April 27, 2020

State and Local Jurisdictions Impose Restrictions on Gatherings and Non-Essential Businesses: Defining What Is, and Is Not, an “Essential Business” that Can Remain Open in Non-Remote Mode

Several jurisdictions recently imposed restrictions to limit the size of gatherings and close or reduce in-person operations of various “non-essential businesses,” all in order to slow the spread of COVID-19 through increased social distancing. Below, we summarize the restrictions and the exceptions for “essential businesses” applicable to dozens of jurisdictions. Because these public health recommendations (and in some cases, mandatory orders) are issued from the state and local/county/municipal levels of government, they are not uniform across the U.S., and their definitions of “essential businesses” may differ from state to state and from city to city. Close attention to the specific terms of these local and state department of health issuances is therefore critical. We offer this compendium in order both to give some current information about these local orders, as well as to demonstrate how these orders may differ geographically. In making operational decisions about business continuity in these jurisdictions, do not rely on this document for anything other than as a starting point – it is a work in progress, and may be outdated quickly. Please refer to the website of your local and state departments of health for the most current information.

April 27, 2020 updates to this alert:

- **Colorado**: Updated to reflect (1) order allowing certain businesses to reopen while maintaining certain social distancing requirements; and (2) order from the city of Denver extending the application of Colorado’s stay at home order until May 8, 2020.
- **Iowa**: Updated to reflect (1) order allowing certain retail establishments to operate at 50% capacity, effective May 1 through May 15; (2) order extending school closure through the end of the school year.
- **Minnesota**: Updated to reflect (1) order allowing certain non-essential industrial, manufacturing, and office-based employees to return to work if they are unable to work from home, effective April 27; (2) order extending school closure through the end of the school year.
- **Mississippi**: Updated to reflect order allowing businesses to reopen subject to certain social distancing requirements.
- **New Mexico**: Updated to reflect extended stay-at-home order.
- **South Dakota**: Updated to reflect order extending stay-at-home requirements for vulnerable individuals in Minnehaha and Lincoln counties until May 11.
- **Texas**: Updated to reflect reopening of non-essential retailers, shopping malls, restaurants, movie theaters, museums and libraries, churches and places of worship and single-person offices, subject to certain restrictions and with reduced occupancy limits.
- **Vermont**: Updated to reflect resumption of operations of some non-essential businesses and guidance for Restart Vermont Phase II.

Additional updates to this alert during week of April 20, 2020:

- **Federal**: Updated to include revised CISA guidance and the CDC’s and White House’s Guidelines for Opening Up America Again.
- **Alaska**: Updated to include the Reopen Alaska Responsibly Plan, which allows nonessential public-facing businesses, retail businesses, dine-in restaurants, personal care services, nonessential nonpublic-facing businesses,
childcare and day camps, fishing charters, lodging and overnight camping, and intrastate travel/outdoor day activities to resume operations under specified conditions. Also updated to include guidance released by the City of Anchorage to promote a safe expansion of operations.

- **California**: Updates to local orders in Riverside and San Diego Counties and the Bay Area.
- **Georgia**: Executive order easing restrictions beginning April 24, 2020.
- **Indiana**: Stay at home order extended through May 1, 2020.
- **Michigan**: Updated to reflect the Governor’s latest Executive Order on the Suspension on Nonessential Activities, in which businesses are permitted to resume certain activities.
- **Montana**: Phase One Reopening Directive includes lifting of individual stay at home effective April 26, and of closure of non-essential businesses effective April 27. Only certain delineated businesses must remain closed through the end of the emergency (e.g., gyms, pools, theaters and venues).
- **New York**:
  - DFS circular letter requires health insures to take certain actions to alleviate the administrative and financial stress on hospitals.
  - Blueprint to Un-PAUSE New York, outlining considerations informing reopening decisions.
- **Oklahoma**: Updated to add three phase plan to open Oklahoma’s economy back up starting April 24, 2020.
- **South Carolina**: Order allowing public beaches and certain retail businesses to reopen effective as of Monday, April 20th.
- **Tennessee**: Stay-at-home order will not be extended past April 30, and some businesses (categories not yet announced) around the state will begin reopening during the week of April 27.
- **Texas**:
  - Updated to reflect reopening of retail businesses that may be provided through pickup, delivery by mail or delivery to the customer’s doorstep.
  - Updated to reflect extended county orders.
- **Utah**: Updated the Governor’s Stay Safe, Stay Home Directive, adding an exception for individuals who travel out of state pursuant to their regular and ordinary duties as an employee of a transportation business or entity.
- **Vermont**: Updated to reflect resumption of operations of some non-essential businesses and guidance for Restart Vermont Phase I.
- **Wisconsin**: New order announcing 3-phase plan to re-open economy, subject to the achievement of certain public health goals.

Additional updates to this alert during week of April 13, 2020:

- **Alaska**
  - Anchorage: “Hunker Down” order extended until May 5, 2020; fabric, sewing, and quilting stores permitted to offer curbside pick-up or delivery; businesses required to allow employees to wear cloth face coverings when in close proximity to the public or other workers.
- **California**
  - Los Angeles, California: Public health orders for the City and County of Los Angeles extended through May 15, 2020 and revised to require essential businesses that continue operations to prepare, post, and implement a Social Distancing Protocol. The County of Los Angeles’s revised order also requires all individuals to wear a cloth face covering in public.
- **Connecticut**: Order implementing nursing home surge plan.
- **Georgia**: Order temporarily suspending the state legislation that makes it a misdemeanor to wear a device that conceals one’s identity.
Idaho: Order extended until April 30, 2020; essential businesses expanded to include businesses that can continue operations through delivery, curbside, or pick-up services; permitted minimum basic operations expanded to allow nonessential businesses to conduct minimum necessary activities to prepare the business to reopen at such time as deemed appropriate.

Iowa: Updated to reflect additional stay-at-home requirements in RMCC Region 6, effective through April 30.


Maryland: Order requiring all Marylanders to wear face coverings while in stores and on public transportation. All essential business workers must also require their staff to wear face coverings and put into place appropriate social distancing measures.

Minnesota:
- Updated to reflect order designating certain outdoor recreational facilities as critical sector operations, effective through May 3.

Missouri: Stay at home order extended through May 3, 2020 and recovery plan introduced.

Montana: Directive clarifying when the prohibition on residential evictions applies and providing additional residential tenant protections and financial resources.

New Jersey: Restrictions on NJ Transit and private carriers. Moratorium on cancelation of residential internet or voice services by telecommunications or cable providers.

- All individuals are required to wear cloth face coverings while in public and unable to maintain social distance. Requirement for businesses to provide and employees to wear face coverings when interacting with customers or members of the public.

North Dakota: On April 15, the mandated closure of certain retail businesses was extended until April 30, 2020.


Texas: Updated to reflect expired and extended county orders.

Wisconsin: Updated to reflect orders (1) extending stay-at-home requirements until May 26, (2) limiting the occupancy of certain retail establishments until May 26, and (3) imposing additional social distancing requirements within migrant labor camps, effective through June 13.

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The Cybersecurity and Infrastructure Security Agency (“CISA”) issued federal guidance specifically identifying which workers in the below listed industries it considers “essential.” These guidelines are not binding on states, but may be used as a template for states and localities issuing restrictive measures related to COVID-19. See CISA Memo on Essential Critical Infrastructure Dated April 17, 2020.

- (i) Health care/public health; (ii) law enforcement, public safety, and other first responders; (iii) food and agriculture; (iv) energy, including electricity, petroleum, and natural gas/propane; (v) water and wastewater; (vi) transportation and logistics; (vii) public works and infrastructure support services; (viii) communications and information technology; (ix) other community- or government-based operations and essential functions; (x) critical manufacturing; (xi) hazardous materials; (xii) financial services; (xiii) chemical; (xiv) defense industrial base; (xv) commercial facilities; (xvi) residential/shelter facilities and services; and (xvii) hygiene products and services.

As of April 3, 2020, the CDC recommends—but does not require—that people wear cloth face coverings (but not N-95 respirators or surgical masks) in public settings, such as grocery stores and pharmacies, where other social distancing measures are difficult to maintain. See CDC Recommendations for Cloth Face Covers (April 3, 2020). The CDC emphasizes, however, that wearing a cloth face covering should not replace other social-distancing measures.
On April 8, 2020, the CDC issued new interim guidance for implementing safety measures for critical infrastructure workers who have been exposed to a person with suspected or confirmed COVID-19. The guidance advises that critical infrastructure workers (as described in the CISA guidance above) who have been exposed to COVID-19 but remain asymptomatic may still go to work if: (i) employers take their temperatures and assess their symptoms before they start a shift; (ii) the employee self-monitors for symptoms under the supervision of the employer’s occupational health program; (iii) the employee wears a face mask at work for 14 days after the last exposure; (iv) the employee practices social distancing; and (v) the workplace is regularly cleaned and disinfected. See CDC Interim Guidance for Implementing Safety Practices for Clinical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19 (April 8, 2020).

On April 16, 2020, the CDC and the White House released nonbinding Guidelines for Opening Up America Again. The Guidelines recommend a three-phased approach to easing restrictions, with states or municipalities moving from phase to phase as they demonstrate compliance with certain gating criteria.

- In particular, to move to the next reopening phase, a state or locality should be experiencing:
  - A downward trajectory of reported influenza-like illnesses and cases with COVID-like symptoms for 14 days;
  - A downward trajectory of either the absolute number of COVID-positive cases or the proportion of positive cases (assuming a fixed or increasing volume of tests) over a 14-day period; and
  - An ability for hospitals to treat all patients without crisis care and to operate a robust testing program for at-risk healthcare workers, including emerging antibody testing.

- Throughout all phases, the Guidance recommends that individuals continue to practice good hygiene, strongly consider wearing a face mask in public and on mass transit, and to stay home from school or work if sick. Employers are urged to develop social distancing policies that include physical distancing, temperature checks, sanitation, disinfection, and contact tracing in accordance with other guidance, to monitor the workforce for symptoms, and to develop and implement contact-tracing plans. States and localities are tasked with increasing testing & contract tracing capabilities, maintaining and improving their healthcare system capacities (including their provision of PPE and critical medical supplies and ICU capacity), and developing plans to protect their citizens and industries and to monitor conditions and readjust reopening guidance if necessary.

- In addition, the Guidance provides phase-specific recommendations for individuals, employers, and specific employers:
  - Phase One
    - Individuals: Vulnerable individuals are urged to continue to shelter in place, other individuals are encouraged to maximize physical distance and avoid social
settings with more than 10 people without appropriate physical distance, and to minimize nonessential travel.

- **Employers:** Employers should continue to encourage telework when possible; return to work in phases; close common areas or enforce strict social distancing protocols; minimize nonessential travel; strongly consider special accommodations for members of vulnerable populations.

- **Specific Employers:** Closed schools and organized youth activities should remain closed; visits to senior living facilities and hospitals should be prohibited; large venues (sit-down dining, movie theaters, sporting venues, places of worship) can operate under strict physical distancing protocols; elective surgeries can resume on an outpatient basis; gyms can open under strict physical distancing and sanitation protocols; bars should remain closed.

### Phase Two

- **Individuals:** Vulnerable individuals are urged to continue to shelter in place, other individuals are encouraged to maximize physical distance and avoid social settings with more than 50 people without appropriate physical distance. Nonessential travel can resume.

- **Employers:** Employers should continue to encourage telework when possible; close common areas or enforce moderate distancing protocols; and continue to strongly consider special accommodations for members of vulnerable populations. Nonessential travel can resume.

- **Specific Employers:** Schools and organized youth activities can reopen; visits to senior living facilities and hospitals should be prohibited; large venues can operate under moderate physical distancing protocols; elective surgeries can resume on an inpatient and outpatient basis; gyms should continue to adhere to strict physical distancing and sanitation protocols; bars can reopen with diminished standing-room occupancy.

### Phase Three

- **Individuals:** Vulnerable individuals can resume public interactions but should practice physical distancing; all individuals should minimize time in crowds.

- **Employers:** Employers are encouraged to resume unrestricted workplace staffing.

