cosmetology facilities
  o Esthetician facilities
  o Laser hair removal facilities
  o Spas
  o Massage facilities
  o Tattoo parlors
  o Piercing facilities
• Metered parking adjacent to locations providing take-out services are out of service and available for take-out services only.
• All licenses, permits or other certificates (other than event permits) scheduled to expire during the state of emergency are deemed to be renewed, provided fees are paid and inspections completed within 30 days of the expiration of the emergency.
• On April 2, 2020 the Oklahoma City Mayor David Holt issued a revised proclamation extending the declaration of a civil emergency in the city, and requiring additional restrictions on movement, effective immediately.\textsuperscript{669}
• Persons may leave their residences only for Essential Activities, or to operate Essential Businesses (as defined by the Governor).
• All businesses, except Essential Businesses, are required to cease all activities at facilities located within Oklahoma City, except:
  o operations consisting exclusively of working from home may continue
  o any business may continue to perform essential functions with employees or contractors as necessary to maintain the value of the business’ inventory, preserve the condition of the business’ physical plant and equipment, ensure security, process payroll and employee benefits and related functions.
  o All businesses shall comply with physical distancing requirements to greatest extent feasible.
• Essential Activities are defined as:
  o Activities essential to health and safety of household members or pets (for example, obtaining necessary medical supplies, medication, food and beverage, or other products necessary to maintain safety, sanitation, and essential operation of the residence, visiting a health care professional, obtaining supplies needed to work from home, or performing property maintenance).
  o Obtaining necessary supplies for themselves, household members or pets, or to deliver those services or supplies to others (including food and beverage, pet supply, household consumer products, and products necessary to maintain the safety, sanitation and essential operation of residences).
  o Outdoor activities, provided individuals comply with social distancing requirements;
  o Performing work at an Essential Business
  o Activities to care for a family member or pet in another residence
  o Moving to another residence either in or outside Oklahoma City
• All events with 10 or more participants at City-operated properties, and city owned contractor-operated properties, as well as public trust properties are suspended.

\textsuperscript{669} City of Oklahoma City Revised Proclamation of State of Emergency, https://www.okc.gov/home/showdocument?id=16619

Last Updated: 6-3-20
• All organized gatherings of more than 10 or more people are prohibited. An organized gathering is people coming together at a central point for a meeting, event, sporting activity, or game. It does not include people independently performing work as part of employment, though employers may not have meetings of 10 or more. Other exclusions include organized gatherings in the following locations:
  o Government office buildings
  o Food banks
  o Congregate care, including nursing homes and assisted living facilities
  o Medical and medical research facilities
  o Childcare facilities
  o Day camps
  o Media press conferences
  o Blood drives
  o Other disaster response activities
• Public transit users are required to maintain at least 3 feet between each user.
• All bars without on-premises food service, night clubs, hookah bars, cigar bars, and vaping lounges are closed.
• All bars with on-premises food service, breweries, wineries, taverns and restaurants are restricted to providing only take-out or delivery of food and sale of alcohol. This does not apply to in-house facilities serving hospitals, nursing homes or assisted living facilities.
• The following places are closed:
  o Gyms, exercise facilities, indoor sports facilities, climbing facilities, bowling alleys, skating rinks, trampoline parks, playgrounds, and similar recreational facilities
  o Movie and live theaters;
  o Seating areas of shopping mall food courts
  o Remington Park gaming area
  o Commercial amusement facilities
  o City-owned or operated sport courts, golf courses, sports fields, dog parks or fitness courts
• The following facilities where 6 feet of distance between persons cannot be maintained are closed:
  o Salons (hair and nail)
  o Barber shops
  o Cosmetology facilities
  o Esthetician facilities
  o Laser hair removal facilities
  o Spas
  o Massage facilities
  o Tattoo parlors
  o Piercing facilities
• Metered parking adjacent to locations providing take-out services are out of service and available for take-out services only.
• All licenses, permits or other certificates (other than event permits) scheduled to expire during the state of emergency are deemed to be renewed, provided fees are paid and inspections completed within 30 days of the expiration of the emergency.

City of Oxford (MS)670

• The Mayor and Board of Alderman held a special meeting on March 22, 2020 to adopt a second resolution concerning COVID-19. The order\footnote{Explanation of the City of Oxford, Mississippi Stay-at-Home order, \url{https://www.oxfordms.net/documents/misc/stay_at_home.pdf}.} is effective Monday, April 6, 2020 or as extended by the Mayor and Board.

• These “\textbf{essential services}” may remain open:
  o City/County government services: police stations, fire stations, garbage/sanitation, utilities (water and power).
  o Gas stations.
  o Pharmacies and drug stores.
  o Food: Grocery stores, farmers markets, food banks, convenience stores, restaurants offering curb-side pick-up and delivery only.
  o Hospitals/clinics and other healthcare operations (Nursing homes and assisted living facilities).
  o Hardware stores and businesses providing necessary services to maintaining the safety, sanitation, and essential operation of residences (plumbers, electricians, landscapers, HVAC services).
  o Banks.
  o Community benefit organizations on a case-by-case basis (Interfaith Compassion Ministries, United Way, Salvation Army, Red Cross, Communicare, etc.).
  o Laundromats/laundry services.
  o Veterinarian offices.
  o Professional Services which service essential companies and individuals (accountants, attorneys, engineers, architects, etc.).
  o Security companies.
  o Automobile Repair Shops.
  o Pest Control Services.
  o Cemeteries.

• \textbf{Essential Businesses & Operations:}
  o Healthcare and Public Health Operations
    \begin{itemize}
    \item Working at or obtaining services from hospitals; clinics; dental offices; pharmacies; public health entities; healthcare manufacturers and suppliers; blood banks; reproductive health care providers; eye care centers; home healthcare services providers; mental health and substance abuse providers; ancillary healthcare services — including veterinary care and excluding fitness and exercise gyms, spas, salons, barbershops, tattoo parlors, and similar facilities.
    \end{itemize}
  o Human Services Operations
    \begin{itemize}
    \item Any provider funded by DHS, DCFS or Medicaid; long-term care facilities; home-based and residential settings for adults, seniors, children, and/or people with disabilities or mental illness; transitional facilities; field offices for food, cash assistance, medical coverage, child care, vocational services or rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services and other necessities of life for needy individuals — excluding group day care homes.
    \end{itemize}
  o Essential Infrastructure
    \begin{itemize}
    \item Working in food production, distribution and sale; building management and maintenance; airport operations; insurance companies, operation and maintenance of utilities, including water, sewer, and electrical; distribution centers; roads, highways, and public transportation; cybersecurity operations;
    \end{itemize}
flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems.

- Construction
- Stores that sell groceries and medicine
- Food and beverage (curb side pick-up or delivery ONLY), liquor stores (curb sid pick-up ONLY)
- Organizations that provide charitable and social services
- Media
- Gas stations and businesses needed for transportation
- Financial institutions
- Hardware and building supply stores
- Critical trades, including plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, auto repair shops, and other service providers that maintain the safety, sanitation and essential operation of residences, Essential Activities, and Essential Businesses and Operations.
- Mail, post, shipping, logistics, delivery, and pick-up services
- Educational institutions, for purposes of facilitating distance learning, performing critical research, or performing essential functions. Schools can still provide "to-go" food for their students.
- Laundry services
- Lawn care companies
- Restaurants for consumption off-premises
- Supplies to work from home
- Supplies for essential businesses and operations
- Transportation for purposes of essential travel
- Home-based care and services
- Residential facilities and shelters
- Professional services
- Day care centers for employees exempted by this Executive Order
- Manufacture, distribution, and supply chain for critical products and industries
- Hotels and motels, to the extent used for lodging and delivery or carry-out food services.

**Enforcement.**

- The order contemplates that citizens will adhere to their civic duty and follow the order for the greater good of the community and comply with the order. At this time there is no requirement of proof that you are allowed to be outside your residence.

### City of Portland (ME)

- On March 25, 2020, Jon P. Jennings, City Manager for the City of Portland, in consultation with the Mayor and City Council of the City of Portland issued a Stay at Home Order effective as of March 25, 2020 at 5:00 p.m. and to remain in effect for five (5) days unless and until it is renewed by the Portland City Council.
- All persons may leave their residences only to access COVID-19 Essential Services or as otherwise expressly provided in this Order.
- All businesses with a facility in the City of Portland that do not provide COVID-19 Essential Services, shall close their physical workspaces and facilities (“brick-and-mortar premises”) to workers, customers, and the public as of the effective date and time of this proclamation.

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Last Updated: 6-3-20
• All restaurants and bars shall close their dine-in facilities. Such businesses that offer carry-out, delivery, and drive-through food and beverage service may continue to do so but eating and drinking inside restaurants and bars is still temporarily prohibited.

• The City also recommends that persons not advertise or encourage the use or rental of short-term rentals throughout the City for vacation purposes or otherwise.