- **Specific Employers:** Visits to senior living facilities and hospitals can resume; large venues can operate under limited physical distancing protocols; gyms should adhere to standard sanitation protocols; bars can increase standing-room occupancy.
II. Alabama (Statewide; Birmingham)

- **Statewide**
  - Effective March 19, 2020 at 5:00 p.m., **all gatherings of 25 persons or more that cannot maintain consistent six-foot distances between persons are prohibited**. Order of the State Health Officer Suspending Certain Public Gatherings Due to Risk of Infection by COVID-19, dated March 19, 2020.
  - All restaurants, bars, breweries, or other establishments shall not permit on-premises consumption of food or drink. Such establishments may offer food for take-out or delivery, but must maintain social distancing protocols (including six-foot distance between persons). *Id.*
  - All beaches are closed, whether privately or publicly owned. *Id.*
  - All schools, public and private, are closed. Does not apply to childcare centers operated for exclusive benefit of essential employees (including government, first responders and law enforcement, hospitals, nursing home/long term care facilities, end stage renal disease treatment centers, pharmacies, and grocery stores). For exception to apply, the childcare center must be employer-operated and located on the premises of, or in the immediate vicinity of, of the exception categories. *Id.*
  - Hospitals and nursing home/long term care facilities shall prohibit visitation of all visitors and non-essential health care personnel, except for certain compassionate care situations. *Id.*
    - All elective dental and medical procedures shall be delayed. *Id.*
  - Organizers of events may submit a request for exemption from this order. The Alabama State Health Officer may consider an exemption based on whether effective preventative measures are taken and to what extent the organizer can ensure that no one effected by COVID-19 will be in attendance. Requests for exemption must be submitted at least two weeks in advance of any scheduled event. *Id.*

- **Birmingham**
  - Effective March 24, 2020 at 12:00 p.m. until April 3, 2020 at 12:00 a.m., **all persons in the city of Birmingham are required to remain in their homes**. All gatherings of 10 persons or more that cannot maintain consistent six-foot distances between persons are prohibited. City of Birmingham Ordinance No. 20-48.
  - **All nonessential businesses within the City of Birmingham must comply with this order**, including: (i) entertainment businesses; (ii) recreational facilities; (iii) grooming salons and spas; (iv) retail stores; (v); concert venues and theaters; (vi) tourist attractions; (vii) body art facilities; (viii) massage therapy services; (ix) social clubs; and (x) other social events. *Id.*
Exceptions to the stay-at-home order apply to people engaging in essential activities, including:

(i) visiting a health or veterinary care professional; (ii) obtaining medical supplies, medication, or grocery items; (iii) legally mandated government purposes; (iv) providing care for minors, the elderly, dependents, or other vulnerable persons; (v) returning to place of residence from outside the City; (vi) travelling through the city; (vii) compliance from an order of law enforcement; (viii) travelling to or from a place that provides essential services (ix) to perform work providing essential products and services; (x) to care for or support a friend, family member, or pet in another household; (xi) to provide essential goods and services; and (xii) to provide services, goods, or work necessary to build, operate, maintain or manufacture essential infrastructure. Id.

- Essential infrastructure includes: (i) construction of commercial, office and institutional buildings, residential buildings and housing; (ii) airport operations; food supply, concessions, and construction; (iii) port operations and construction; water, sewer, gas, electrical, oil extraction and refining; (iv) roads and highways, transportation and rail; (v) solid waste collection and removal; (vi) flood control and watershed protection; (vii) internet and telecommunications systems; (ix) and manufacturing and distribution companies deemed essential to the supply chains of the industries referenced in this paragraph. Id.

- Those engaged in these activities must maintain social distancing requirements (including six-foot distances). Id.

Enforcement: Violation of this order is punishable by the general penalty provided in Sec. 1-1-6 of the General Code of the City of Birmingham, which includes a fine of up to $500.00 or by imprisonment of up to six months, or both. Id.

III. Alaska (Statewide and Anchorage)

- Statewide

  As of April 24, 2020, at 8:00 a.m. (and until rescinded or modified), some activities and businesses that previously had been restricted or shut down under Alaska’s stay-at-home order are allowed to resume operations under specific conditions and in accordance with provided guidance. The order “establish[es] consistent mandates across the State.” See Health Mandate 016 – Reopen Alaska Responsibly Plan – Phase I-A (issued April 22, 2020).

  - Nonessential public-facing business (excluding retail) can resume operations if they satisfy specified social distancing requirements, hygiene protocols, staffing guidelines, and cleaning and disinfecting protocols. See id. (Attachment D). Nonessential businesses requiring in-home services (such as product-installation services) can resume operations if they satisfy social distancing requirements, hygiene protocols, and staffing guidelines. See id.

  - Retail businesses can resume operations if they satisfy specified social distancing requirements, hygiene protocols, staffing and operations guidelines, and cleaning and disinfecting protocols. See id. (Attachment E). Retail businesses are encouraged to
continue to provide contactless pickup and delivery and cashless and receiptless transactions. See id.

- Restaurants (but not bars) can resume table service dining if they satisfy specified capacity limits, operations requirements, hygiene protocols, staffing guidance, and cleaning and disinfecting protocols. See id. (Attachment F). Restaurants are encouraged to continue to provide contactless pickup and delivery, cashless and receiptless transactions, and to provide separate doors for entries and exits. See id.

- Personal care services (e.g., hair salons, day spas, barber shops, tattoo shops, etc.) can resume operations if they satisfy specified social distancing requirements, hygiene protocols, staffing and operations guidelines, and cleaning and disinfecting protocols. See id. (Attachment G). Personal care services are encouraged to offer cashless and receiptless transactions, to provide separate doors for entries and exits, and to offer special hours for high-risk populations. See id.

- Nonessential non–public facing businesses can resume operations if they satisfy specified social distancing requirements, hygiene protocols, staffing guidelines, and cleaning and disinfecting protocols. See id. (Attachment H).

- Childcare and day camps can resume operations if they satisfy specified social distancing requirements, capacity limits, hygiene protocols, staffing and operation guidelines, and cleaning and disinfecting protocols. See id. (Attachment I). Individuals in high-risk populations are encouraged to avoid childcare and day camps (either as employees or for drop off or pick up), and facilities should provide staggered drop-off and arrival times. See id.

- Day fishing charters can resume operations if they satisfy specified social distancing requirements, capacity limits, staffing guidelines, and cleaning and disinfecting protocols. See id. (Attachment J).

- Outdoor gym and fitness classes (but not indoor fitness activities) can resume operations if they satisfy specified social distancing requirements, hygiene protocols, staffing and operation guidelines, and cleaning and disinfecting protocols. See id. (Attachment K). Outdoor gyms and fitness centers are encouraged to provide cashless and receiptless transactions and to recommend that participants wear cloth face coverings. See id.

- Lodging and overnight camping (cabins, RV parks, tent sites, campgrounds, bed & breakfasts, hotels, motels, and inns) can resume operations if they satisfy specified
social distancing requirements, hygiene protocols, staffing guidelines, and cleaning and disinfecting protocols. See id. (Attachment L).

- Intrastate travel and outdoor day recreation (including by mixed household groups) is permitted under specified conditions and guidelines. See id. (Attachment M).

- Social, religious, and other gatherings are permitted both indoors and outdoors, so long as the organizers adhere to certain restrictions, guidance, and capacity limits. See id. (Attachment N).

- As of March 28, 2020, at 5:00 p.m. (and to be reevaluated on April 11, 2020), all persons in Alaska were required to stay at home, unless they were engaged in socially-distanced outdoor activities, public government services, or essential business activities. All nonessential businesses were required to cease all operations except Minimum Basic Operations, and all employers were required to take reasonable precautions for their employees and the public and to take reasonable steps to enable employees to work from home. See COVID-19 Health Mandate 11 (issued March 27, 2020).

- According to the Alaska Essential Services and Critical Workforce Infrastructure Order (issued March 27, 2020), Essential Services and Critical Infrastructure industries and entities include (i) Healthcare Operations, such as hospitals, clinics, and pharmacies; (ii) Essential Infrastructure, including, for example, airports, ports, water, sewer, gas, and electricity; (iii) the financial services sector; (iv) first responders; (v) essential governmental functions; and (vi) Essential Business. Alaska also expressly incorporates and adopts federal guidance, including CISA’s guidance. Id.

  - Essential businesses include: (i) grocery stores and supermarkets; (ii) food and agriculture cultivation; (iii) businesses that provide services for economically disadvantaged individuals; (iv) media; (v) gas stations and auto-supply and repair shops; (vi) hardware stores; (vii) plumbers, electricians, exterminators, and other service providers who provide services necessary for residences and critical infrastructure; (viii) business providing mailing and shipping services; (ix) educational institutions facilitating distance learning; (x) laundromats and dry cleaners; (xi) restaurants and other facilities that prepare and serve food for carryout or deliver; (xii) businesses that supply products needed for people to work from home; (xiii) businesses that supply other essential businesses with support or services; (xiv) businesses that transport essential products to retail outlets or directly to consumers; (xv) airlines, railroads, taxis, and other private transportation providers; (xvi) home-based care for seniors, adults, and children; (xvii) residential facilities and shelters for seniors, adults, and children; (xviii) professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities; (xix) childcare facilities, in compliance with hygiene and social-distancing recommendations, and to be used only by those who need childcare to work at a critical job; and (xx) all other businesses that can maintain Social Distancing Requirements and prohibit
congregations of no more than 10 people in the business at a time (including employees). Id.

- **Minimum Basic Operations** include 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 work remotely. Id.

- **Social distancing:** all employees performing Minimum Basic Operations must, *to the extent possible*, comply with Social Distancing Requirements (defined to include six-foot distancing, hand washing, and sanitizing). Essential Services and Critical Infrastructure are also *encouraged* to maintain six-foot social distancing for both employees and members of the public. Id.

- **Penalties:** A violation of a state-issued COVID mandate subjects a business or organization to an order to cease operations and/or a civil fine up to $1,000 per violation. Under certain circumstances, individuals or entities that violate the COVID mandates may also be criminally prosecuted for Reckless Endangerment, a Class A misdemeanor. Class A misdemeanors are punishable by up to one year imprisonment and/or a fine of up to $25,000 for an individual and $2.5 million for a violation by a business organization that results in death or $500,000 for a violation by a business organization that does not result in death. See COVID-19 Health Mandate 11 (issued March 27, 2020).

- As of March 28, 2020, at 8:00 a.m. (and to be reevaluated by April 11, 2020), **all in-state travel between communities is prohibited, except to support critical infrastructure or for critical personal needs.** See COVID-19 Health Mandate 12 (issued March 27, 2020).

  - **Critical infrastructure** is defined in the Alaska Essential Services and Critical Workforce Infrastructure Order (issued March 27, 2020), as described above. Id.

  - **Critical personal needs** include buying, selling, or delivering groceries or other important goods; obtaining fuel; transporting family members for out-of-home care, healthcare, or child-custody exchanges; receiving or providing healthcare; or engaging in subsistence activities. Id.

    - Air carriers and other travel-related businesses have no duty to verify that an individual is traveling for a permitted purpose. Air carriers must ask whether an individual is permitted to travel, but may rely on the traveler’s assurance. Id.

- As of March 25, 2020, at 12:01 a.m., all people arriving in Alaska are required to self-quarantine for 14 days and to work from home, unless they “support critical infrastructure.” See COVID-19 Health Mandate 10.1 (issued March 23, 2020).

  - As defined in the Mandate, “critical infrastructure” includes: (i) healthcare operations; (ii) business providing services or work necessary to continue or maintain “Essential Infrastructure,” including, for example, airports, ports, water, sewer, gas, and electricity;
(iii) financial services, such as payment, clearing, and settlement services; (iv) first responders; (v) “Essential Government Functions”; (vi) grocery stores, supermarkets, food banks, and convenience stores; (vii) food and agriculture, including farming, livestock, and fishing; (viii) businesses that provide food, shelter, and social services for economically disadvantaged individuals; (ix) media services; (x) hardware stores; (xi) services necessary to maintain the safety, sanitation, and essential operations of residences; (xii) mailing and shipping services; (xiii) educational institutions facilitating distance learning; (xiv) laundromats; (xv) restaurants and other food-service facilities providing for off-site consumption; (xvi) business that supply other businesses with products necessary to work from home; (xvii) business that supply other essential business with necessary support or supplies; (xviii) transportation of goods and people; (xix) home-based and residential care for seniors, adults, or children; (xx) professional services, such as legal or accounting services, when necessary to assist with legally mandated activities; (xxi) childcare facilities, in compliance with hygiene and social-distancing recommendations, and to be used only by those who need childcare to work at a critical job. *Id.*

- Businesses that provide “critical infrastructure” and require workers to travel to enter Alaska must “submit [by 3:00 p.m. on March 24, 2020] a plan or protocol for maintaining critical infrastructure . . . outlining how [the businesses] will avoid the spread of COVID-19 and not endanger the lives of the communities in which [they] operate.” *Id.*

- **Penalty:** Failure to follow this order is punishable by a fine of up to $25,000, imprisonment of not more than one year, or both. *Id.*

  - As of March 24, 2020, at 5:00 p.m., all businesses, congregations, or gatherings in which individuals are within six feet of each other—including, for example, hair salons, day spas, nail salons, barber shops, tattoo shops, body piercing locations, massage therapy locations, and tanning facilities—must stop all operations. See COVID-19 Health Mandate 9.1 (issued March 23, 2020).

  - As of March 24, 2020, at 5:00 p.m., no gathering of more than 10 people may take place. *Id.*

    - **Social distancing:** if such a gathering does take place, “people must be six feet apart from each other.” *Id.*

    - As of March 19, 2020, all “elective” medical procedures must be cancelled or postponed for three months and all “elective” dental procedures must be postponed for one month. See COVID-19 Health Mandate 5.1 (issued March 19, 2020); COVID-19 Health Mandate 6.1 (issued March 19, 2020).

    - Rather than define “elective” procedures, the State recommends that hospitals create physician task forces to evaluate issues on a case-by-case basis. See COVID-19 Health Mandate 5.1 (issued March 19, 2020).
• As of March 18, 2020, at 5:00 p.m., all bars, breweries, restaurants, food and beverage kiosks or trucks, and other establishments serving food or beverages must close public dine-in service until April 1, 2020, at 5:00 p.m. See COVID-19 Health Mandate 3.1 (issued March 17, 2020).

  • These places of public accommodation may continue to offer food and beverages to the public using delivery, window, walk-up, or other similar services, so long as they use precautions to mitigate transmission. Id.

    o Social distancing: places of public accommodation that continue to offer food and beverages for off-site consumption “may permit up to five members of the public at one time . . . for the purpose of picking up their food or beverage orders, so long as those individuals are at least 6 feet apart from one another while on premises.” Id.

• As of March 18, 2020, at 5:00 p.m., all entertainment facilities, including theaters, gyms, bowling alleys, and bingo halls, must close to the public until April 1, 2020, at 5:00 p.m. Id.

• As of March 17, 2020, state-operated libraries, archives, and museums must close to the public through March 31, 2020. See COVID-19 Health Mandate 2.1 (issued March 16, 2020).

  o Anchorage

    • On April 24, 2020, the Mayor of Anchorage announced safety criteria that certain businesses must satisfy in order to open or expand operations on Monday, April 27. The Mayor also announced that Anchorage had satisfied certain health metrics and so its Hunker Down order would be eased. The safety criteria apply to retail; personal care services; food services; noncritical, nonpublic services; and noncritical, public-facing services.

    • As of 10:00 p.m. on March 22, 2020 (and until May 5, 2020), all individuals in the Municipality of Anchorage were required to stay home as much as possible, except to work in certain critical businesses; to buy, sell, or deliver groceries or other important goods; to receive or provide health care; or to get fresh air. Individuals with a particularly high risk from COVID-19 were encouraged to take even greater precautions. See Municipality of Anchorage Proclamation of Emergency “Hunker Down” Order EO-03-V2 (reissued April 14, 2020).

    • Social distancing: when individuals do leave their homes, they should, whenever possible, maintain social distancing of at least six feet. Critical businesses should, as much as possible, comply with social distancing requirements, including maintain six-foot social distancing for employees and members of the public standing in line. Id. Businesses must also allow and should strongly encourage employees to wear cloth face coverings when in close proximity to the public or other employees. Id.

    • Critical businesses (and nonprofits and other entities) include (i) healthcare operations; (ii) businesses providing services or performing work necessary to the operations and maintenance of “Critical Infrastructure,” such as ports, water, sewer, and gas; (iii) first responders; (iv) Critical Government Functions; (v) defense and national
security–related operations; (vi) grocery stores and supermarkets; (vii) food cultivation; (viii) businesses that provide services to economically disadvantaged individuals; (ix) media services; (x) gas stations and auto shops; (xi) banks and related financial institutions; (xii) hardware stores; (xiii) plumbers, electricians, exterminators, and other service providers who provide services necessary to maintain residences and critical businesses; (xiv) mailing and shipping services; (xv) educational institutions for the purposes of facilitating distance learning; (xvi) laundromats and dry cleaners; (xvii) restaurants, bars, and breweries, consistent with rules that require-site consumption; (xviii) businesses that supply products needed for people to work from home; (xix) businesses that supply other critical businesses with necessary support or services; (xx) businesses that ship or deliver groceries, food, goods, or services directly to residents; (xxi) transportation; (xxii) home-based care for seniors, adults, and children; (xxiii) hotels, residential facilities, and shelters; (xxiv) professional services, such as legal or accounting services, when necessary to comply with legally mandated activities; (xxv) childcare facilities, in compliance with hygiene and social-distancing recommendations, and to be used only by those who need childcare to work at a critical job; (xxvi) sewing, quilting, and fabric stores, but only for curbside pick-up and delivery. Id.

Businesses not designated as “critical” under the Municipality’s Order may request an opinion from the Mayor that they are critical and should be allowed to continue to operate. Id.

- As of 10:00 p.m. on March 22, 2020, critical businesses are encouraged to remain open (and to comply with social distancing requirements), but all other businesses and entities must close (but may continue to allow their employees to work remotely). Id.

IV. Arizona (Statewide and Maricopa County)

- Statewide

  Only businesses classified as Essential Functions may remain open and maintain operations. Executive Order 2020-18 Dated March 30, 2020.

- Essential Functions include (i) healthcare and public health operations; (ii) human services operations; (iii) essential infrastructure operations; (iv) essential government functions; (v) stores that sell groceries and medicine (vi) food, beverage, and agriculture; (vii) outdoor recreation activities; (viii) organizations that provide charitable and social services; (ix) media; (x) gas stations and businesses needed for transportation; (xi) financial institutions; (xii) hardware and supply stores; (xiii) critical trades; (xiv) mail, post, shipping, logistics, delivery, and pickup services; (xv) educational institutions; (xvi) laundry services; (xvii) restaurants for consumption off-premises; (xviii) supplies to work from home; (xix) supplies for essential businesses and operations; (xx) transportation; (xxi) home-based care and services; (xxii) residential facilities and shelters; (xxiii) professional and personal services; (xxiv) day care centers for employees exempted by this order; (xxv) manufacture, distribution, and supply chain for critical products and
Effective March 20, 2020 and continuing indefinitely all of the following businesses must close: bars, movie theaters and indoor gyms and fitness clubs. Executive Order 2020-09 dated as of March 19, 2020.

All restaurants in counties with confirmed cases of COVID-19 must operate on take out, delivery or drive-thru basis only. This order does not apply to cafeterias at nursing homes, hospitals and similar facilities that care for the needy. Id.

Effective 8:00am on March 21, 2020, no non-essential or elective surgeries (including dental) that utilize personal protective equipment or ventilators may be performed at any healthcare facility in the State. Executive Order 2020-10 dated as of March 19, 2020.

- Non-essential or elective surgery means a surgery that can be delayed without undue risk to current or future health of a patient, in the best medical judgment of a licensed medical professional. A surgery should not be deemed non-essential or elective if it would threaten a patient’s life, dysfunction or impairment of any body part, risk metastasis, or require the patient to remain hospitalized if the surgery was delayed. Id.

- Maricopa County
  - Effective March 16, 2020 and continuing for eight weeks, the cancellation any non-essential large gathering of more than ten people is recommended, but not required. This recommendation does not apply to the day-to-day operations of businesses. Statement on Mass Gatherings dated as of March 16, 2020.

V. Arkansas (Statewide)

- Effective April 6, 2020 and continuing indefinitely, all gatherings of more than ten people in any indoor or outdoor space are prohibited. The Order does not apply to gatherings in unenclosed, outdoor spaces such as parks, athletic fields, parking lots, golf courses and driving ranges, where social distancing of at least six feet can be achieved. The Order also does not apply to businesses, manufacturers, construction companies, places of worship, the Arkansas General Assembly, county governing bodies or the judiciary; however, those entities are advised to limit person-to-person contact and maintain appropriate social distancing of at least six feet. Executive Order 20-13 dated April 4, 2020.

- Businesses, manufacturers, construction companies and places of worship shall implement the following social distancing protocols: (i) limit the number of people who can enter the facility at one time to ensure that people can maintain a minimum six-foot distance from one another, (ii) if lines form at a facility (inside or outside), facilities shall mark off six-foot increments at a minimum indicating where individuals should stand, (iii) provide hand sanitizer, soap and water or effective disinfectant at or near the entrance and in locations where there is high-frequency employee interaction with members of the public, (iv) provide contactless payment systems or provide for disinfecting all payment portals, pens and styluses after each use, (v) regularly
disinfect any high-touch surfaces and (vi) post a sign at the entrance informing everyone that they should avoid entering if they have a cough or fever, to sneeze and cough into one’s elbow and to not shake hands or engage in any unnecessary physical contact. Id.

- Bars, clubs and restaurants shall be closed for dine-in purposes and remain open for takeaway and delivery only. Gyms and indoor entertainment venues shall be closed to nonessential functions. Casinos, barbers, body art establishments, cosmetology establishments, massage therapy clinics and spas and medical spas shall be closed. Id.

- Commercial lodgings and short-term rentals shall only permit occupancy for certain authorized guests, including healthcare professionals, first responders, journalists, persons in need of shelter due to domestic violence or homelessness, Arkansas citizens unable to return to their home due to exigent circumstances such as fire, flood or other disaster, persons unable to return to their home due to COVID-19 travel restrictions, airline crew members, and people away from their home due to work-related travel. Id.

  o **Enforcement Actions:** Violation of the Order is a misdemeanor punishable by a fine of $100 to $500, imprisonment of up to one month or both. Id.

VI. California (Statewide; Los Angeles; Riverside County (Palm Springs); San Diego; San Francisco and Bay Area)

  o California (Statewide)

    - Effective March 19, 2020 and continuing indefinitely, all individuals must stay at their place of residence, except as needed to maintain continuity of critical infrastructure sectors or to perform authorized necessary activities, such as to get food, care for a relative for friend, get necessary health care, or to go to an essential job. If an individual must go out, the individual must keep at least 6 feet of distance. See Executive Order N-33-20 dated March 19, 2020; Stay at Home Order Website.

    - Critical infrastructure means the following 16 sectors identified by the federal government as vital to the United States: chemical; commercial facilities; communications; critical manufacturing; dams; defense industrial base; emergency services; energy; financial services; food and agriculture; government facilities; healthcare and public health; information technology; nuclear; transportation; and water and wastewater. See CISA Memo on Identification of Essential Critical Infrastructure Workers During COVID-19 Response; CISA Memo on Essential Critical Infrastructure Dated March 28, 2020. California has also designated additional essential critical infrastructure workers and continues to add to the designated list. See List of “Essential Critical Infrastructure Workers” (dated March 22, 2020).

    - Essential services will remain open, such as: gas stations, pharmacies, food (grocery stores, convenience stores, farmers markets, take-out and delivery restaurants); banks; laundromats/laundry services; and essential state and local government functions (such as law enforcement and providers of public programs/services). See Stay at Home Order Website.
• Social Distancing: when people need to leave their homes to facilitate authorized necessary activities, they should at all times practice social distancing. Executive Order N-33-20 dated March 19, 2020

• Enforcement Actions: Violations of the order are punishable as a misdemeanor under Cal. Gov. Code § 8665, which allows fines not to exceed $1,000, imprisonment not to exceed 6 months, or both. Executive Order N-33-20 dated March 19, 2020.

• The healthcare delivery system will prioritize service to those who are sickest and shall prioritize resources for the providers who care for them. Executive Order N-33-20 dated March 19, 2020.

- Residential and commercial tenancy.
  

  • State laws that would restrict local government’s exercise of police power to impose substantial limitations on residential or commercial evictions (including at Civil Code § 1940 et seq. or § 1954.25 et seq.) hereby suspended to extent it would preempt or restrict such exercise. Applies only to evictions when (i) basis for eviction is nonpayment of rent or foreclosure arising out of substantial decrease in household or business income (including substantial decrease in household income caused by layoffs or reduction in number of compensable hours of work, or substantial decrease in business income caused by reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and (ii) decrease in household or business income or out-of-pocket medical expenses was caused by COVID-19 pandemic or any governmental response to COVID-19 pandemic. Id. Statutory cause of action for judicial foreclosure (Code of Civil Procedure § 725a et seq.); statutory cause of action for unlawful detainer (Code of Civil Procedure § 1161 et seq.) and any other that could be used to evict residential or commercial tenant or occupant of residential real property after foreclosure suspended when meeting the factors above. Tenants not relieved of obligation to pay rent.

  • Requests, but does not mandate, financial institutions holding home or commercial mortgages, including banks, credit unions, government-sponsored enterprises, and institutional investors, to implement a moratorium on foreclosures and related evictions when arising out of substantial decrease in household or business income, or substantial out-of-pocket medical expenses caused by COVID-19 pandemic or any governmental response to COVID-19. Id.

  • California Public Utilities Commission requested to monitor measures taken by public and private utility providers to implement customer service protections for critical utilities, including but not limited to electric, gas, water, internet, landline telephone, and cell phone service, in response to COVID-19 and on weekly basis, report such measures. Id.
- **Requests, but does not mandate**, all bars and restaurants to operate on drive-through, take-out, and delivery basis only, effective March 16, 2020. Food trucks may continue to operate. See [State Health & Emergency Officials Release Guidance to Prevent Transmission of COVID-19 in Food and Beverage Venues](#).

  - Los Angeles, CA

    - Effective midnight March 19 through May 15, 2020, all individuals living in the City of Los Angeles are **ordered to stay in their homes and not travel except for permitted activities, all nonessential businesses must cease operations that require in-person attendance, and all public and private gatherings outside a residence are prohibited.** See [Safer at Home Order dated March 19, 2020, revised April 10, 2020](#).