• **ESSENTIAL SERVICES.** COVID-19 Essential Services include, but are not limited to, the following:
  o Health care operations and pharmacies;
  o Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks and convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
  o Food cultivation and processing, including farming, livestock, and fishing;
  o Businesses and organizations that provide food, shelter, medical, and social services, and other necessities of life for economically disadvantaged or otherwise needy or homeless individuals, and any associated parking in a parking garage that is related to these services;
  o Newspapers, television, radio, and other media services;
  o Gas stations and auto-supply, auto-repair, and related facilities;
  o Banks and related financial institutions;
  o Hardware and building material stores;
  o Plumbers, electricians, exterminators, building cleaning and maintenance, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and essential businesses;
  o Businesses and organizations providing mailing and shipping services, including post office boxes;
  o Colleges, universities, community colleges, trade schools, and other schools exclusively for the purposes of facilitating distance learning, no in-person instruction is authorized;
  o Laundromats, dry cleaners, and laundry service providers;
  o Businesses that manufacture or supply products needed for people to work from home;
  o Businesses that manufacture or supply other essential businesses with the support or supplies necessary to operate;
  o Businesses that ship or deliver groceries, food, goods or services directly to residences;
  o Airlines, taxis, public transportation, marine transport, and any other transportation providers providing transportation services necessary for purposes expressly authorized in this Proclamation;
  o Home-based care for seniors, adults, or children;
  o Residential facilities, housing authorities, and homeless and other shelters for seniors, adults, and children;
  o Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
  o Childcare facilities providing services that enable employees of Essential Services as defined herein to work as permitted.
  o Medical marijuana facilities;
  o Funeral homes, crematoriums and cemeteries;
  o Animal shelters, veterinary clinics, animal feed and pet supply stores;
  o The State or Federal Judicial Branch;
Government facilities, agencies, and services needed to ensure the continuing operation of the government and provide for the public health, safety and welfare, including but not limited to police, fire, EMS, code enforcement, and trash collection;

Businesses and organizations providing for the construction and maintenance of essential infrastructure, including utilities such as electricity, water, wastewater, and telecommunications;

Industrial manufacturing facilities;

Construction businesses; only existing or ongoing construction projects conducted by these businesses may continue so as long as, to the maximum extent possible, all persons must be at least six (6) feet from any other person;

Insurance businesses;

Security companies; and

Hotels and other places of accommodation, except to the extent that said hotels and places of accommodation include bars, restaurants, meeting facilities, and other facilities required to be closed by City or State emergency proclamation or executive order.

**ENFORCEMENT AND JURISDICTION:**

Violation of or failure to comply with this Order is punishable by a fine of $500.00 per occurrence plus the costs of prosecution.

**City and County of San Francisco**

- On March 16, 2020, Bay Area county health officials issued an shelter in place ordinance requiring all individuals anywhere in San Francisco and the surrounding areas to shelter in place—that is, stay at home—except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing.673

- All businesses with a facility in the county, except essential businesses, are required to cease all activities at facilities located within the county except minimum basic operations, further defined below.
  - For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).
  - All essential businesses are strongly encouraged to remain open. To the greatest extent feasible, essential businesses shall comply with social distancing requirements.674

**Essential activities:** individuals may leave their residence to engage in the following activities:675

- To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home;
- To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
- To engage in outdoor activity, provided the individuals comply with social distancing requirements such as walking, hiking, or running.

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674 Id. at 3.

675 Id. at 5-6.
To perform work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.

To care for a family member or pet in another household

- **Essential Businesses** include the following:\(^{676}\)
  - Healthcare Operations and Essential Infrastructure;
  - Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products).
  - Food cultivation, including farming, livestock, and fishing;
  - Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  - Newspapers, television, radio, and other media services;
  - Gas stations and auto-supply, auto-repair, and related facilities;
  - Banks and related financial institutions;
  - Hardware stores;
  - Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
  - Businesses providing mailing and shipping services, including post office boxes;
  - Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions;
  - Laundromats, dry cleaners, and laundry service providers;
  - Restaurants and other facilities that prepare and serve food, but only for delivery or carry out;
  - Businesses that supply products needed for people to work from home;
  - Businesses that supply other essential businesses with the support or supplies necessary to operate;
  - Businesses that ship or deliver groceries, food, goods or services directly to residences;
  - Airlines, taxis, and other private transportation providers providing transportation services;
  - Home-based care for seniors, adults, or children;
  - Residential facilities and shelters for seniors, adults, and children;
  - Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities; and
  - Childcare facilities providing services that enable employees exempted in this Order to work as permitted.

- **Essential Infrastructure:** individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” provided that they carry out those services or that work in compliance with social distancing requirements to the extent possible, including:\(^{677}\)
  - Public works construction;
  - Construction of housing (in particular affordable housing or housing for individuals experiencing homelessness);
  - Airport operations,

\(^{676}\) *Id.* at 6-8.

\(^{677}\) *Id.* at 6.
- Water, sewer, gas, electrical;
- Oil refining;
- Roads and highways;
- Public transportation;
- Solid waste collection and removal;
- Internet; and
- Telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

**Minimum Basic Operations** include the following, provided that employees comply with social distancing:

- The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions;
- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences

**Enforcement:**

- The Health Officer requests that the Sheriff and the Chief of Police in the County ensure compliance with and enforce this Order.
- Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both.

**Oak Park, Illinois (Suburban Chicago)**

- Pursuant to Village of Oak Park Resolution 20-120, the Oak Park Village Board has issued a shelter in place order to contain the outbreak of the COVID-19 virus. Language regarding the function of essential services mirrors San Francisco’s shelter in place ordinance, discussed above.

**San Miguel, Colorado (Telluride)**

- On March 16, 2020, San Miguel County Department of Public Health officials issued a shelter in place order, Public Health Agency Order 2020-02, which directs individuals currently living within San Miguel County ("County") to limit their movement and gathering with other individuals who are not in their immediate family.
- Language regarding essential activities and the function of essential services mirrors San Francisco’s shelter in place ordinance, discussed above.

**City of Savannah (GA)**

- On March 24, 2020 Mayor Van Johnson issued an Amended Declaration of Local Emergency to require residents to shelter at home.
- Individuals living in the City of Savannah are directed to stay at their residence except as specifically authorized for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses.

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678 Id at 8.
679 Id. at 1.
680 Village of Oak Park Shelter in Place Order, [https://drive.google.com/file/d/1VMORlfnjB1g4emevXpY3-FI7N4d8Pg8/view](https://drive.google.com/file/d/1VMORlfnjB1g4emevXpY3-FI7N4d8Pg8/view)
• To the extent individuals are outside their residences, they must at all times maintain social distancing of at least 6 feet from other persons.
• All businesses other than Essential Businesses are required to cease all activities in the county except Minimum Basic Operations (which are the minimum necessary to maintain the value of inventory, ensure security, process payroll and benefits, and facilitate employees working remotely from their residence).
  o Businesses may continue operations consisting of employees or contractors working from home
  o To the greatest extent feasible, Essential Businesses shall comply with social distancing requirements
• All public and private gatherings of any number of people occurring outside a single household are prohibited, except as otherwise provided.
• All travel except Essential Travel and Essential Activities is prohibited.
  o Public transit may only be for purposes of performing Essential Activities or travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions
  o Individuals riding on public transit must comply with social distancing requirements
• “Essential Activities” are defined as:
  o Activities essential to health and safety of an individual, their family or household members, including obtaining medical supplies, visiting a healthcare provider, or obtaining supplies to work from home
  o Obtaining necessary services or supplies for themselves and their family or household members, or to deliver those services to others, such as (without limitation) food, household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
  o Engaging in outdoor activities, provided individuals comply with social distancing requirements
  o Performing work providing essential products and services at an Essential Business or to otherwise carry out activities permitted by the order, including Minimum Basic Operations
  o Caring for a family member or pet in another household
• Individuals may leave their residence to work for or obtain services at any Healthcare Operations, including:
  o Hospitals
  o Dentists
  o Pharmacies
  o Pharmaceutical and biotech companies
  o Healthcare suppliers
  o Home healthcare services providers
  o Mental health providers
  o Veterinary care.
• Individuals may leave their residence to provide services or perform work necessary to the operation and maintenance of Essential Infrastructure (so long as they comply with social distancing requirements), including:
  o Public works construction
  o Private construction and all related activities
  o Airport operations
  o Water, sewer, gas, electrical
  o Roads and highways
  o Public transportation
  o Solid waste collection and removal
• Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications and web-based services)

• Essential Governmental Functions
  o All first responders, emergency management personnel, emergency dispatchers, court personnel and law enforcement personnel, and others who need to perform essential services are exempt from the order
  o Individuals may leave their residence to perform or access Essential Governmental Functions, which are services needed to ensure the continuing operation of government agencies and provide for the health, safety, and welfare of the public.
  o All Essential Governmental Functions shall comply with social distancing requirements, to the extent possible.