      - All essential business in the City and County of Los Angeles that continue operating must, by 11:59 p.m. on April 15, 2020, prepare, implement, and post a [Social Distancing Protocol](#). See *id.*

    - Effective at 12:01 a.m. on April 10, 2020 (and until the end of the local emergency period), workers at certain essential businesses, including grocery stores, supermarkets, convenience stores, organizations that provide food and social services to economically disadvantaged individuals; hardware and building supply stores, plumbers, electricians, exterminators, custodial/janitorial services, laundromats and dry cleaners, restaurants, businesses that ship or deliver groceries or goods directly to residences and businesses, taxis and other transportation services, and hotels, motels, and shared rental units **must wear face coverings over their noses and mouths while performing their work.** See [Worker Protection Order (issued April 7, 2020, revised April 16, 2020)](#). Employers must provide, at their expense, non–medical grade face coverings to such employees and must ensure that the employees have access to clean, sanitary restrooms and can wash their hands at least once every 30 minutes. *Id.* Such businesses are also encouraged—but not required—to install plexiglass to separate cashiers and customers. *Id.*

      - Customers of such businesses are also required to wear face coverings, and a business can refuse to admit or serve an individual who fails to comply. *Id.*

      - Such businesses must also comply with the City and County of Los Angeles’s requirement to prepare, implement, and post a Social Distancing Protocol. *Id.*

    - Under the County of Los Angeles’s Safer at Home Order, which is effective from April 10, 2020, through May 15, 2020, **all individuals must also practice Social Distancing, which requires wearing a cloth face covering while out in public.** See [County of Los Angeles Department of Public Health Safer at Home Order for Control of COVID-19 (issued April 10, 2020)](#).

  - Riverside County (Palm Springs), CA

    - Effective April 5, 2020 (and continuing until April 30, 2020), all individuals in Riverside County are **required to stay home** in accordance with California’s statewide public health order, **all public or private gatherings are prohibited, all essential businesses that remain open must**
comply with Social Distancing and Infection Control Guidance promulgated by the CDC and California Department of Public Health, and all persons must wear face coverings (but are discouraged from using PPE and N95) in public. See Order of the Health Officer for the County of Riverside and of the County Executive Officer as Director of Emergency Services (issued April 20, 2020).

- The Order does not apply to those workers needed to maintain continuity of operations of the critical sectors identified in California’s Essential Critical Infrastructure Workers list. Id.

- The Order also does not apply to courts of law, medical providers, public utilities, critical county, city, and special district operations, critical school operations such as nutrition programs, logistics/distribution centers, congregate living settings, daycare and child care (with restrictions designed to limit to 10 the number of children in each “stable group”), shelters, public transportation, airport travel, or necessary shopping at fuel stations, stores, or malls. Id.

- Golf courses may operate under certain restrictions, including that groups larger than four players are prohibited and all players must comply with social distancing requirements and wear cloth face coverings. See Amended Order of the Health Officer for the County of Riverside Opening Golf Courses for Limited Use (issued April 20, 2020).

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o San Diego, CA

- Effective at 12:00 a.m. on Thursday, April 9, 2020 (and continuing until April 30, 2020), in conformance with California’s statewide stay-at-home order: all public and private gatherings of any size are prohibited; all bars must close and all restaurants must close all on-site dining facilities; all gyms and fitness centers must close; all businesses must enact social distancing; government entities shall enforce social-distancing requirements at beaches and parks; public and private schools must close; and daycares may operate only in accordance with conditions that limit the number of children in one place at one time. See Order of the Health Officer and Emergency Regulations (effective April 24, 2020).

- San Diego County adopts California’s Public Health Face Covering Guidance, which suggests that individuals wear cloth face coverings in public. Effective at 12:00 a.m. on April 4, 2020, however, all employees who may have contact with the public in any grocery store, pharmacy/drug store, convenience store, gas station, bank, public transportation, restaurant and other business establishment that serves food must wear a cloth face covering. Owners of the covered essential businesses are responsible for ensuring compliance. See id.

- Effective at 12:00 a.m. on April 7, 2020, all businesses that remain open and “that allow members of the public to enter a facility” must prepare, post, and implement a Social Distancing and Sanitation Protocol on a county-provided form. The form must be visible to the public at facility entrances and must be provided to each employee performing work there. The business must comply with the protocol and provide evidence of its implementation upon demand. See id.
Beginning at midnight on March 31, 2020 and continuing until May 3, 2020, all individuals living in one of the Bay Area jurisdictions must stay in their residences and may leave only for Essential Activities, Essential Governmental Functions (including Essential Travel), to work for Essential Businesses, or to perform Minimum Basic Operations for non-essential businesses. All travel except essential travel is prohibited, and entry or exit from each county is prohibited except for a permitted purpose. See, e.g., City and County of San Francisco Order No. C19-07b (issued March 31, 2020).

- All nonessential businesses must cease all activities except Minimum Basic Operations or activities performed at home. *Id.* All Essential Businesses are encouraged to remain open, but they may assign only those employees who cannot perform their job duties from home to work outside the home and must prepare, post, and implement a Social Distancing Protocol at each facility that remains open. *Id.*

- Essential Businesses include: (i) Healthcare Operations (such as hospitals, clinics, testing locations, and pharmacies) and businesses that operate, maintain, or repair Essential Infrastructure (such as airports, utilities, roads, highways, and public transportation); (ii) grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments selling groceries and other consumer products, provided that, if they sell multiple categories of products, they sell a significant amount of essential products; (iii) food cultivation, including farming, livestock, and fishing; (iv) businesses that provide food, shelter, and social services to needy individuals; (v) construction, but only (a) projects immediately necessary to maintain, operate, or repair Essential Infrastructure; (b) projects associated with Healthcare Operations, provided that such construction is directly related to COVID-19 response efforts; (c) affordable housing or mixed-use developments with 10% income-restricted units; (d) certain public works projects; (e) shelters and temporary housing; (f) immediately necessary projects to provide critical non-commercial services to low-income individuals; (g) construction necessary to ensure that construction that must be shut down is safe and secure; (h) construction necessary to ensure that residences and Essential Businesses are safe, sanitary, and habitable; (vi) newspapers, television, radio, and other media services; (vii) gas stations and auto-supply, auto-repair, and related facilities; (viii) bicycle repair and supply shops; (ix) banks and related financial institutions; (x) service providers that enable residential transactions, such as real estate agents; (xi) hardware stores; (xii) plumbers, electricians, exterminators, and other service providers necessary to maintaining safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses; (xiii) arborists, landscapers, and gardeners, but only to the limited extent necessary to maintain the habitability, sanitation, or operation of businesses or
residences; (xiv) businesses providing mailing and shipping services, including post office boxes and those that ship groceries, food, and goods or services direct to residences; (xv) 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 6 feet per person is maintained to extent possible; (xvi) restaurants, but only for delivery or carry out; schools that typically provide free food on pick-up and take-away basis only; (xviii) funeral homes and mortuaries; (xix) businesses that supply other Essential Businesses with necessary support or supplies, but only to the extent they support or supply Essential Businesses; (xx) businesses that have the primary function of shipping or delivering groceries, food, or other goods directly to residences or businesses; (xxi) airlines, taxis and other private transportation providers providing services necessary for Essential Activities; (xxii) home-based care; (xxiii) residential facilities and shelters; (xxiv) professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities; (xxv) services to assist individuals in finding employment with Essential Businesses; (xxvi) moving services that facilitate permitted moves; and (xxvii) childcare facilities providing services that enable employees exempted in this Order to work as permitted; to extent possible, children should be in consistent groups of 12 children or fewer, with groups/providers for groups not mixing.

- **Minimum Basic Operations** includes the following, provided that, to the extent possible, employees comply with social distancing elements of 6 feet between persons and handwashing: (i) 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 (ii) the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

- **Essential Activities** include: (i) activities essential to health/safety of individual, family, household members, or pets, such as obtaining medical supplies, or visiting health care professional; (ii) activities to obtain necessary services or supplies for individual, family, and household, such as groceries and household consumer products needed to work from home or needed for safety, sanitation and essential operation of residence; (iii) to engage in outdoor activities, such as walking, hiking, or running, provided that 6 feet of separation between persons and handwashing maintained; (iv) to perform work providing for an Essential Business or performing Minimum Basic Operations for a nonessential business; (v) caring for family member or pet in another household; (vi) attending a funeral with no more than 10 individuals present; and (vii) moving residences under certain circumstances.

- **Essential Travel** includes travel for any of following purposes: (i) Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations; (ii) travel to care for elderly, minors, dependents, persons with disabilities, or other
vulnerable persons; (iii) travel to or from educational institutions to receive materials for distance learning, receiving materials, and related services; (iv) travel to a place of residence outside of jurisdiction; (v) travel required by law enforcement/court order; (vi) travel required for non-residents to return to place of residence outside the County; (vii) travel to manage after-death arrangements and burial; (viii) travel to arrange for shelter or avoid homelessness; (ix) travel to avoid domestic violence or child abuse; (x) travel for parental custody arrangements; (xi) travel to reside temporarily in a place to avoid exposure to COVID-19.

- **Essential Government Functions** means all services needed for ensuring continuing operation of government agencies and provide for health, safety, and welfare of public.

- **Social Distancing**: When people do leave their residences for permitted purposes, they must strictly comply with Social Distancing Requirements. *Id.* All Essential Businesses must prepare, post, and implement a Social Distancing Protocol. *Id.*

- **Social Distancing Protocol**: By 11:59 p.m. on April 2, 2020, all Essential Businesses must prepare and post a Social Distancing Protocol on a form substantial similar to an appendix to the order. *See Appendix A: Social Distancing Protocol.* The protocol must be visible by the public and employees and must be distributed to all employees performing work at the facility. The protocol must explain how the business is: (i) limiting the number of people who can enter the facility at one time; (ii) marking six-foot increments where lines may form; (iii) providing hand sanitizer or other disinfectants at or near the facility’s entrance or other areas of frequent interactions with the public; (iv) providing for contactless payments or disinfecting all forms of payment; (v) regularly disinfec ting high-touch surfaces; (vi) posting a sign advising employees and customers that they should not enter if they have symptoms; (vii) implementing other social distancing measures.

- **State/local conflicts**: To the extent a local Bay Area Order conflicts with California’s statewide shelter-in-place order, the more restrictive order controls.

  - Limitations on visit rights to hospitals. *City and County of San Francisco, Order C19-06.*

  - As of April 22, 2020 (and until further notice), **all individuals must wear a cloth face covering** outside their homes or residences when they: (i) are inside or in line to enter an Essential Business or inside a facility engaging in Minimum Basic Operations; (ii) are engaged in Essential Infrastructure Work; (iii) are obtaining services at Healthcare Operations; and (iv) are waiting for or riding public transportation. *See City and County of San Francisco Order C19-12 (issued April 17, 2020).*

  - Drivers and operators of public transportation vehicles, taxis, or ride-share services must wear a face covering any time they are in their vehicle. *See id.*

  - Essential Businesses must require their employees or workers to wear a face covering when they are interacting with the public, preparing food, passing through common areas,
or in an enclosed space with others. Essential Businesses must also take reasonable measures to remind their customers and the public to comply with the face-covering requirements. See id.

VII. Colorado (Statewide; Boulder; Denver; Pitkin County)

   o Colorado (Statewide)

   ▪ Effective April 27, 2020, certain previously nonessential businesses are allowed to resume certain operations, so long as they comply with Social Distancing Requirements and industry-specific guidelines. Public Health Order 20-28.

   • April 27: Noncritical retail allowed to operate and offer goods through curbside delivery; Field Services (e.g., in-person real estate showings) allow to resume. Some voluntary and elective medical, dental, veterinary surgeries and procedures allowed to resume.

   • May 1: Noncritical retail and Personal Services (e.g., dog grooming, body art, hairstylists, etc.) allowed to resume in-person operations, so long as they comply with reduced capacity and other guidance.

   • May 4: Noncritical office-based businesses operating in an office and not a production environment may allow up to 50% of their employees to conduct in-person work.

   ▪ In-person dining restaurants, bars, gyms, theaters, casinos, and off-track betting facilities remain closed. Vulnerable Individuals (including individuals who are 65 years and older or those with certain health conditions) are still required to stay at home; employers cannot compel Vulnerable Individuals to return to work, and they are encouraged to provide work accommodations. Id.

   ▪ Counties or municipalities are (according to the Governor's Executive Order) expressly permitted to adopt more protective measures. For example, Denver has extended its Stay at Home order through May 8, 2020. Id.

   ▪ Effective March 26, 2020 at 6:00 a.m. and continuing through April 11, 2020, all citizens of Colorado must remain in their homes. Executive Order D-2020-017.

   • Exceptions to this stay-at-home order include: (i) obtaining food and other household necessities, (ii) going to and from work at critical businesses, (iii) seeking medical care, (iv) caring for dependents or pets, or (v) caring for a vulnerable person in another location. Id.

   ▪ All businesses other than critical businesses must close, except as necessary to engage in minimum basic operations needed to protect assets and maintain personnel functions. Id.