• Essential Businesses are defined as:
  o Healthcare Operations
  o Essential Infrastructure
  o Grocery stores and other retail sale of food and household consumer products
  o Food cultivation
  o Providing food shelter and social services for economically disadvantaged individuals
  o Newspapers, television, radio and other media services
  o Gas stations and auto supply, auto repair and related facilities
  o Banks and related financial institutions
  o Hardware and home supply stores
  o Plumbers, electricians, exterminators and others who provide services necessary to maintaining residences, Essential Activities and Essential Businesses
  o Mailing and shipping services
  o Educational institutions, for purposes of facilitating distance learning or performing essential functions
  o Laundromats, drycleaners and laundry service
  o Restaurants and others offering food or beverages to customers through delivery, takeout or drive-thru service (those with licenses for on-site sale of alcohol may sell unopened containers for off-site consumption). Schools and other entities that typically provide free food services may continue to do so on a take-away basis.
  o Suppliers of products needed for people to work from home
  o Businesses or manufacturers that supply other Essential Businesses with the support or supplies necessary to operate
  o Shippers that deliver groceries, goods or services directly to residences
  o Airlines, taxis and other private transportation necessary for Essential Activities
  o Home based care for seniors, adults or children
  o Residential facilities
  o Professional services such as legal, accounting and real estate when necessary to assist in compliance with legally mandated activities
  o Childcare facilitates providing services that enable employees exempted in the order to work as permitted, under certain conditions:
    ▪ Childcare must be carried out in stable groups of 12 or fewer
    ▪ Children shall not change from one group to another
    ▪ If more than one group is at a single facility, each group shall be in a separate room
    ▪ Childcare providers shall remain solely with one group of children
  o Critical Infrastructure Sectors as set forth in https://www.cisa.gov/critical-infrastructure-sectors
Any private construction project for which a valid permit was issued before the order shall be allowed to continue

- **“Essential Travel”** is defined as:
  - Any travel related to the provision or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations
  - Travel to care for elderly, minors, dependents, disabled, or other vulnerable persons
  - Travel to or from educational institutions to receive materials for distance learning or receiving meals
  - Travel to return to a place of residence outside the city
  - Travel required by law enforcement or court order
  - Travel required for non-residents to return to their residence outside the city

- **Social Distancing Requirements** are specified as:
  - Maintaining at least 6 foot social distancing
  - Washing hands with soap and water for 20 seconds as frequently as possible
  - Using hand sanitizer if soap and water is not available
  - Covering coughs or sneezes into the sleeve or elbow
  - Regularly cleaning high-touch surfaces
  - Not shaking hands

- Open air city parks remain open, but social distancing requirements apply. Public swimming pools, playgrounds, playing fields, basketball courts, and tennis courts are closed.
- Barber shops, beauty parlors, and personal care salons may remain open; provided social distancing requirements shall be followed to the greatest extent possible.

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**Shelby County (TN)**

- On March 19, 2020, Mayor Lee Harris declared a state of emergency for Shelby County, Tennessee, requiring the immediate closure for on-site patronage of particular business locations in unincorporated Shelby County, Tennessee.683
- On March 24, 2020, Mayor Harris issued a Safer at Home Order directing all individuals currently living within unincorporated Shelby County are directed to stay at their place of residence unless engaged in 1) Essential Activities or 2) Essential Governmental Functions or 3) the operation of Essential Businesses, as defined below.
- All businesses and activities, including those that are designated as “Essential” under this Order, are required to practice the guidelines for the prevention of COVID-19 as issued by the Centers for Disease Control and Prevention (CDC). These guidelines currently include: screening of employees for symptoms; maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
- **Essential Travel**: For the purposes of this Order, “Essential Travel” includes travel for any of the following purposes:
  - Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
  - Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
  - Travel to or from educational institutions for purposes of receiving materials for distance learning, meals, or any other related services.
  - Travel to return to a place of residence from outside the jurisdiction.
  - Travel required by law enforcement or court order.

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683 Shelby County Safer at Home Executive Order,
• Travel required for non-residents to return to their place of residence outside the Shelby County. Individuals are strongly encouraged to verify that their transportation out of Shelby County remains available and functional prior to commencing such travel.

• **Closure of Non-Essential Businesses.** All businesses with a facility in unincorporated Shelby County, except Essential Businesses as defined in this Order, should cease all activities at facilities located within unincorporated Shelby County, with the exception of Minimum Basic Operations as defined in this Order.

• **Minimum Basic Operations.** For the purposes of this Order, “Minimum Basic Operations” include the following:
  o The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
  o The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences

• **Essential Activities.** For purposes of this Order, individuals may leave their residence to perform any of the following “Essential Activities.”
  o To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.
  o To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others.
  o To engage in outdoor activity while in compliance with Social Distancing Requirements, such as walking, hiking, dog walking, or running.
  o To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
  o To perform payroll and other critical administrative functions for any business, including businesses not defined as essential.
  o To care for a family member or pet in another household.
  o To engage in any life-sustaining work.

• **Essential Governmental Functions.** For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel, as well as any local, state and federal agencies located within unincorporated Shelby County are exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions. “Essential Governmental Functions” means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public as determined by the Mayor of Shelby County. Anyone performing an Essential Governmental Function shall make reasonable efforts to comply with Social Distancing Requirements as defined above.

• **Essential Businesses.** For the purposes of this Order, “Essential Businesses” means:
  o Healthcare Operations and Essential Infrastructure as defined below in this Order;
  o Grocery and beverage stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, catering, and other similar establishments. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences
  o Food cultivation, including farming, livestock, and fishing;
  o Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  o Newspapers, television, radio, and other media services;
- Gas stations and auto-supply, auto-repair, and related facilities;
- Banks and related financial institutions;
- Hardware stores, home and business repair, construction (commercial and residential), and facilities design businesses;
- Insurance businesses and services
- Plumbers, electricians, exterminators, cleaning, janitorial, property management, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- Businesses providing mailing, shipping and logistic services, including post office boxes;
- Laundromats, dry cleaners, and laundry service providers;
- Electronic, cell phone, and internet retail businesses;
- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- Manufacturing companies, distributors, and supply chain companies producing, storing, shipping, and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, medical supplies, shipping and paper supplies, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses;
- Businesses that supply other Essential Businesses with the support or supplies necessary to operate or facilitate individuals to work from home, such as office supplies;
- Businesses that provide goods or services exclusively through curbside pick-up, drive-dull, shipment or delivery. This shall include any business that did not previously provide goods or services in this manner, but develops a procedure to provide its goods and services in this manner;
- Transportation services including buses, airlines, taxis, and other private transportation providers (such as Uber and Lyft) providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- Home-based care for seniors, adults, or children, people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- Residential facilities and shelters for seniors, adults, children, people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- Churches, synagogues, mosques and other religious organizations. However, all services and mass gatherings should be cancelled or postponed, unless the religious organization enforces and maintains social distance of at least six feet between persons and the religious organization can demonstrate that there is no other reasonable alternative;
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- Childcare and daycare facilities, prioritizing services to employees of businesses exempted in this Order to work as permitted. Daycare and childcare facilities must use Social Distancing and COVID-19 risk mitigation practices in their operations, and urged to have no more than ten people in the facility;
- Hotels and motels, to the extent used for lodging and delivery or carry-out food services
- Funeral homes, crematoriums, mortuary and burial services;
- Private waste removal and recycling services;
Blood donor operations;
- All other critical infrastructure businesses not otherwise listed but identified in the U.S. Department of Homeland Security’s Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response issued on March 19, 2020; and
- Any other business or service that the Mayor determines is essential for safety and public health reasons.

- **Healthcare Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, medical supply companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare as broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.

- **Essential Infrastructure.** For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, grass mowing, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined above to the extent possible.

- The Shelby County Sheriff’s Office is authorized to monitor noncompliance with this Order and make any report to the county health officer for purposes of obtaining an enforcement order from an appropriate court or tribunal.

- Pursuant to Tennessee Supreme Court Order No. ADM2020-00428, the Shelby County Attorney’s Office, in conjunction with and on behalf of the county health officer, is authorized to seek injunctive relief against any entity in violation of this Order.

- The duration of this state of emergency will commence at 6:00 p.m., March 24, 2020, and will continue until rescinded but shall be limited to seven (7) days unless it is necessary to extend it by Executive Order for additional seven (7) day increments as permitted by law.

- On April 4, 2020, the Shelby County Health Department issued Health Directive 2, which expands upon restrictions included in Shelby County’s Safer at Home Order.

- All citizens not serving in positions designated as essential services or not engaged in defined essential activities to shelter in place (essential services and essential activities are defined below);

- All owners and operators of businesses that do not provide essential services to the community shall cooperate with health authorities' efforts to prevent and control the spread of COVID-19;

- Only those individuals serving for essential services or engaged in essential activities should be traveling. Personnel serving in essential services should be screened and not allowed to be in the workplace if they have a fever or other signs and symptoms of COVID-19; and

- In conjunction with the limitations on public gatherings set forth below, all businesses that are not an essential service are required to close their physical locations to the public.

- "Essential services" means services and/or businesses that the interruption of which would endanger the life, health, or personal safety of the whole or part of the population and shall include the following:
  - Federal and state offices and services, including post offices and airports.
o Essential County and municipal government functions including law enforcement, transportation, and businesses that provide government programs and services
o Businesses that provide social services and other necessities of life for seniors, adults, children, or people with disabilities, substance abuse disorders, or mental illness. This includes residential facilities and shelters.
o Legally permitted food and beverage to include: grocery and beverage stores, farmers' markets, food banks, catering, convenience stores selling food, agriculture, food processing, feed mills, and other businesses that directly support the food supply. Patrons within the establishment at any one time are required to be minimally six (6) feet apart.
  o Legally permitted restaurants and other businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment or delivery, are permitted to continue, with the limitation that there are no more than ten (10) employees within the establishment at any one time and that those employees are minimally six (6) feet apart. This shall include any business that did not previously provide goods or services in this manner but obtains a legal permit and develops a procedure to provide its goods and services in this manner. This Directive does not permit on-site dining.
  o Health care, mental and behavioral health, and biomedical research and businesses that directly support the healthcare industry including health information technology, staffing and supplies.
  o Sanitation and waste removal businesses and services
  o Energy, water, and sewage businesses and services
  o Pharmacies and medical supply businesses, and other related-businesses that directly support the drug and medical supply pipeline
  o Vehicle fuel, support, service stations and businesses
  o Banks, savings and loans, insurance companies, accounting businesses, and other businesses that directly support the insurance and financial services sector
  o Legal and judicial services as prescribed by state and federal courts
  o Laundermats/laundry/cleaning services
  o Home and business repair, hardware supply
  o Warehousing and storage
  o Construction and facilities design businesses
  o Product logistics, transport, and distribution businesses
  o Parcel/mailings transportation and delivery businesses
  o Transportation services including buses, taxis, and other private transportation providers
  o Veterinary and pet supply business and services including agricultural services and the caring and feeding of all livestock and farm animals
  o Home and business cleaning and maintenance services
  o All businesses which rely upon deliveries may continue, including florists
  o Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services)
  o Print, online and broadcast media
  o Funeral and burial services
  o Certain other business and services that the Shelby County Health Department, in coordination with the Shelby County Mayor's Office and Shelby County Attorney's Office, determine are essential for the continued safety and security of Shelby County.

- Hotels and commercial lodges will remain open, but must end entertainment or dining services in restaurants or group settings. Pick-up and room-service food services may continue.
- Housing and rental services may continue, but agents should practice social distancing, hold no open houses, or gather in groups larger than 10.
• In addition, all nursing homes, assisted living facilities, and any other such facilities housing, treating, or caring for senior citizens or other vulnerable populations shall be closed to all visitors. Only employees and residents of such facilities will be permitted.

• This directive shall remain in force until the department has determined that the disease is no longer a threat to the public, but shall expire after thirty (30) days.

• On April 7, 2020, the Shelby County Health Department issued an Addendum to Health Directive 2 to provide further clarification with regard to its application to operations of places/gatherings of worship, restaurants, and hotels. The order states that visiting a place of worship as an “Essential Activity” and a church, mosque, or synagogue, can allow people to gather if the gathering has no more than 10 people and people are spaced 6 feet apart.

• Restaurants may permit patrons to enter the premises to pick up an order. Note that dine-in service is not permitted and patrons are not permitted to sit inside the restaurant or business premises to wait on a carry-out order.

• Restaurants or businesses that do not already offer a “drive-thru” order service are strongly encouraged to avoid allowing lines to form by requesting that patrons place their food or other orders in advance by telephone, online, or other remote means, and request that they wait in their vehicle until the order is ready.

• While hotels and commercial lodges should limit any patron gatherings in common areas to no more than ten (10) people, they are not required to limit the number of patrons that can stay at each location to ten (10) people.

• On April 10, 2020, Mayor Harris extended his stay at home directive and state of emergency to continue until rescinded.

St. Louis County (MO)

• On March 26, 2020 St Louis County Chief Medical Officer, Dr. Emily Doncette an amended stay at home order, which rescinds and replaces DPH’s Stay at Home Order dated March 23, 2020 and shall become effective at 12:01 A.M. on Saturday, March 28, 2020, and continue in effect through 11:59 P.M. on April 22, 2020.

• The order states that a person may be outside their Residence only to engage in Essential Activities. Any person who is outside their Residence to engage in an Essential Activity shall reasonably comply with Social Distancing Requirements. All public parks and open outdoor recreation areas are encouraged to remain open.

• No person shall organize or attend an Intentional Gathering of any number of people occurring outside a Residence, Essential Business, or while engaging in an Essential Activity.

• Essential Businesses may continue necessary activities so long as they comply with Social Distancing Requirements for both employees and members of the public, including customers standing in line.

• All Essential Businesses are strongly encouraged to remain open. Essential Businesses include the following:

  o Healthcare Operations (does not include fitness and exercise gyms, esthetician services, tattoo parlors, tanning facilities, spas, massage facilities, or similar facilities);
  o Essential Infrastructure;
  o Essential Government Functions;


Grocery stores, farmers' markets, farm stands, produce stands, supermarkets, food banks, food pantries, convenience stores, or other establishments engaged in the retail sale of or providing canned food, dry goods, fruits, vegetables, pet supply, meats, fish, and poultry, or any household consumer products (e.g., cleaning or personal care products);

Businesses that engage in food cultivation, including farming, livestock, and fishing;

Businesses that engage in food production, manufacturing, processing, packaging, wholesaling, storage, warehousing, or distribution;

Businesses that provide food, shelter, social services, or other necessities of life for economically disadvantaged or people otherwise in need of social services;

Animal shelters or animal care management, including boarding, grooming, pet walking and pet sitting;

Newspapers, television stations, radio stations, and other media services;

Gas stations, auto-supply, auto-repair, auto sales, and related facilities;

Bicycle repair and service;

Banks, financial institutions, broker-dealers, asset managers, businesses that process payroll for any other business, and businesses that process financial transactions and services;

Insurance companies;

Real estate transactions and related services, including residential leasing and renting;

Trash collection and disposal;

Hardware stores;

Inns, hotels, motels, and bed and breakfast establishments;

Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, communication, and essential operations of R Healthcare Operations, Essential Infrastructure, Essential Government Services, Essential Activities, or other Essential Businesses;

Landscaping services, outdoor maintenance, including pool service;

Pest control services;

Businesses that perform construction services;

Businesses providing mailing and shipping services, including post office boxes;

Educational institutions, including public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning;

Businesses providing private security services and maintenance;

Laundromats, dry cleaners, and laundry service providers;

Funeral homes, crematoriums, cremation, burial, mortuary services, and cemeteries;

Churches, religious services, and other spiritual practices but only to the extent consistent with reasonable compliance with Social Distancing Requirements and gathering size limitations;

Businesses that provide signage and graphics, including billboard leasing and maintenance, that support Essential Businesses;

Storage for Essential Businesses;

Restaurants and other facilities that prepare or serve food, but only in compliance with applicable orders of the Director of the Department of Public Health;

Businesses that provide emergency repair and safety services for Essential Infrastructure;

Businesses that supply products and services needed for people to work from home, including electronics, computers, telecom equipment and other products;

Businesses that supply Essential Businesses with the support or supplies necessary to operate

Businesses that ship or deliver groceries, food, beverages, goods, or services to Residences or other Essential Businesses;

Non-profit organizations;
Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Essential Products and Services;

Businesses that manufacture or supply products necessary to meet the Social Distancing Requirements, including but not limited to manufacturers of hand sanitizers and other hygiene, health, and cleaning products;

Businesses that provide personal and transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;

Businesses or agencies providing public transportation or paratransit;

Businesses that provide home-based care for the health of seniors, adults, or children;

Residential facilities and shelters for seniors, adults, or children;

Defense and national security-related operations supporting the federal government or a contractor to the federal government;

Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or to assist a person in the exercise of constitutional rights;

Businesses and agencies that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, childcare, vocational services, or rehabilitation services;

Adoption agencies;

Labor union essential activities;

Professional services, such as legal or accounting services, when related to the necessary activities of Essential Businesses;

Businesses or independent providers that provide childcare or other dependent services but only to the extent that they provide services to people who are necessary employees of Essential Businesses.

County Executive Sam Page recently announces that the city’s current directive will be extended indefinitely.

Sullivan County, Tennessee

On March 30, 2020, Summit County Regional Health Director Dr. Andrew May issued a stay at home order urging citizens of Sullivan County to shelter at home as much as possible. When individuals leave their homes or places of residence, they should practice appropriate social isolation, staying six feet apart, and should assume others are infectious, regardless of whether they exhibit symptoms.

All gatherings are strongly discouraged, and those with more than 10 people are prohibited. Gatherings include any event or convening unrelated to essential services that brings together groups of individuals, including, but not limited to: community, civic, public, leisure, faith-based, or sporting events, parades, concerts, festivals, conventions, fundraisers, and similar activities.