   • Critical businesses include: (i) healthcare operations; (ii) critical infrastructure; (iii) critical manufacturing (including chemicals, pharmaceuticals, etc.); (iv) critical retail (including grocery stores, restaurants and bars for take-out/delivery, gas stations, etc.); (v)
critical services; (vi) news media; (vii) financial institutions; (viii) providers of basic necessities to economically disadvantaged populations; (ix) construction; (x) defense; (xi) critical services necessary to maintain the safety, sanitation and critical operations of residences or other critical businesses; (xii) vendors that provide critical services or products; and (xiii) critical government functions. See Critical Businesses.

- **Enforcement:** Violations of these orders are subject to the penalties contained in § 25-1-114, C.R.S., including a fine of up to $1,000 and imprisonment in the county jail for up to one year.

  - **Boulder, CO**

    - Effective March 24, 2020 at 5:00 p.m. through April 10, 2020 at 5:00 p.m., all individuals in the City of Boulder are ordered to stay in their homes. Outside of their homes, they must maintain social distancing of at least six feet from other people. Emergency Order 2020-6, dated March 23, 2020.

    - Individuals may leave their homes only for essential activities, essential governmental functions, or to operate essential businesses. Those experiencing homelessness are exempt from this order. *Id.*

      - Essential activities include activities essential to individual health & safety or to the safety of family or household members (including pets); to obtain necessary services or supplies; to engage in outdoor activity, provided that individuals comply with social distancing requirements; to perform work related to an essential business; or to care for a family member or pet in another household. *Id.*

      - Essential businesses include: (i) healthcare operations; (ii) essential infrastructure; essential government functions; (iii) grocery stores; (iv) food and plant cultivation; businesses that provide food, shelter, and social services; (v) media services; (vi) gas stations; (vii) banks and related financial institutions; (viii) hardware stores; (ix) plumbers, electricians, and other service providers; (x) businesses that provide mailing and shipping services; (xi) educational institutions, provided that they practice social distancing of six feet per person to the greatest extent possible; (xii) laundry service providers; (xiii) restaurants and other facilities that prepare and serve food, but only for take-out, delivery, or drive-thru; (xiv) technology suppliers; (xv) licensed medical marijuana stores; (xvi) licenses liquor stores; (xvii) transportation providers; (xviii) home-based care for seniors, adults, or children; (xix) residential establishments; (xx) professional services; (xxi) faith-based establishments; and (xxii) childcare facilities. *Id.*

    - Police, code enforcement and other law enforcement may be authorized by the city manager to enforce this order. *Id.*

  - **Denver, CO**

    - Effective April 24, 2020, the application of Colorado’s Stay at Home Order within the City and County of Denver is extended until May 8, 2020. April 24, 2020 Letter.
Effective March 24, 2020 at 5:00 p.m. through April 10, 2020 at 5:00 p.m., all individuals are ordered to stay at home. To the extent that people go outside, they must maintain physical distancing of at least six feet from other persons. Stay At Home Order, dated March 23, 2020.

Individuals may leave their homes only for essential activities, essential governmental functions, or to operate essential businesses. Those experiencing homelessness are exempt from this order. Id.

- Essential activities and essential business take the same definitions as those laid out above in the Boulder, CO stay-at-home order. See id.

- Pitkin County, CO

  Effective March 20, 2020, all individuals must limit their movement and gathering with other individuals who are not in their immediate family. Individuals may only leave their homes to perform essential activities (which mirror those laid out in the Boulder, CO stay-at-home order). See Third Amending Notice of Public Health Order, dated March 23, 2020.

  All events involving more than ten people are prohibited. Id.

  Events not specifically prohibited and that have ten or fewer attendees are nonetheless prohibited unless: older adults (age 60 and older) and individuals with underlying medical conditions are encouraged not to attend; social distancing recommendations are met, such as maintaining a distance of at least six feet between people; employees must be screened for COVID-19 symptoms each day and excluded if symptomatic; and proper hand hygiene must be readily available to all attendees and employees. Id.

  All businesses except essential businesses (which mirror those laid out in the Boulder, CO stay-at-home order) must cease. See id.

- Enforcement: Failure to comply with this order is subject to the penalties contained in sections 25-1-516 and 18-1.3-501, Colorado Revised Statutes, which includes a fine of up to $5,000 and imprisonment in the county jail for up to eighteen months.

VIII. Connecticut (Statewide)

- Effective March 26 through May 20, 2020, social and recreation gatherings are limited to five persons. This restriction does not apply to private workplaces, retail establishments, or religious gatherings. See Executive Order 7-N dated as of March 26, 2020; Executive Order 7-X dated as of April 10, 2020 (extending period).

- Effective March 20, 2020, any person in a public place who is unable to maintain social distance must wear a mask or cloth covering that covers the mouth and nose. Coverings must be worn on public transit and in vehicles for hire (e.g., taxis or ride-sharing). See Executive Order 7-BB, dated as of April 17, 2020.
Effective March 23, 2020 at 8:00pm through May 20, 2020, all businesses and not-for-profit entities in Connecticut shall employ, to extent possible, any telecommuting or work from home procedures that they can safely employ. Non-essential businesses or not-for-profit entities shall reduce in-person workforces at any workplace locations by 100% not later than March 23, 2020. Any essential business or entity providing essential goods, services, or functions shall not be subject to these in-person restrictions. State of Connecticut Executive Order No. 7H dated March 20, 2020; Executive Order 7-X dated as of April 10, 2020 (extending closure period).

- **Essential Businesses include:**
  1. any of the essential workers identified in the CISA Critical Infrastructure guidance (see I. Federal, above), unless otherwise addressed in a prior or future CT executive order;
  2. essential healthcare and related operations (e.g., biotechnology therapies, consumer health products and services, doctor/dentist offices, elder care, health care plans/data, home health care workers, hospitals, manufacturing, distributing, warehouse and supplying of pharmaceuticals including research and development, medical supplies and equipment providers, pharmacies, research and laboratory services);
  3. infrastructure (e.g., airports/airlines, commercial trucking, dam maintenance/support, e-learning functions of schools, hotels/motels, water and wastewater operations, telecommunications and data centers, transportation infrastructure, utilities and power generation, supply and transmission);
  4. all manufacturing and corresponding supply chains;
  5. retail (e.g., electronics/appliances, big-box or wholesale stores if they also carry groceries, convenience stores, gas stations, grocery stores, guns and ammunition, hardware and building stores, liquor stores, pharmacies, pet supply stores);
  6. food and agriculture (e.g., farms and farmer’s markets, food manufacturing, processing, storage, and distribution facilities, nurseries garden centers and agriculture supply stores, restaurants/bars on takeout/deliver basis only);
  7. services (e.g., accounting/payroll, animal care, auto repair/towing/service, bicycle service, building cleaning/maintenance, child care, operations support for financial institutions, financial advisors, funeral services, insurance companies, laundry services, legal, mail/shipping, marinas/marine repair, news and media, real estate transactions and related services, storage for Essential Businesses, trash collection and processing, warehouse/distribution/fulfillment);
  8. providers of basic necessities to economically disadvantaged populations;
  9. construction (e.g., all skill trades, general commercial and residential construction, planning, engineering, design, bridge inspection and similar constructions support activities);
  10. services necessary to maintain safety, sanitation and essential operations of residences or other buildings (e.g., building cleaners or janitors, building code enforcement, disinfection, emergency management and response, general maintenance, moving services, landscaping, security services);
  11. vendors that provide essential services or products, including logistics or technology support, child care and services needed to ensure continuing operation of government agencies and provision of goods, services or functions necessary for health, safety and welfare of public (e.g., billboard leasing, government owned buildings, IT and information security, logistics, technology support);
  12. defense. Id.

- Businesses not described in the above list may request an opinion from DECD to be deemed essential. Id.

- Non-Essential Retailers are permitted to be staffed on-site, provided they are providing only remote ordering and delivery/curb-side pickup. Non-essential businesses may allow third-parties...
on-site to the minimum extent necessary to provide security, maintenance and receipt of mail. See Executive Order No. 7-J dated as of March 22, 2020.

- Through at least May 20, 2020, retail operations permitted to remain open must take appropriate and reasonable measures to ensure customers maintain six feet of distance between each other and manage any resulting lines to maintain such distance. Retailers are not required to bag items in a customer’s reusable bag. See Executive Order 7-N dated as of March 26, 2020; Executive Order 7-X dated as of April 10, 2020 (extending period).
  - Additional Safe Store guidance is available here.
  - Effective March 26 through May 15, 2020, firearm dealers must conduct all sales of arms, ammunition and related products requiring person-to-person contact (e.g., for background checks and authorizations) by appointment only, and must space appoints so as to ensure customers and dealer personnel remain six feet apart at all times. Id.

- Every workplace in the State must take additional protective measures to reduce the risk of transmission between and among employees, customers and other persons entering the workplace such as delivery and maintenance personnel. See Executive Order 7V dated as of April 7, 2020.
  - State guidance on such additional measures is available here.
- All children and childcare workers must be screened for observable illness and temperature (must be below 100 degrees Fahrenheit) before entering any child care facility and such facilities must enact enhanced cleaning and disinfecting practices. See Executive Order 7-Q dated as of March 30, 2020.
- Effective 8:00pm on March 16, 2020 and through May 20, 2020, unless earlier modified, any restaurant or eating establishment shall only serve food or non-alcoholic beverages for off-premises consumption. Executive Order 7-D dated March 16, 2020; Executive Order 7-X dated as of April 10, 2020 (extending closure).
  - Restaurants providing food for off-premises consumption must use all measures reasonably practicable to limit entrance of customers into their locations to the minimum extent necessary to pick up and/or pay for orders. See Executive Order 7-N dated as of March 26, 2020.
- Effective April 10, 2020 and lasting the duration of the public health emergency, no landlord of a residential dwelling may evict any tenant except for reason of serious nuisance as defined in section 47a-15 of the Connecticut General Statutes. See Executive Order 7-X dated as of April 10, 2020.
  - There is an automatic 60-day grace period for April rent, such that a residential tenant may not be considered in default of or violation of a rental agreement and may not be evicted or charged any late fees or penalties or be subject to negative credit reporting for any rent due for the month of April which is paid within 60 days of its due date. Id.
  - Upon request, there is a 60-day grace period for May rent on the same terms described above, for any residential tenant who on or before the ninth day May rent is due, notifies the landlord in
writing that the tenant needs to delay payment in full or in part due to COVID-19-related full or partial unemployment, loss of revenue, or increase in costs. *Id.*

- Any residential tenant who has paid a security deposit in excess of one month’s rent and is not enrolled in the security deposit guarantee program established by the Commissioner of Housing, and who provides to the landlord notice a COVID-19-related economic setback as described above, is entitled to have the amount of the security deposit in excess of one month’s rent credited to the rent due in April, May or June 2020. No landlord complying with such request may demand the security deposit be restored to its original amount until after the end of the declared public health emergency. *Id.*

- The Commissioner of Public Health is authorized to issue restrictions on the number, category and frequency of outside visitors and applicable screening and protective measures of patients in a nursing home facility, residential care home or chronic disease hospital. Executive Order No. 7 dated March 12, 2020.

- Certain nursing facilities are designated COVID Recovery Facilities, and the regulations regarding transferring of nursing home residents and reserving beds for transferred residents are relaxed. See Executive Order 7-Y dated as of April 11, 2020.

- The Commissioner of Social Services may approve additional nursing home beds in Alternate COVID Recovery Facilities and in existing skilled nursing facilities to receive COVID-19 transfers. See Executive Order 7-AA dated as of April 15, 2020.

- Effective March 17 through May 20, 2020, unless extended beyond that date, all public school classes will be cancelled; private schools and other non-public schools are encouraged to follow the same schedule. See Executive Order 7-C dated March 15, 2020; Executive Order 7-L dated as of March 24, 2020 (extending closure); Executive Order 7-X dated as of April 10, 2020 (further extending closure).

- Any healthcare professional or health care facility is immune from civil liability for any injury or death alleged to have been sustained because of such individual’s or facility’s acts or omissions undertaken in good faith while providing health care services in support of the State’s COVID-19 response. This immunity applies to applicable acts or omissions which occurred at any time during the public health emergency initially declared on March 10, 2020 for as long as it is in place. See Executive Order 7-V dated as of April 7, 2020.

  - This includes protection from suits arising out of lack of resources attributable to the COVID-19 pandemic which rendered the professional or facility unable to provide the level or manner of care that would have otherwise been required. The Order does not extend to acts or omissions that constitute a crime, fraud, malice, gross negligence, willful misconduct, or would otherwise constitute a false claim prohibited under CT or federal law. *Id.*

  - “Health care professional” means an individual licensed, registered, permitted or certified in any state to provide health care services and any retired professional, professional with inactive license, or volunteer approved by the Dept. of Public Health. “Health care facility” means a licensed or state approved hospital, clinic, nursing home, field hospital or other facility designated
by the Dept. of Public Heath for temporary use to provide essential services in support of the State’s COVID-19 response. *Id.*

- Effective April 5, 2020 and for the duration of the public health emergency, emergency services rendered to an insured individual by an out-of-network health care provider may be billed by such provider directly to the individual’s insurance carrier and, such carrier must reimburse the provider the same amount the insured’s health care plan would pay to an in-network provider for the same services. See Executive Order 7-U dated as of March 5, 2020.