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• City and County parks may remain open. Citizens using these open spaces are directed to adhere to Centers for Disease Control and Prevention (CDC) guidance on social distancing and hand hygiene, remaining 6 feet apart.
• Individuals experiencing homelessness, who may include individuals in shelters and homeless encampments, shall not be subject to this order but shall be encouraged to follow CDC guidance on social distancing and hand hygiene.
• All businesses not performing essential services shall close their business facilities. Facilities shall remain accessible as needed to service computer and other equipment, process mail, and maintain security.
• Business possessing applicable licenses or permits may conduct deliveries; however, CDC guidance on social distancing shall be followed when possible.
• Individuals may perform business functions of nonessential businesses from their own homes.
• This Order does not apply to activities necessary to maintain continuity of operations of critical infrastructure sectors as outlined at https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19 (As set forth by the Federal Department of Homeland Security in the link above the federal government has identified 16 critical infrastructure sectors whose assets, systems and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, economic security, public health or safety, or any combination thereof. Individuals working in these 16 critical infrastructure sectors may continue their work because of the importance of these sectors to the health and well-being of individuals residing or working in Sullivan County.)
• Daycare and childcare business shall prioritize children of parents working for essential infrastructure sectors, businesses, or service providers to the extent practicable.
• Assisted living facilities, nursing homes, adult daycare centers, home health businesses, and senior residential facilities shall follow CDC guidance on social distancing and hand hygiene to the extent practicable. Non-essential social and educational programs at senior citizen and other assisted living communities and centers shall end until further notice.
• Hotels, short term rental properties, commercial lodges, and dormitories shall cease entertainment or dine-in services, subject to allowing food and beverage pick-up and room service.
• Essential services, especially grocery stores and pharmacies, shall make best efforts to establish hours of operations during which their services are available only to senior citizens or otherwise vulnerable populations.
• Essential services shall continue to adhere to CDC guidance on social distancing and hand hygiene in the workplace, including encouraging work-from-home and allowing employees when possible to work on-site in shifts to optimize social distancing in the workplace, where possible.
• Essential services are encouraged to utilize, to the maximum extent possible, any telecommuting or work-from-home procedures they can safely utilize.
• On April 27, 2020, Sullivan County Officials issued Public Health Order #2, which is designed to mirrors Governor Lee’s reopening guidelines outlined in the Tennessee Pledge.687

Summit County Utah

- On March 26, 2020, Summit County officials released Joint Public Health Order 2020-03 directing all residents of Summit County to stay in their homes, except to perform essential activities, participate in essential government functions, or to operate essential businesses.
- All businesses with a facility in the County, except essential businesses, as defined below, are required to cease all activities at facilities located within the County except “Minimum Basic Operations,” as defined below. For clarity, businesses may also continue operations so long as their employees or contractors are performing activities at their own residences (i.e., working from home) and customers are not entering their residences for such business activity.
  - “Minimum Basic Operations” include the following:
    - The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
    - The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- Individuals may leave their residence to work for or obtain services at any “Healthcare Operation,” including hospitals, clinics, dentists, pharmacies, physical therapy clinics and services, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services.
  - With respect to physical therapy clinics and services, the restrictions and limitations in Public Health Order 2020-02 shall continue to apply. Nonurgent medical, dental, and veterinary procedures are restricted per Utah Department of Health orders.
- Individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including, but not limited to, public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.
  - In residential and commercial construction and the regulation of construction sites, the restrictions and limitations in Public Health Order 2020-02 shall continue to apply.
- All first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others working for or to support Essential Businesses are categorically exempt from this Order.
- Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions.” Essential Government Functions means all services needed to ensure the continuing operation of government agencies and provide for the health, safety and welfare of the public.
- “Essential Businesses” which may remain open include:
  - Healthcare Operations and Essential Infrastructure;
  - Grocery stores, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also

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688 Summit County Joint Health Order 2020-03,
sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

- Food cultivation, including farming, livestock, and fishing; iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;

- Newspapers, television, radio, and other media services; vi. Gas stations and auto-supply, auto-repair, and related facilities;

- Banks and related financial institutions;

- Hardware stores;

- Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses. Public Health Order 2020-02 as it pertains to construction sites shall apply;

- Businesses providing mailing and shipping services, including post office boxes;

- Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;

- Laundromats, dry cleaners, and laundry service providers;

- Restaurants and other facilities that prepare and serve food, but only for curbside pick-up and drive-thru service. The provisions of Public Health Order 2020-01, as it applies to restaurants, bars, and taverns shall continue to apply. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only.

- Businesses that supply products needed for people to work from home; xv. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;

- Businesses that existed on March 12, 2020, which had as part of their local and state permits on that date, the shipment or delivery of groceries, food, goods or services directly to residences. Third-party food delivery services, as set forth in Public Health Order 2020-01, continue to be prohibited;

- Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;

- Home-based care for seniors, adults, or children;

- Residential facilities and shelters for seniors, adults, and children;

- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;

- Child day care centers and facilities providing services that enable employees exempted in this Order to work as permitted. The restrictions and limitations in Public Health Order 2020-02 shall continue to apply.

- This order will remain in effect until May 1, 2020, subject to extension.

**Sumner County (TN)**

- On March 23, 2020, Mayor Anthony Holt issued a Safer at Home declaration to protect the public health of the citizens of Sumner County, to mitigate the impact of COVID-19, to bend the curve, and to disrupt the spread of the virus, with the goal of saving lives and reducing strain on regional healthcare resources as much as possible.

- Section 1

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Citizens of Sumner County are urged to shelter at home as much as possible. When individuals leave their homes or places of residence, they should practice appropriate social isolation, staying six feet apart, and should assume others are infectious, regardless of whether they exhibit symptoms.

All gatherings are strongly discouraged, and those with more than 10 people are prohibited. Gatherings include any event or convening unrelated to essential services that brings together groups of individuals, including, but not limited to, community, civic, public, leisure, faith-based, or sporting events, parades, concerts, festivals, conventions, fundraisers, and similar activities.

County parks will remain open. Citizens using these open spaces are directed to adhere to Centers for Disease Control and Prevention (CDC) guidance on social distancing and hand hygiene, remaining 6 feet apart.

Individuals experiencing homelessness, who may include individuals in shelters and homeless encampments, shall not be subject to this order but shall be encouraged to follow CDC guidance on social distancing and hand hygiene.

Section 2

All businesses not performing essential services shall close their business facilities, subject to exceptions stated in this declaration. Facilities shall remain accessible as needed to service computer and other equipment, process mail, and maintain security. Any businesses where there is person to person contact are strongly encouraged to close their business facilities, except when the service is essential service or medically necessary.

Nothing in this declaration shall prohibit any business possessing applicable licenses or permits from conducting deliveries; however, CDC guidance on social distancing shall be followed when possible.

Nothing in this declaration is intended to prohibit individuals from performing business functions of nonessential businesses from their own homes, provided that such business functions comply with existing law and are only performed by residents of that home.

Section 3


As set forth by the Federal Department of Homeland Security in the link above the federal government has identified 16 critical infrastructure sectors whose assets, systems and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, economic security, public health or safety, or any combination thereof. Individuals working in these 16 critical infrastructure sectors may continue their work because of the importance of these sectors to the health and well-being of individuals residing or working in Sumner County.

Section 4

This declaration does not apply to the following sectors and businesses and their employees as essential services to protect the health and well-being of all individuals residing or working in Sumner County.

Federal and state offices and services, and private companies or individuals performing under federal, state, or local government contracts;

Essential government functions including, but not limited to, law enforcement, public transportation, and businesses that provide government programs and services, including functions assisting economically disadvantaged populations and individuals experiencing homelessness;
• Companies providing media, communication and telecommunication services;
• Grocery and beverage stores, farmers markets, food banks, caterers, convenience stores selling food, agriculture, food manufacturing and processing, feed mills, and other businesses that directly support the food supply, including but not limited to farming, livestock, and food cultivation;
• Health care, mental and behavioral health, biomedical research, laboratory services, and other businesses that directly support the healthcare industry including, but not limited to, health information technology, staffing and supplies;
• Sanitation and waste removal;
• Energy, water, and sewage businesses and services;
• Pharmacies, medical supply, and other businesses that directly support the drug and medical supply pipeline;
• Vehicle fuel, support, and service stations, vehicle parts and repair businesses, and vehicle sales, leasing and rental businesses;
• Banks, savings and loans, insurance companies, accounting businesses, and other business that directly support the insurance and financial services sectors;
• Real property marketing, leasing, purchase, and sale services;
• Legal and judicial services;
• Laundromats, laundry, and cleaning services;
• Home and business structure and equipment repair, hardware, building supply, and appliance sale and repairs;
• Warehousing and storage facilities;
• Construction, architectural, engineering, or surveying services;
• Product logistics, transport, and distribution businesses;
• Parcel transportation and delivery businesses;
• Veterinary and pet supply business and services;
• Home and business cleaning and maintenance services;
• Educational institutions, public and private K-12 schools, private colleges and universities, trade schools, post-secondary, and technical colleges, but only as needed to facilitate online or distance learning and essential functions;
• Landscaping and nurseries;
• Production, distribution, and sale of household consumer goods such as cleaning and personal care products;
• Essential building maintenance and security;
• Individuals whose job functions require them to be at their work location and who are essential to preserving the information systems, accounting, and human resource infrastructures of any business which is otherwise in substantial compliance with this order;
• Nonprofit entities providing support and assistance to victims of the tornado that struck Nashville and surrounding counties on March 3, 2020, and the COVID-19 epidemic; and
• Other businesses and services that may be determined are essential for the continued safety and security of Sumner County.

• Section 5
  • The following businesses may remain open subject to compliance with the following conditions:
  • Daycare and childcare business shall prioritize children of parents working for essential infrastructure sectors, businesses, or service providers to the extent practicable.
  • Assisted living facilities, nursing homes, adult daycare centers, home health businesses, and senior residential facilities shall follow CDC guidance on social distancing and hand hygiene to the extent practicable. Non-essential social and educational programs at senior citizen and other assisted living communities and centers shall end until further notice.
Hotels, short term rental properties, commercial lodges, and dormitories shall cease entertainment or dine-in services, subject to allowing food and beverage pick-up and room-service.

Section 6
- Essential services, especially grocery stores and pharmacies, shall make best efforts to establish hours of operations during which their services are available only to senior citizens or otherwise vulnerable populations.
- Essential services shall continue to adhere to CDC guidance on social distancing and hand hygiene in the workplace, including encouraging work-from-home and allowing employees when possible to work on-site in shifts to optimize social distancing in the workplace, where possible.
- Essential services are encouraged to utilize, to the maximum extent possible, any telecommuting or work-from-home procedures they can safely utilize.

Section 7
- If any provision, sentence, clause, phrase, or word, of this declaration or any application of it to any individual, business, or circumstance is held to be invalid by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this declaration.
- This Declaration shall be effective at 12:01 AM CDT on March 24, 2020, and shall remain in effect for 7 days and subject to extension. This order was extended until April 2, 2020.

Tarrant County, TX (Arlington)
- The City of Arlington, the City of Fort Worth and Tarrant County are joining together to implement a unified Stay Home, Work Safe order, which places stronger restrictions on how people work, travel and gather in public as part of the fight against the respiratory disease, COVID-19.
- The new Tarrant County Disaster Declaration goes into effect at 11:59 p.m. March 24, 2020, and will be in place through 11:59 p.m. April 7, 2020.
- All persons currently residing within the incorporated and unincorporated territory of Tarrant County shall stay at their place of residence, except as allowed by this Order. All persons may leave their residences only for Essential Travel, to work in Essential Businesses, Government Service, or Essential Critical Infrastructure, or to perform Minimum Basic Operations, as defined by the Order.
- To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain Social Distancing, as defined by the Order.
• All businesses operating in Tarrant County, except Essential Businesses as defined by the Order, are required to close to the public. Non-essential businesses may continue Minimum Basic Operations consisting exclusively of the following as long as Social Distancing is maintained between all employees and contractors during the activities:
  o Operations necessary to maintain security, upkeep, and maintenance of premises, equipment or inventory, including but not limited to the care and maintenance of livestock or animals;
  o IT or other operations that facilitate employees working from home;
  o Facilitate online or call-in sales performed by employees in a store or facility closed to the public;
  o In-store repair services performed by employees in a store or facility closed to the public.
• It is ordered that a restaurant with or without drive-in or drive-through services; drive-in restaurant; drive-through restaurant; liquor stores; or microbrewery, micro-distillery, or winery may only provide take out, delivery, or drive-in or drive-through services as allowed by law. Social Distancing is required.
• All elective medical, surgical, and dental procedures are prohibited anywhere in Tarrant County. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.
• Minimum Basic Operations include the following, provided that employees comply with Social Distancing:
  o The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
  o The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
• Essential Activities includes any of the following:
  o To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).
  o To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet and livestock supplies, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences). It is strongly recommended that households, to the greatest extent possible, send only one person to businesses for the purpose of picking up food or other essential items.
  o To engage in outdoor activity, provided the individuals comply with social distancing requirements of 6 feet (for example, walking, biking, hiking, golfing, or running).
  o To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Executive Order.
  o To care for a family member or pet in another household.
• Essential Businesses means:
  o Essential Health Care Services. Healthcare operations, including hospitals, clinics, doctors, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, substance abuse providers, blood banks, medical research, or any related and/or ancillary healthcare services, veterinary care provided to animals. Home-based care for seniors, adults, or children. Residential facilities and shelters for seniors, adults, and children. Healthcare operations do not include fitness and exercise gyms and

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similar facilities. Healthcare operations do not include elective medical, surgical, and
dental procedures as established in accordance with this Executive Order.

- **Essential Government Functions.** All services provided by local, state and federal governments
  needed to ensure the continuing operation of the government agencies to provide for the health,
safety and welfare of the public. All Essential Government Functions shall be performed in
compliance with social distancing requirements of 6 feet, to the extent possible.

- **Essential Critical Infrastructure Work necessary to the operations and maintenance of the 16
critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure
Agency (CISA) including public works construction, residential and commercial construction,
airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public
transportation and other transportation network companies, and ride-sharing services that provide
transportation services necessary for the performance of essential activities, essential businesses,
infrastructure, and essential government function, solid waste collection and removal,
internet, and telecommunications systems (including the provision of essential global, national,
and local infrastructure for computing services, business infrastructure, communications, and
web-based services), financial institutions, defense and national security-related operations,
essential manufacturing operations.

- **Essential Retail.** Food service providers, including grocery stores, warehouse stores, liquor stores,
bodegas, gas stations, convenience stores, and farmers’ markets and other retail stores that sell
food products and household staples, pet and feed stores. Businesses not open to the public that
ship or deliver groceries, food, goods or services directly to residences. Restaurants and other
facilities that prepare and serve food, but only for delivery, take out, drive-in, drive-through or
carry out. Schools and other entities that typically provide free services to students or members of
the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not
apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry
cleaners, and laundry service providers. Business that provide for the delivery of, or preparation
of vehicles. Businesses that supply products needed for people to work from home, including
businesses providing mail and shipping and post office box. Businesses that supply products
necessary for essential repairs and maintenance of a home or business. Hotel, motels, and shared
rental units, except that all bars, cafes, or restaurants in hotels, motels, and shared rental units are
closed except for pick-up and room service.

- **Providers of Basic Necessities to Economically Disadvantaged Populations.** Social services and
charitable organizations that provide food, shelter, and social services, and other necessities of
life for economically disadvantaged or otherwise needy individuals; that provide food, shelter,
and social services, and other necessities of life for economically disadvantaged or otherwise
vulnerable individuals.

- **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential
Businesses.** Trash and recycling collection, processing and disposal, mail and shipping services,
building cleaning and maintenance, auto repair, warehouse/distribution and fulfillment, and
storage for essential businesses. Plumbers, pool services, security services, electricians,
exterminators, and other service providers who provide services that are necessary to maintaining
the safety, sanitation, and essential operations of residences, Essential Activities, and Essential
Businesses. Professional services, such as legal or accounting services, when necessary to assist
in compliance with legally mandated activities.

- **News Media.** Newspapers, television, radio, and other media services.

- **Financial Institutions.** Banks and related financial institutions, consumer lenders, alternative
financial services companies, sales and finance lenders, credit unions, appraisers, and title
companies. As much business as possible shall be conducted with web-based technology to limit
in-person contact.
• Real Estate Transactions: Services related to current real estate transactions. As much business as possible shall be conducted with web-based technology to limit in person contact.
• Childcare Services. Childcare facilities providing services that enable employees who perform Essential Activities or work for an Essential Business to work as permitted.
• Animal Shelters, Zoos, and Other Businesses that Maintain Live Animals. Businesses that maintain and care for live animals are not permitted to allow any visitors or patrons but may continue to operate to the extent necessary to provide the necessary care for the animals. Nothing in this section shall prohibit a non-employee from entering the premises to perform a health care services or another Essential Business service.
• Construction. Construction under a valid permit issued by a governmental entity.
• Funeral Services. Funeral homes, crematoriums and cemeteries may operate but no more than ten non-employees may be present at the same time.
• Worship Services. No in-person worship services are permitted. Needed staff can attend to produce audio/video or conduct services for transmission.
• Moving Services and Supply. Businesses that provide residential and/or commercial moving services and necessary moving supplies.
• Essential Travel. For the purposes of this Executive Order, Essential Travel includes travel for any of the following purposes.
  o Any travel related to the provision of or access to Essential Activities, Essential, Governmental Functions, and Essential Businesses Essential Critical Infrastructure, Minimum Basic Operation;
  o Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
  o Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
  o Travel to return to a place of residence from outside the jurisdiction;
  o Travel required by law enforcement or court order;
  o Travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel;
  o Travel related to attending a funeral service; or
  o Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.