  - *NOTE:* This provision has been repealed in its entirety, retroactive to its initial effective date. See Executive Order 7-CC dated as of March 21, 2020.

- Effective April 5, 2020 and for the duration of the public health emergency, emergency services rendered to an insured individual by an out-of-network health care provider may be billed by such provider directly to the individual’s insurance carrier and, such carrier must reimburse the provider the same amount the insured’s health care plan would pay to an in-network provider for the same services. *Id.*

- Effective April 5, 2020 and for the duration of the public health emergency, no hospital that has provided health care services to an uninsured patient may collect more than the cost of providing such services, except for services related to treatment and management of COVID-19, in which case no hospital may collect more than the Medicare rate for such services from the uninsured patient or patient’s estate. *Id.*

  - No hospital, health system or hospital-based facility may collect a facility fee in excess of the Medicare rate for services received by an uninsured patient for the treatment or management of COVID-19. *Id.*

  - No hospital may bill any individual not covered by any public or private health plan for services received in treatment or management of COVID-19, unless and until clarified by further executive order regarding distribution of any federal funding made available. *Id.*

  - Every hospital, health system or hospital-based facility must maintain fiscal records to identify services provided to uninsured patients for treatment and management of COVID-19. *Id.*

- Effective April 7, 2020 and for the duration of the public health emergency, practice before licensure is granted to applicants and graduates for the following healthcare professions: (i) physical therapist; (ii) physical therapist assistant; (iii) radiography; (iv) registered nurse; (v) nurse practitioner; (vi) clinical nurse specialist; (vii) nurse anesthetist; (viii) marital and family therapy associate; and (ix) professional counselor associate. See Executive Order 7-V dated as of April 7, 2020.

  - Effective April 22, 2020 and for the duration of the public health emergency, certain other requirements are loosened to facilitate increased provision of telehealth, the increased participation of health care trainees and out of state healthcare professionals, and more autonomy of physician assistants and advanced practice registered nurses. See Executive Order 7-DD dated as of April 22, 2020.
IX. Delaware (Statewide)

- **Enforcement**: Pending additional guidance from the State, violators of the Orders risk being found in violation of Section 28-22, and therefore guilty of a Class D felony.

- Effective April 7, 2020 at 8:00pm and through May 15, 2020 (or the public health threat of COVID-19 has been eliminated), all physical locations of Non-Essential Business and Limited Operation Non-Essential Businesses within the State of Delaware shall be closed. [State of Delaware Tenth Modification of Declaration of State of Emergency dated April 6, 2020](#).

  - Non-essential Businesses shall not transact business via curbside pickup. All Non-Essential or Limited Operation Non-Essential Businesses with employees or customers on the premises must comply with the Responsibilities of Essential Businesses set forth in Paragraph 5 of the Fourth Modification of the COVID-19 State of Emergency declaration ([State of Delaware Fourth Modification of Declaration of State of Emergency dated March 22, 2020](#)). Any business that fails to comply with the Declaration of State of Emergency or any modification thereto or that encourages or facilities unauthorized interstate travel, shall be deemed in violation of the State of Emergency orders and subject to enforcement action. ([See the order for a revised list of Non-Essential Businesses and a list of Limited Operation Non-Essential Businesses](#)).

  - **Enforcement Actions**: Whoever violates any provision of this Order may be fined not less than $50 nor more than $500, or imprisoned up to 6 months for each violation. 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.

- Effective April 2, 2020 at 8:00pm, organizers and sponsors of gatherings of 10 or more people shall be cancelled and not rescheduled until after May 15, 2020, or the public health threat of COVID-19 has been eliminated. Gatherings of fewer than 10 people should only be carried out if there is strict adherence to guidelines for protecting vulnerable populations. [State of Delaware Ninth Modification of Declaration of State of Emergency dated April 1, 2020](#) (further restricting social gatherings).

  - Gatherings include but are not limited to weddings, funerals and related activities.

  - Gatherings do not include regular interactions with immediate family members, members of the same household, caregivers or emergency childcare sites.

  - All businesses that permit customers onto their premises shall (i) allow no more than 20% of state fire occupancy requirements in the store at a time, (ii) shall clearly mark 6 foot spacing in checkout lines, utilize signage or ropes in any other high-traffic areas of stores, and provide similar methods to encourage adequate spacing if there are lines outside, (iii) discontinue self-serve foods and product sampling, and (iv) designate staff to count the number of customers entering and exiting the store and to enforce limits, monitor social distancing, and ensure cleaning guidelines set by the CDC are followed.

- Effective March 30, 2020 at 8:00am, any individual who enters Delaware from another state, and who is not merely passing through, must immediately self-quarantine for 14 days from the time of entry into Delaware.
Delaware or for the duration of the individual’s presence in Delaware, whichever period is shorter. State of Delaware Seventh Modification of Declaration of State of Emergency dated March 29, 2020 (travelers must self-quarantine)

- Does not apply to public health, public safety, or healthcare workers, or any other individual providing an assistance to an Essential Business or providing an emergency service related to COVID-19, individuals commuting into Delaware to work for an Essential Business or to perform Minimum Basic Operations as permitted by the Fifth Modification of the Declaration of a State of Emergency.

- Effective March 25, 2020 at 8:00am, there shall be a moratorium on evictions and foreclosure proceedings to enable Delawareans to shelter in place safely. State of Delaware Sixth Modification of Declaration of State of Emergency dated March 25, 2020 (moratorium on evictions)

- Enforcement Actions: Whoever violates any provision of this Order may be fined not less than $50 nor more than $500, or imprisoned up to 6 months for each violation. 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.

- Effective March 24, 2020 at 8:00am, 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. To the extent individuals are using shared or outdoor space when outside their residence, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements set forth below and with the guidelines set by the CDC. All persons may leave their homes or places of residence only for Essential Activities or Essential Travel, as defined below. See State of Delaware Fifth Modification of Declaration of State of Emergency dated March 22, 2020.

- All travel (including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, and public transit), except Essential Travel or travel for Essential Activities, as defined below, is prohibited. Passengers traveling by public transit must comply with Social Distancing Requirements to the greatest extent feasible. Id.

  - Essential Travel includes travel: (a) related to the provision of or access to Essential Activities or Minimum Basic Operations; (b) to care for vulnerable persons/pets; (c) to or from educational institutions for purposes of receiving materials for distance learning or meals; (d) to return to a place of residence; (e) required/authorized by law. Id.

    - Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements. Id.

  - Essential Activities include: (a) activities/tasks essential to one’s health and safety, or that of family or household members; (b) obtaining necessary services or supplies (i.e., food supplies, household consumer products); (c) outdoor activity (i.e., running, biking, walking), providing the individuals comply with Social Distancing Requirements; (d)
work permitted by the Fourth Modification of the Declaration of a State of Emergency; (e) caring for or transporting family member, friend, or pet. *Id.*

- **“Social Distancing Requirements”** include maintaining at least six-foot social distancing from individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (not with hands), regularly cleaning high-touch surfaces, and not shaking hands. These requirements incorporate any subsequent guidance from the CDC issued after the issuance of this Order. *Id.*

  - Even essential businesses will be ordered to close if they are not practicing social distancing in the workplace.

- **Enforcement Actions:** Whoever violates any provision of this Order may be fined not less than $50 nor more than $500, or imprisoned up to 6 months for each violation. 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. *Id.*

X. Florida (Statewide; Miami; Broward County)

- Florida (Statewide)

  - Effective April 3, 2020 at 12:01am, and through April 30, 2020 (unless extended), all Florida residents must stay home, unless as needed to obtain or provide essential services or conduct essential activities. *Florida Executive Order Number 20-91, dated April 1, 2020.*

    - Essential services means and encompasses: (i) the list detailed in the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce (attached to this order) and any subsequent list published; and (ii) businesses and activities designated by Executive Order 20-89 and its attachment (*Florida Executive Order Number 20-89, dated March 30, 2020*). *Id.*

    - Essential activities means and encompasses (i) attending religious services conducted in churches, synagogues and houses of worship; (ii) participating in recreational activities (consistent with social distancing guidelines) such as walking, biking, hiking, fishing, hunting, running or swimming; (iii) taking care of pets; (and (iv) caring for or otherwise assisting a loved one or friend. *Id.*

      - A social gathering in a public space is not an essential activity, and local jurisdictions shall ensure that groups of people greater than 10 are not permitted to congregate in any public space. *Id.*

    - This order supersedes any conflicting 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 order. *Id.*
Executive Order 20-68 (bars, restaurants) and Executive Order 20-71 (alcohol sales, restaurants) shall remain in effect. *Id.*

- Effective March 27, 2020, all individuals that drive into Florida from states with substantial community spread must self-isolate in Florida for 14 days or the duration of their trip, whichever is shorter. Florida Executive Order Number 20-86, dated March 27, 2020.
  - This order does not apply to persons performing military, emergency, health or infrastructure response, or persons involved in any commercial activity.
  - **Enforcement Actions:** Any person who violates this order 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. *Id.*

- Effective March 27, 2020, and through April 30, 2020, all parties engaged in rental of vacation rental properties must suspend vacation rental operations. Vacation rentals are prohibited from making new reservations or bookings and shall not accept new guests for check-in during the duration of this order. Florida Executive Order Number 20-87, dated March 27, 2020 (extended by Florida Executive Order Number 20-103, dated April 10, 2020)
  - This order includes rental of any house, condominium, cooperative, or dwelling unit that is also a transient public lodging establishment, and (i) which is rented for periods of less than 30 days or 1 calendar month (whichever is less); (ii) which is advertised or held out to the public as a place regularly rented to guests; or (iii) which is otherwise regulated by the Department of Business and Professional Regulation (“DBPR”) as a vacation rental.
  - This order **does not include** (i) hotels, motels, inns, resorts, non-transient public lodging establishment, or time share projects; (ii) long-term rentals; (iii) rentals stays where guests are currently staying in a vacation rental or have previously booked a stay and are scheduled to check-in no later than March 28, 2020; or (iv) rentals to persons performing military, emergency, governmental, health or infrastructure response, or travelers engaged in non-vacation commercial activities.
  - **Executive Actions:** Parties that violate this order or attempt to violate the order through advertising or other means of solicitation may be charged with a second-degree misdemeanor, punishable by either definite term of imprisonment not to exceed 60 days or a $500 fine (Sections 775.082 or 775.083, Fla. Stat.).

  - **Enforcement Actions:** Any person who violates any isolation or quarantine 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. *Id.*
Effective March 20, 2020, all non-essential elective medical procedures shall immediately cease. \textit{Florida Executive Order Number 20-72 dated March 20, 2020}

- Examples of procedures to delay may include, but are not limited to, some endoscopy, most cataract and lens surgeries, non-urgent spine and orthopedic procedures, and cosmetic procedures.

- Permissible procedures include, but may not be limited to, removal of cancerous tumors, transplants, limb-threatening vascular surgeries, trauma-related procedures, and dental care related to the relief of pain and management infection.

Effective March 20, 2020, all vendors licensed to sell alcoholic beverages for consumption on the premises must suspend the sale of alcoholic beverages by the drink or in sealed containers for consumption on the premises. Such vendors may continue to sell alcoholic beverages in sealed containers for consumption off-premises. \textit{Florida Executive Order Number 20-71 dated March 20, 2020}

- Any specially licensed food service establishment that complies with Executive Order Number 20-68 (\textit{Florida Executive Order Number 20-68}) may sell package sales of alcohol for delivery, take-out or consumption off-premises so long as the following conditions are met: (i) alcoholic beverage must be in a sealed container for consumption off-premises and be accompanied by food in same order; and (ii) any delivery of an alcoholic beverage complies with section 561.57 Florida Statutes (which requires that deliveries be made by persons associated with vendor’s license issued by the Florida Division of Alcoholic Beverages and Tobacco). \textit{Id.}

Effective March 20, 2020, all restaurants and food establishments licensed under Chapters 500 and 509 of Florida Statutes must suspend on-premises food consumption, but may continue to take-out and delivery services. Employees, janitorial personnel, contractors and delivery personnel shall be allowed to access such establishments for purposes of delivery and take-out services. \textit{Id.}

Effective March 20, 2020, all gyms and fitness centers must close. \textit{Id.} This does not apply to gyms and fitness centers which are: (i) amenities of hotels which have a capacity of ten persons or less; (ii) are an amenity of a residential building; (iii) are interior to any fire or police stations; or (iv) are located inside any single-occupant office building. \textit{Id.}

\textbf{Enforcement Actions}: The Department of Business and Professional Regulation shall utilize its authorities under Florida law to implement and enforce the provisions of Executive Order Number 20-71 and shall take additional measures as necessary to protect the public health, safety and welfare. All state and local law enforcement shall implement and enforce the provisions of Executive Order Number 20-71. \textit{Id.}

Parties accessing public beaches statewide must limit their gatherings to no more than ten people, distance themselves from other parties by 6 feet, and support beach closures at the discretion of local authorities. \textit{Florida Executive Order Number 20-68 dated March 17, 2020}
Miami, FL

- Effective March 18, 2020, the use of all common-use mopeds, scooters, micro-mobility devices motorized bicycles and other devices available at public docking stations for private use by reservation through online applications, websites or software for point-to-point trips are prohibited. See [Miami-Dade Mayor Signs Executive Order Prohibiting Use of Commercial Mopeds and Scooters](#).
  