City of Tullahoma

• On March 23, 2020 Mayor Curlee issued a Shelter at Home order.
• The order mandates a curfew effective at 12:01 a.m. on Monday, March 23, 2020. The curfew is effective between the hours of 9 p.m. and 6 a.m. during which all persons in the City of Tullahoma shall remain home.
• The order closes all businesses effective at 6:00 pm on March 24, 2020, except for businesses deemed essential services
• List of Essential Businesses:
  o Federal and state offices and services, and private companies or individuals performing under federal, state, or local government contracts;

o Essential government functions including, but not limited to, law enforcement, public transportation, and businesses that provide government programs and services;
o Companies providing media, communication and telecommunication services;
o Grocery and beverage stores, farmers markets, food banks, caterers, convenience stores selling food, agriculture, food manufacturing and processing, feed mills, and other businesses that directly support the food supply, including but not limited to farming, livestock, and food cultivation;
o Health care, mental and behavioral health, biomedical research, laboratory services, and other businesses that directly support the healthcare industry including, but not limited to, health information technology, staffing and supplies;
o Sanitation and waste removal;
o Energy, water, and sewage businesses and services;
o Pharmacies, medical supply, and other businesses that directly support the drug and medical supply pipeline;
o Vehicle fuel, support, and service stations, vehicle parts and repair businesses, and vehicle sales, leasing and rental businesses;
o Banks, savings and loans, insurance companies, accounting businesses, and other business that directly support the insurance and financial services sectors;
o Real property marketing, leasing, purchase, and sale services;
o Legal and judicial services;
o Laundromats, laundry, and cleaning services;
o Home and business structure and equipment repair, hardware, building supply, and appliance sale and repairs;
o Warehousing and storage facilities;
o Construction, architectural, engineering, or surveying services;
o Product logistics, transport, and distribution businesses;
o Parcel transportation and delivery businesses;
o Veterinary and pet supply business and services;
o Educational institutions, public and private K-12 schools, private colleges and universities, trade schools, post-secondary, and technical colleges, but only as needed to facilitate online or distance learning and essential functions;
o Landscaping and nurseries;
o Production, distribution, and sale of household consumer goods such as cleaning and personal care products;
o Essential building maintenance and security;
o Individuals whose job functions require them to be at their work location and who are essential to preserving the information systems, accounting, and human resource infrastructures of any business which is otherwise in substantial compliance with this order;
o Daycare and childcare businesses shall remain open and should prioritize children of parents working for essential infrastructure sectors, businesses, or service providers to the extent practicable;
o Nonprofit entities providing support and assistance in response to the COVID-19 pandemic; and

- Other businesses and services that may be determined are essential for the continued safety and security of the City of Tullahoma and Coffee County.
- The Tullahoma public works convenience center, community centers, animal shelter, and public lobbies remain closed through April 26th.
City of Tulsa (OK)\textsuperscript{694}

- On March 28, 2020 the Tulsa Mayor G.T. Bynum issued an Executive Order extending the declaration of a civil emergency in the city, and requiring additional restrictions on movement, effective immediately.
- Individuals are required to stay in their place of residence, and leave only for Essential Activities, Essential Government Functions (as defined by the agency performing the particular function), or Essential Business (as defined by the Governor).
- All public or private events or gatherings of more than one person outside a single residence are prohibited.
- All businesses, except Essential Businesses, are required to cease all activities at facilities located within Tulsa, except:
  o operations consisting exclusively of working from home may continue
  o any business may continue to perform essential functions with employees or contractors as necessary to maintain the value of the business’ inventory, preserve the condition of the business’ physical plant and equipment, ensure security, process payroll and employee benefits and related functions.
- All businesses shall comply with physical distancing requirements to greatest extent feasible.
- Essential Activities are defined as:
  o Activities essential to health and safety of household members or pets (for example, obtaining necessary medical supplies, medication, food and beverage, or other products necessary to maintain safety, sanitation, and essential operation of the residence, visiting a health care professional, obtaining supplies needed to work from home, or performing property maintenance).
  o Outdoor activities, provided individuals comply with social distancing requirements;
  o Performing work at an Essential Business
  o Activities to care for a family member or pet in another residence
  o Moving to another residence either in or outside Tulsa
- All City-owned sport courts, golf courses, sports fields and dog parks are closed, and use of any equipment or shelters in city parks is prohibited.
- If someone in a residence has tested positive for coronavirus, all members of the household should quarantine at home in a separate area from the isolated person. Members of the residence should not go to work, school, or any other community function, except for workers included in essential healthcare operations who may continue to work in accordance with CDC guidance.
- Violations of the order are punishable by City jail for up to 90 days, or a fine of up to $100.

Tupelo Mississippi

- On March 22, 2020, Mayor Jackson Shelton issued a shelter in place order directing all Tupelo, Mississippi residents to limit movements outside their homes except for essential needs.\textsuperscript{695}
- The following essential activities are permitted:
  o Go to the grocery, convenience, or warehouse store.
  o Go to the pharmacy to pick up medications and other health care necessities.
  o Go to medical appointments (check with your doctor or provider first).
  o Go to a restaurant for curbside takeaway or drive thru.
  o Care for or support a friend or family member.
  o Take a walk, ride your bike, hike, jog, and be in nature for exercise – just keep at least 6 feet between you and others.

\textsuperscript{694} City of Tulsa Executive Order, \url{http://www.cityoftulsa.org/media/12617/2020-04.pdf}
\textsuperscript{695} Tupelo Shelter in Place Order, \url{https://www.djournal.com/news/tupelo-mayor-imposes-shelter-order-closes-non-essential-businesses/article_cd20648a-58c9-52b5-b7cc-c3f754ebdd13.html}

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- Walk your pets and take them to the veterinarian, if necessary.
- Help someone get necessary supplies.
- Receive deliveries from any business which delivers.

- The following activities are prohibited:
  - Visit family and friends if there is no urgent need.
  - Maintain less than 6 feet distance from others when you go out.
  - Visit loved ones in the hospital, nursing home, skilled nursing facility, or other residential care facility, except for limited exceptions as provided on the facility websites.
  - Attend weddings and funerals.

- Governor Reeves’ Executive Order 1466 is now in effect until April 20, 2020, and supersedes all previous orders in effect in Tupelo.
- Governor Reeves’ Executive Order 1473 is hereby adopted by the City of Tupelo, Mississippi as City of Tupelo Local Executive Order 20-014, effective 5:00 p.m. on Friday, April 17, 2020, until 8:00 a.m. on Monday, April 27, 2020.
- Executive Order 1473 makes the following relevant, significant change:
  - Non-essential Business and Operations may conduct "minimum operations" or those activities necessary for the business to maintain the condition of facilities, premises and equipment, value of business, inventory, payroll, employee benefits, to facilitate employees of the business or operation to continue to work remotely from their residences, and to conduct retail sales limited to drive-thru, curbside and/or delivery services provided such operations implement precautions to ensure adherence to social distancing requirements (maintaining a minimum 6-foot distance between individuals), restrictions of gathering of persons (no gathering in groups of more than 10 people), regular and proper handwashing and personal hygiene.

City of Waco (TX)

- On March 24, 2020, Mayor Kyle Deaver issued Resolution No. 220-214, which directs in the all residents of the City of Waco, Texas to shelter at their place of residence, and may leave only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses.  
- All businesses with a facility in Waco, except Essential Businesses as defined below, are required to cease all activities at facilities located within the City except Minimum Basic Operations. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open, however, even Essential Businesses are encouraged to determine essential staff necessary to operate and send non-essential staff home.
- Individuals may leave their residence to work for or obtain services at any "Healthcare Operations" including hospitals, clinics, dentists, pharmacies, pharmaceutical, and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services.
- Individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).
- All first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual

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from performing or accessing "Essential Governmental Functions," as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions.

- The following “Essential Businesses” may remain open:
  - Healthcare Operations and Essential Infrastructure;
  - Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products), and liquor stores. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
  - Food cultivation, including farming, livestock, and fishing;
  - Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
  - Newspapers, television, radio, and other media services;
  - Gas stations and auto-supply, auto-repair, and related facilities;
  - Banks and related financial institutions; viii. Hardware and construction supply stores;
  - Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, operation of residences, Essential Activities, and Essential Businesses;
  - Businesses providing mailing and shipping services, including post office boxes;
  - Laundromats, drycleaners, and laundry service providers;
  - Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up or take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site. Note: Patrons may not wait inside a restaurant for their food orders
  - Businesses that supply products needed for people to work from home; xiv. Businesses that supply other essential businesses with the support or supplies necessary to operate;
  - Businesses that ship or deliver groceries, food, goods or services directly to residences;
  - Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
  - Home-based care for seniors, adults, or children;
  - Residential facilities and shelters for seniors, adults, and children;
  - Professional services: legal, accounting, insurance, real estate services (including appraisal, survey, and title services), engineering, and architectural services;
  - Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
  - Utilities, telecommunications, trash collection and disposal, law enforcement, EMS/ambulance, corrections, dispatch, animal shelters, governmental employees who have not been specifically deemed non-essential and sent home by the government entity;
  - Janitorial and maintenance services, funeral industry, defense industry, space and technology industry, technology support, and scientific research; and xxiii. Religious services provided in residences, Healthcare Operations, at funerals, or provided online while being broadcast from a religious facility.
For the purposes of this Order, "Minimum Basic Operations" include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:

- The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions; and
- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

Williamson County, TX

- In a proactive effort to reduce the number of new COVID-19 cases in Williamson County and in Central Texas, County Judge Bill Gravell has issued a Stay Home Stay Safe Order697 for all individuals in Williamson County.
- This Order takes effect at 11:59 p.m. on March 24, 2020, and will continue through 11:59 p.m. on April 13, 2020, subject to the limited exceptions.
- All businesses operating in the County, except Essential Businesses as defined by the Order, are required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined by the Order.
- For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own Residences (i.e., working from home) without regard to home-owners association restrictions providing otherwise.
- For the purposes of this Stay Home Stay Safe Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure. For purposes of this Stay Home Stay Safe Order, individuals may leave their Residence only to perform any of the following "Essential Activities":
  - To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, and visiting a health care professional.
  - To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others and to food banks and food bank depositories, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of Residences, and obtaining supplies they need to work from home.
  - To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, or running.
  - To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Stay Home Stay Safe Order, including Minimum Basic Operations.
  - To care for a family member or pet in another household.
  - To exchange children between parents, guardians, or managing conservators pursuant to a child custody order or agreement between the parties.

• For purposes of this Stay Home Stay Safe Order, individuals may leave their Residence to work
for or obtain services at any "Healthcare Operations" including hospitals, clinics, dentists,
pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare
suppliers, home healthcare services providers, mental health providers, substance abuse service
providers, blood banks, medical research, laboratory services, or any related and/or ancillary
healthcare services. Home-based and residential-based care for seniors, adults, or children are
also considered Healthcare Operations. Healthcare Operations also includes veterinary care and
all healthcare and wellness services provided to animals. This exemption shall be construed
broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare
Operations does not include fitness and exercise facilities, athletic gyms, exercise gyms and
similar facilities. Healthcare operations do not include elective medical, surgical, and dental
procedures. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are
directed to identify procedures that are deemed "elective" by assessing which procedures can be
postponed or cancelled based on patient risk considering the emergency need for redirection of
resources to the current public health and safety concerns.

• For purposes of this Stay Home Stay Safe Order, individuals may leave their Residence to
provide any services or perform any work necessary to the operations and maintenance of
"Essential Critical Infrastructure," including, but not limited to, work necessary to the operations
and maintenance of the 16 critical infrastructure sectors as identified by the National
Cybersecurity and Infrastructure Agency (CISA) and as outlined at https://www.cisa.gov/critical-
infrastructure-sectors, including public works construction, residential and commercial
construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways,
public transportation, solid waste collection and removal, internet, and telecommunications
systems (including the provision of essential global, national, and local infrastructure for
calculating services, business infrastructure, communications, and web-based services), financial
institutions, defense and national security-related operations, and essential manufacturing
operations, provided that they carry out those services or that work in compliance with the Social
Distancing Requirements as described in this Section, including the six-foot social distancing, to
the extent possible. Essential Businesses providing Essential Critical Infrastructure should implement
screening precautions to protect employees and all activity shall be performed in compliance with
Social Distancing Requirements.

• Essential Governmental Functions. For purposes of this Stay Home Stay Safe Order, all services
provided by governmental entities needed to ensure the continuing operation of the governmental
entities to provide for the health, safety, and welfare of the public are categorically exempt from
this Stay Home Stay Safe Order. Further, nothing in this Stay Home Stay Safe Order shall
prohibit any individual from performing or accessing "Essential Governmental Functions," as
determined by the governmental entity
performing those functions. All Essential Governmental Functions shall be performed in
compliance with Social Distancing Requirements as described in this Section, including the six-foot
social distancing, to the extent possible.

• Essential Businesses. For purposes of this Stay Home Stay Safe Order, "Essential Businesses"
means:
  o Healthcare Operations, Essential Critical Infrastructure, and Essential Government
    Functions;
  o Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food
    banks, convenience stores, and other establishments engaged in the retail sale of canned
    food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry,
    and any other household consumer products (such as cleaning and personal care
    products). This includes stores that sell groceries and also sell other non-grocery
products, and products necessary to maintaining the safety, sanitation, and essential operation of Residences;
- Food cultivation, including farming, livestock, and fishing, and garden centers;
- Residential, transportation and commercial construction;
- Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- Newspapers, television, radio, and other media services;
- Gas stations and fuel suppliers;
- Auto-supply, auto-repair, auto parts, auto-maintenance, vehicle manufacturing, vehicle sales and related facilities;
- Banks and related financial institutions;
- Hardware stores;
- Trash and recycling collection, processing and disposal;
- Cleaning, maintenance and security for facilities;
- Warehouse distribution and fulfillment;
- Storage for Essential Businesses;
- Funeral homes, crematoriums, cemeteries, burial, and related services, provided that Social Distancing Requirements are maintained to the greatest extent possible;
- Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of Residences, Essential Activities, and Essential Businesses, in addition to emergency repairs for facilities of non-essential businesses;
- Certain real estate functions limited to real estate property management, including scheduling necessary repairs that effect the safety and wellbeing of residents, executing and managing leases (commercial and residential), renewal and adjustments of leases (commercial and residential); real estate recordings and transfers, including the execution and documentation of real estate transfers; and real property related services such as permitting, inspections, construction, procurement, representation and title searches;
- Businesses and providers providing mailing and shipping services, including post office boxes;
- Educational institutions-including public and private pre-K establishments, K-12 schools, colleges, and universities-for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
- Laundromats, drycleaners, and laundry service providers;
- Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Stay Home Stay Safe Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only;
- Businesses that supply products needed for people to work from home;
- Businesses that provide Information Technology (IT) services that are necessary to maintain internet and telecommunications systems, including the provision of essential global, national and local infrastructure for computing services, business infrastructure, communications and web-based services;
- Businesses that provide residential and/or commercial moving services and necessary moving supplies;
- Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
- Businesses that ship or deliver groceries, food, goods or services directly to Residences;
Any business or manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing products intended to be directly utilized for the COVID-19 response;

Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Stay Home Stay Safe Order;

Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;

Childcare, daycare and child watch facilities and providers providing services that enable employees exempted in this Stay Home Stay Safe Order to work as permitted. To the extent possible, childcare, daycare and child watch facilities and providers must operate under the following mandatory conditions:

- Childcare, daycare and child watch be carried out in stable groups of 12 or fewer ("stable" means that the same 12 or fewer children are in the same group each day).
- Children should not change from one group to another.
- If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other.
- Childcare providers should remain solely with one group of children.

For purposes of this Stay Home Stay Safe Order, "Minimum Basic Operations" include the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:

- The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
- The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their Residences.

Wilson County (TN)698

- On March 25, 2020 Mayor Randall Hutto of Wilson County issued an order noting a March 22, 2020 declaration of an emergency in the county, and adapting Tennessee Executive Order #17 to address mitigation of COVID-19.
- Gatherings of 10 or more people are prohibited.
- Residents are prohibited to eat or drink onsite at restaurants or bars, or to visit gyms or fitness/exercise centers.
- Restaurants and bars and similar establishments shall not be open, except to offer drive through, pickup, carry-out, or deliver service.
- Gyms or fitness/exercise centers shall not be open.
- Visits to nursing homes, retirement homes, long term care facilities or assisted living facilities are prohibited, except for imminent end-of-life care.
- Persons and businesses are told to take particular care to protect those especially vulnerable to COVID-19; and businesses are encouraged to implement measures to protect and serve vulnerable populations, such as offering delivery services or offering special service hours.
- Sheltering in place is not required, and residents may visit places necessary to maintain health and economic well-being so long as they observe necessary precautions as advised by the CDC.
- For businesses remaining open, employees should work home where feasible, and employees and their customers should observe CDC recommendations.

The order also notes the following closures in Wilson County:
  - Libraries
  - Schools (public and private)
  - Courts, except essential cases per applicable Supreme Court order
  - Wilson County Expo Center
  - James E. Ward Ag Center
  - Convention and Visitor’s Bureau
  - Veteran’s Museum

On April 1, 2020 Mayor Randall Hutto of Wilson County issued a revised Second Declaration for COVID-19, adapting Tennessee Executive Order #17 to address mitigation of COVID-19.699

Gatherings of 10 or more people are prohibited (not including blood collection agencies).

Residents are prohibited to eat or drink onsite at restaurants or bars, or to visit gyms or fitness/exercise centers.

Restaurants and bars and similar establishments shall not be open, except to offer drive through, pickup, carry-out, or deliver service.

Gyms or fitness/exercise centers shall not be open.

Visits to nursing homes, retirement homes, long term care facilities or assisted living facilities are prohibited, except for imminent end-of-life care.

Persons and businesses are told to take particular care to protect those especially vulnerable to COVID-19; and businesses are encouraged to implement measures to protect and serve vulnerable populations, such as offering delivery services or offering special service hours.

Sheltering in place is not required, and residents may visit places necessary to maintain health and economic well-being so long as they observe necessary precautions as advised by the CDC.

For businesses remaining open, employees should work home where feasible, and employees and their customers should observe CDC recommendations.

Businesses remaining open are encouraged to enforce a limit on the number of patrons within their premises to less than 10 at any given time.

Tennessee Executive Order #17’s provisions on the sale of beer are adopted by the county, including authorizing sale for off-premises consumption.

Tennessee Executive Order #21’s provisions on additional businesses to close are adopted:
  - Entertainment venues, including night clubs, bowling alleys, arcades, concert venues, theaters, tourist attractions, racetracks, indoor children’s play areas, adult entertainment venues, casinos, bingo halls, and social clubs.
  - Close-contact service providers, including barber shops, hair salons, waxing salons, threading salons, nail salons, body art and tattoo services, tanning salons, massage therapy services.

Tennessee Executive Order #22’s provisions on Safer at Home, including the business closures and the state definition of “Essential Services.”

County offices remain open with limited staff. Meetings will be conducted electronically, with public access live if possible, after the fact if not.

Wilson County’s shelter in place directive was recently extended through April 14, 2020.700

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