  - This order does not prohibit the use of any moped, motorized scooter, regular bicycle or other micro-mobility device that is individual owned and used. However, individuals are also prohibited from allowing any common use of their individual micro-mobility devices on any public road or sidewalk within Miami-Dade County.

- Effective March 19, 2020 at 9:00pm, and until further notice, all Miami-Dade County Parks, Recreation and Open Spaces, including both municipal and privately owned parks, beaches and recreational facilities, have been closed. See [Miami-Dade County Parks, Recreation and Open Spaces Closed](#).
  
  - These include but are not limited to: 15 miles of beaches from Government cut to the Broward/Miami-Dade County line, Crandon Park Beach and the beach at Haulover Park; Zoo Miami; Deering Estate; Redland Fruit & Spice Park; Larry and Penny Thompson Park; Trail Glades Range; golf courses, fishing charters and head or party boats licensed to carry more than 6 passengers.

  - Marinas and boat ramps will remain open from 7:00am to sunset. Only vehicles with a Miami-Dade County Parks marina sticker on the windshield will be granted access to the marinas’ wet or dry slips, and only patrons arriving in the vehicle with the vessel at marinas will be granted access to the boat ramp.

  - Park rangers, with the assistance of Miami-Dade County Police, will continue to monitor the County’s parks to enforce compliance with these requirements and ensure public safety.

- Effective March 19, 2020 at 9:00pm, all non-essential retail and commercial establishments have been closed. See [press release for list of business closures and businesses allowed to remain open](#).

- Effective March 20, 2020, the Miami-Dade Transit service adjustments effecting the Metrorail, Metromover, and Metrobus schedules will go into effect. See [press release for service adjustments](#).

  - See [Miami-Dade Transit Announces Service Reduction](#).

Broward County

- Effective March, 27, 2020 at 12:01am, individuals are strongly urged to remain home, other than to engage in essential business activities, which are the minimum activities necessary to conduct Minimum Business Operations or to engage in or patronize Essential Businesses, unless
otherwise expressly exempted from the limitations of Broward County Administrator’s Emergency Order 20-01.  

**Broward County Administrator's Emergency Order 20-03, Directing Shelter in Place, dated March 26, 2020**

- All nonessential retail, nonprofit, and commercial business locations are ordered closed except to the extent necessary to perform Minimum Basic Operations.

- **Essential businesses that may remain open**, but shall practice social distancing and other measures as advised by the CDC, include but are not limited to (see the Emergency Order for the entire list of essential businesses):
  
  o (i) healthcare providers and public health operations; (ii) grocery stores, farmers’ markets, supermarkets, food banks and other establishments primarily engaged in the sale of food and householder consumer products; (iii) business engaged in food cultivation; (iv) businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged individuals; (v) newspapers, television, radio and other media services; (vi) gas stations, marine fueling stations, new and used automobile dealerships, and auto supply, auto-repair, motorcycle, scooter, bicycle repair shops and related facilities; (vii) banks and related financial institutions; (viii) hardware, gardening and building material stores; (ix) contractors and other tradesmen; (x) businesses primarily providing mailing, pick-up, and shipping services; (xi) private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning; (xii) laundromats, dry cleaners and laundry service providers; (xiii) restaurants and other facilities that prepare and serve food (no more than 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); (xiv) businesses that primarily supply other essential businesses; (xv) business that primarily ship or delivery groceries; (xvi) airlines, taxis and other private transportation providers; (xvii) businesses engaged in providing home-based care for seniors, adults, or children; (xviii) assisted living facilities, nursing home, adult day care centers, and home-based and residential settings for adults, seniors, children and/or people with disabilities or mental illness; (xix) businesses providing professional services, such as legal or accounting services; (xx) landscape and pool care businesses; (xxi) childcare facilities providing services that enable employees exempted in this Emergency Order to work as permitted; (xxii) businesses operating at any airport, seaport, or other government facility; (xxiii) logistics providers, including warehouses, trucking, consolidators, fumigators and handlers; (xxiv) telecommunications providers; (xxv) businesses primarily engaged in the provisions of propane or natural gas.

  o **Social Distancing:** All persons who may be physically present and performing services on-site related to the operations of an essential business are required to the full extent practicable to operate in full compliance will all measures advised
by the CDC, including practicing social distancing such as keeping 6 feet between persons and limiting group size to less than 10 people.

XI. Georgia (Statewide and Atlanta)

- Georgia (Statewide)
  - On April 20, 2020, the Governor Kemp issued an executive order easing certain COVID-19 related restrictions, beginning April 24, 2020. [Executive Order dated April 20, 2020 (easing restrictions)]

- 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 CDC guidelines, Centers for Medicare and Medicaid Services guidelines, and the provisions of this order to prevent the spread of COVID-19.

- Gyms, fitness centers, bowling alleys, body art studios, and salons may begin in-person Minimum Basic Operations. Such businesses must implement measures which mitigate the exposure and spread of COVID-19, including: (i) screening workers and requiring any worker with an illness to not report to work; (ii) enhanced sanitation as appropriate; (iii) providing PPE as available and appropriate; (iv) prohibiting gatherings of workers during working hours and implementing staggering shifts; (v) prohibiting handshaking and other unnecessary person-to-person contact in the workplace; (vi) placing notices that encourage hand hygiene at the entrance of the workplace and other areas where they are likely to be seen; (vii) suspending the use of PIN pads and any other receipt signature requirements as permitted by agreements with credit agencies; (viii) providing for alternative points of sale outside of buildings (including curbside pickup or delivery); (ix) providing disinfectant and sanitation products for workers to clean their workspace and equipment; and (x) increasing physical space between workers’ worksites to at least six feet.

- Minimum Basic Operations are limited to: (i) 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; (ii) minimum necessary activities to facilities employees or volunteers being able to work remotely from their residences or members or patrons being able to participate remotely from their residences; and (iii) instances where employees are working outdoors without regular contact with other persons, such as delivery services, contractors, landscape business, and agricultural industry services.

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

- Effective April 13, 2020, and until the conclusion of the public health state of emergency, it shall not
be a misdemeanor for any person to wear a mask, hood, or device by which any portion of the
face is hidden, concealed, or covered as to conceal the identity of the wearer if that person is
wearing such device for the purpose of complying with the guidance of any healthcare agency or
to prevent the spread of COVID-19. Executive Order dated April 13, 2020

- Effective April 9, 2020 at midnight, and through April 30, 2020 at 11:59pm, no Vacation Rental
shall occur in the State. Vacation Rental shall include (i) any transaction for the lease or license
to use residential property for residential or vacation purposes, (ii) that is facilitated by a third
party or a broker where the lease or license term does not exceed 30 days, (iii) where such lessor
or licensor is a corporation, LLC, partnership, person, or any other entity, and (iv) where the lessee
or licensee is a private person. Executive Order dated April 8, 2020

- This order shall not apply to: (i) hotels, extended stay hotels, campground or commercial
transactions, (ii) Vacation Rentals with fully paid reservation agreements executed or
agreed to prior to midnight on April 9, 2020, or (iii) to leases for property that are or will
be used as a person’s primary place of residence.

- At no time shall law enforcement or any other state or local officials dispose or evict
occupants of Vacation Rental to enforce this order.

- Effective April 3, 2020 at 6:00pm, and through 11:59pm on April 30, 2020, all residents and
visitors of the State of Georgia are required to shelter in place within their homes or residences,
unless they are (i) conducting or participating in Essential Services, (ii) performing Necessary
Travel, (iii) are engaged 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 (iv) are part of the workforce for Critical
Infrastructure and are actively engaged in the performance of, or travel to and from, their
respective employment. Executive Order dated as of April 2, 2020

- Essential Services are limited to (i) 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, (ii) engaging in activities essential for the health and safety of family or
household members, such as seeking medical, behavioral health, or emergency services,
(iii) engaging in outdoor exercise activities so long as a minimum distance of 6 feet is
maintained during such activities between all persons who are not occupants of the same
household or residence, (iv) any and all activities that may preserve the health and welfare
of persons within this State, (v) the transport, visitation, regular care of family members
and persons dependent on the services of others, and similar actions that ensure the
welfare and best interests of persons in this State, specifically including the elderly,
children and disabled populations, and (vi) children obtaining public internet access to fulfill educational obligations. Executive Order dated as of April 3, 2020

- Necessary Travel is limited to such travel as is required to conduct or participate in Essential Services, Minimum Basic Operations, or Critical Infrastructure.

- Minimum Basic Operations are limited to (i) 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, (ii) 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 residence; and (iii) instance where employees are working outdoors without regular contact with other persons, such as delivery services, contractors, landscape business, and agricultural industry services.

- 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 its guidance revised on March 28, 2020 (https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce), and those suppliers which provide essential goods and services to the critical infrastructure workforce as well as entities that provide legal services, home hospice, and non-profit corporations or non-profit organizations that offer food distribution or other health and mental health services.

  - Critical Infrastructure that continues in-person operation during the effective dates of this order shall implement measures which mitigate the exposure and spread of COVID-19 among its workforce. See page 5 of the order for a comprehensive list of such mitigating measures.

  - **Social Distancing:** No business, establishment, corporation, non-profit corporation, or organization shall allow more than ten persons to be gathered at a single location if such gathering requires persons to stand or be seated within 6 feet of any other person.

  - **Enforcement Action:** Any person who violates this order shall be guilty of a misdemeanor.

XII. Hawaii (Statewide)

- As of March 25, 2020, at 12:01 a.m., all people in the State of Hawaii are ordered to stay at home, except as necessary to maintain continuity of operations of the federal critical infrastructure sectors, to engage in essential businesses and operations, or to engage in permitted activities. See Third Supplementary Proclamation (issued March 23, 2020).

  - **Federal critical infrastructure sectors** are defined by reference to CISA’s guidance, as supplemented in the Proclamation or by Hawaii’s Emergency Management Agency (HIEMA). Id.
Hawaii also defines **essential businesses and operations** by reference to CISA’s guidance, supplemented in the Proclamation to include: (i) healthcare services and facilities; (ii) stores that sell groceries and medicine; (iii) food, beverage, cannabis production and agriculture; (iv) educational institutions; (v) organizations that provide charitable and social services; (vi) media; (vii) gas stations and businesses needed for transportation; (viii) financial institutions; (ix) hardware and supply stores; (x) critical trades, such as building and construction workers; (xi) mail, post, shipping, logistics, delivery, and pick-up services; (xii) laundry services; (xiii) restaurants for consumption off-premises; (xiv) supplies to work from home; (xv) supplies for essential businesses and operations; (xvi) transportation; (xvii) home-based care and services; (xviii) residential facilities and shelters; (xix) professional services; (xx) child care services for employees allowed to work under the Proclamation; (xxi) manufacture, distribution, and supply chain for critical products and industries; (xxii) critical labor union functions; (xxiii) hotels and motels; (xiv) funeral services; and (xxv) government functions. *Id.*

- Under the Proclamation, individuals may travel to and from essential businesses, but only to the extent that such businesses and operations cannot be conducted remotely. *Id.*

- **Businesses and operations not identified in CISA’s guidance, the Proclamation, or by HEIMA must cease. Id.**

**Permitted activities** include travel for health and safety; travel to engage in, receive, or obtain goods or services from essential businesses and operations; travel to engage in minimum basic operations of nonessential businesses; travel to care for others; travel to an airport to leave the state; travel required by law enforcement or court order; outdoor exercise activities, including surfing; and walking pets. *Id.*

- **Minimum basic operations of nonessential businesses** includes activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, and related functions, as well as activities necessary to facilitate remote work. *Id.*

- Any **gatherings of more than ten people**, except as otherwise allowed, are prohibited. *Id.*

**Social distancing:** All individuals, businesses, and operations engaged in permitted activities must, *to the fullest extent possible*, exercise social distancing and other requirements, including maintaining six-foot distances; making hand sanitizer and sanitizing products available; instituting separate operating hours for high-risk populations; and posting information about remote access and operating hours. *Id.*

**Penalties:** A knowing or intentional violation of the Proclamation is a misdemeanor, punishable by a fine of up to $5,000, imprisonment of up to one year, or both. *Id.*

- As of March 26, 2020, at 12:01 a.m., **any person entering Hawaii**, except those individuals performing emergency responses or critical infrastructure functions as designated by Hawaii’s Director of Emergency
Management, **must self-quarantine for 14 days.** See Second Supplementary Proclamation (issued March 21, 2020).

- **Penalties:** A knowing or intentional violation of the Proclamation is a misdemeanor, punishable by a fine of up to $5,000, imprisonment of up to one year, or both. *Id.*

XIII. Idaho (Statewide)

- As of March 25, 2020, at 1:30 p.m. (and continuing until April 30, 2020), **all individuals in Idaho are required to self-isolate** at their place of residence, other than to perform Essential Activities, for Essential Governmental Functions, or to operate Essential Businesses. See Order to Self-Isolate (dated March 25, 2020, amended April 15, 2020). All public and private gatherings and travel are prohibited, except activities or travel specifically identified as Essential. *Id.*

- **Essential Activities** include tasks essential to health and safety, such as obtaining medicine or visiting a doctor; obtaining necessary services or supplies; engaging in outdoor activities, provided that the activities comply with the Social Distancing Requirements; performing work providing essential products, serving an Essential Business, or performing Minimum Basic Operations for a nonessential businesses; and caring for a family member. *Id.*

- **Essential Government Functions** are those services needed to ensure the continuing operation of local, state, federal, or tribal government agencies. *Id.*
  - **Social Distancing:** All Essential Government Functions must, *to the extent possible*, be performed in compliance with Social Distancing Requirements, defined to include maintaining a six-foot distance between individuals, washing hands with soap and water as often as possible, covering coughs or sneezes, regularly cleaning high-touch surfaces, and not shaking hands. *Id.*

- **Essential Infrastructure** is defined by reference to CISA’s updated March 28, 2020, guidance, and includes public works construction, commercial construction and the transfer and selling of such construction, construction of housing (particularly low-income housing), airport operations, and the operation and maintenance of other utilities. *Id.*
  - **Social Distancing:** All workers performing tasks related to Essential Infrastructure should, *to the extent possible*, comply with Social Distancing Requirements. *Id.*

- **Essential Businesses** are also defined by reference to CISA’s updated March 28, 2020, guidance and also include: (i) Healthcare Operations (hospitals, clinics, pharmacies, and other healthcare facilities and suppliers) and Essential Infrastructure; (ii) grocery stores and other establishments engaged in the retail sale of packaged and fresh foods; (iii) food cultivation and production; (iv) businesses that provide services for the economically disadvantaged; (v) media; (vi) gas stations and auto-repair and related facilities; (vii) banks and financial institutions; (viii) hardware stores and firearms businesses; (ix) plumbers, electricians, exterminators, landscapers, and other service providers who provide services necessary for residences, Essential Activities, and Essential Businesses; (x) mailing and shipping services; (xi) educational institutions, for purposes
of facilitating distance learning; (xii) laundromats and dry cleaners; (xiii) restaurants and other facilities that prepare and serve food for consumption off premise; (xiv) hotels and motels for the purposes of housing or quarantine; (xv) businesses that supply products needed for people to work from home; (xvi) businesses that supply other Essential Businesses or Essential Government Functions with necessary support or supplies; (xvii) businesses that ship or deliver groceries, food, goods, or services directly to residences; (xviii) transportation providers providing transportation services necessary for Essential Activities; (xix) home-based care for seniors, adults, and children; (xx) residential facilities and shelter for seniors, adults, and children; (xxi) essential tribal operations; (xxii) all operations related to the Idaho National Laboratory; (xxiii) professional services, when necessary to assist in compliance with legally mandated activities; (xxiv) childcare facilities, in compliance with hygiene and social-distancing recommendations, and to be used only by those who need childcare to work at a critical job; (xxv) businesses that are able to operate through curbside services, drive in, drive through, pick up, or delivery services, so long as they maintain social distancing for customers and employees. Id.

- **Social Distancing:** Essential Businesses shall, *to the greatest extent feasible*, comply with the Social Distancing Requirements. *Id.*

  o As of March 25, 2020, at 1:30 p.m., **all nonessential businesses are required to cease all activities except Minimum Basic Operations or work performed from home.** *Id.* All Essential Businesses are **encouraged to remain open.** *Id.*

  - **Minimum Basic Operations** include the minimum necessary activities to maintain the business’s inventory, ensure security, process payroll and employee benefits, or perform related functions, as well as the minimum activities necessary to facilitate remote work and prepare the business to reopen at such time as deemed appropriate. *Id.*

  - **Social Distancing:** Employees performing Minimum Basic Operations should, *to the extent possible,* comply with Social Distancing Requirements. *Id.*

  o As of April 15, 2020, **any individuals entering Idaho from another state or country are required to self quarantine for 14 days,** unless their travel is for an Essential Purpose (broadly interpreted to include travel for personal safety, essential work, or medical care, *but not* recreation) or because they routinely cross state lines. *Id.* Any individuals who have tested positive for COVID-19, are displaying symptoms of COVID-19, or are presumptively diagnosed with COVID-19 should not enter the state. *Id.*

  o **Penalty:** A violation or failure to comply with the Order is a misdemeanor, punishable by up to six months’ imprisonment, a fine of up to $1,000, or both. *Id.*

XIV. **Illinois (Statewide)**

  o Effective March 21, 2020 at 5:00pm, and through April 30, 2020, all Illinois residents must stay at home. **COVID-19 Executive Order No. 8 dated March 20, 2020; COVID-19 Executive Order No. 16 dated April 1, 2020.**
Residents can still go to the grocery stores, put gas in their cars, take walks outside and make pharmacy runs; all local roads, including interstate highways and tollways, will remain open.

In Chicago, park facilities and libraries will be closed effective March 21, 2020 at 5:00pm; however, people will still be able to walk around the park space.

The reopening date for schools statewide has been pushed back to April 30, 2020.

All businesses that are not essential businesses are required to cease all activity except minimum basic operations (the minimum necessary activities required to maintain the value of inventory, preserve the condition of the business’s physical plant and equipment, ensure security, process payroll and employee benefits, and facilitate employees being able to work remotely).

**Essential businesses that are exempt from the Order include:**

(i) Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions and Essential Infrastructure; (ii) stores that sell groceries and medicines; (iii) food, beverage, and cannabis production and agriculture; (iv) organizations that provide charitable and social services, including religious and secular nonprofit organizations; (v) media, such as newspapers, television, radio, and other media services; (vi) businesses needed for transportation, including gas stations, automobile supply and repair, and bicycle shops; (vii) financial institutions, including banks, currency exchanges, and consumer lenders; (viii) hardware and supply stores; (ix) critical 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 necessary to maintaining the safety, sanitation, and essential operation of residences; (x) mail, shipping, deliver and pick up services; (xi) educational institutions (for purposes of facilitating distance learning); (xii) laundry services; (xiii) restaurants for consumption off-premises; (xiv) businesses that sell or manufacture supplies to work from home; (xv) educational institutions (for purposes of facilitating distance learning); (xvi) transportation, including airlines, taxis and transportation network providers, vehicle rental services, and other private and public transportation providers; (xvii) home-based care and services for adults, seniors, children, and people with disabilities or substance abuse disorders; (xviii) residential facilities and shelters for adults and children with disabilities, mental illness and substance abuse disorders; (xix) professional services such as legal services, accounting services, insurance services, and real estate services, including appraisal and title services; (xx) day care centers for employees exempted by the Order; (xxi) Manufacture, distribution, and supply chain for critical products and industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel, petroleum, mining, construction, and products used by other Essential Businesses and Operations; (xxii) critical labor union functions including the administration of health and welfare funds and checking on the well-being and safety of members in essential businesses and operations; (xxiii) hotels and motels; and (xxiv) funeral services.
Essential Business and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with social distancing requirements, including:
(i) designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance; (ii) having hand sanitizer and sanitizing products readily available for employees and customers; (iii) implementing separate operating hours for elderly and vulnerable customers; and (iv) posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

- All gatherings outside of living units and all travel are prohibited, except for Essential Travel and Essential Activities. See Exec. Order No. 8 for exceptions. COVID-19 Executive Order No. 8 dated March 20, 2020.
- Effective March 21, 2020 and through April 30, 2020, all state, county and local law enforcement officers are instructed to cease enforcement of orders of eviction for residential premises. COVID-19 Executive Order No. 8 dated March 20, 2020; COVID-19 Executive Order No. 16 dated April 1, 2020.
- Social Distancing Requirements: Maintaining at least 6-feet from other individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes, regularly cleaning high-touch surfaces, and not shaking hands.
- Enforcement. This Executive Order may be enforced by State and local law enforcement pursuant to, inter alia, Section 7, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS 3305. These provisions allow the Governor to exercise emergency powers, which include among other actions (1) taking possession of property on behalf of the state, (2) controlling residents’ ability to leave or enter a disaster area and their movement within a disaster area, and (3) regulating the pricing of commodities.

XV. Indiana (Statewide)

- Effective 11:59pm on April 20 through 11:59pm on May 1, 2020, Executive Order 20-22 replaces Executive Order 20-18, and provides that all individuals are ordered to stay at home. See Executive Order 20-22, dated April 20, 2020.
  - Any gathering of more than ten people is prohibited. Id.
  - All persons may leave their homes to participate in Essential Business and Operations. Id.
  - All persons should postpone making in-person purchases of goods and services unless such items are needed for sustenance, health, education, or employment. Id.
- All businesses except for Essential Business and Operations are required to cease all activities within the state except for Minimum Basic Operations. Id.
  - Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, Essential Infrastructure, all of the workers identified on the updated CISA List from March 28, 2020, Retail Businesses that provide
the necessities of life (including food and medicine), Sale of Firearms and Ammunition, Food, Beverage and Agriculture, Organizations that Provide Charitable and Social Services, Religious Entities, Media, Financial and Insurance Institutions, Critical Trades, Mail, Post, Shipping, Logistics, Delivery and Pick-Up Services, Educational Institutions, Laundry Services, Restaurants for Consumption Off-Premises, Transportation, Home-Based Care and Services, Residential Facilities and Shelter, Professional Services, Manufacture, Distribution, and Supply Chain for Critical Products and Industries, Critical Labor Union Functions, Hotels and Motels, and Funeral Services. *Id.*

- Minimum Basic Operations includes the minimum necessary activities to maintain the value of the business’ inventory, preserve the condition of its physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions. *Id.*

  - Essential Business and Operations shall comply with the Social Distancing Requirements set forth below and established by the CDC, including maintaining six-foot social distancing at all times and employing CDC recommended sanitation measures. *Id.*

    - All employers must comply with safety and health standards established by IOSHA. *Id.*

  - Social Distancing Requirements: Maintaining at least six-feet of 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. *Id.*

    - With respect to Essential Businesses and Operations as well as businesses engaged in Minimum Basic Operations, they must take proactive measures to ensure compliance with the Social Distancing Requirements, *where possible.* *Id.*

  - Enforcement Actions: This Executive Order may be enforced by State and local law enforcement, as well as other governmental entities, to the extent set forth in Indiana law. Further, IOSHA is directed to take all available administrative and enforcement actions against businesses failing to comply with workplace safety conditions. Lastly, there shall be the creation of an Enforcement Response Team, comprised of state law enforcement, who shall respond to and investigate all reports of violations. *Id.*

### XVI. Iowa

- Statewide

  - As of April 2, 2020, all gatherings and events of more than 10 people are prohibited until 11:59 p.m on April 30. [Proclamation of Disaster Emergency, Dated April 2, 2020](#).

    - Exceptions. Livestock auctions that include only food animals may continue to operate so long as there are no more than 25 people present in person.

    - Business closures. Particular businesses are to be closed until April 30, including: restaurants and bars, fitness centers, swimming pools, salons, medical spas, barbershops, tattoo establishments,
tanning facilities, massage therapy establishments, theaters, casinos, adult day care and senior citizen centers, and other nonessential retail establishments listed in the above order.

- **Added business closures.** On April 6, the Governor ordered additional business closures from 8:00 a.m. on April 7 until 11:59 p.m. on April 30. These include: malls; tobacco and vaping stores; toy, gaming, music, instrument, movie, or adult entertainment stores; social clubs; amusements; museums; libraries; aquariums; zoos; race tracks; skating rinks and parks; playgrounds; campgrounds; and door-to-door sales. [Proclamation of Disaster Emergency, Dated April 6, 2020](#).

- Retail establishments that sell essential food, medical supplies, and household goods shall remain open.

- **School closures.** All schools shall remain closed through the end of the school year.

  - RMCC Region 6 (Allamakee, Benton, Black Hawk, Bremer, Buchanan, Clayton, Delaware, Dubuque, Fayette, Grundy, Howard, Jones, Linn, and Winneshiek counties)
    - Effective April 16 at 11:59 p.m. until April 30 at 11:59 p.m., all social, community, recreational, leisure, and sporting gatherings of any size (aside from gatherings of household members) are prohibited. This order does not limit the provision of necessary care. [Proclamation of Disaster Emergency, dated April 16, 2020](#).

- All employers must evaluate whether any more of their employees may feasibly work remotely, and must implement employee screening, social distancing, and increased cleaning practices. However, violation of these requirements may not be the basis for an enforcement action against a business.

  - Enforcement. In conjunction with the Department of Public Health pursuant to [Iowa Code §§ 29C.18](#) and [135C.35](#), all peace officers of the state are called upon to assist in the enforcement of the provisions of the Proclamations. Under these provisions, peace officers may arrest any person violating or attempting to violate the Proclamation.

  - Reopening Plan. In certain counties, effective May 1 through May 15, businesses may reopen so long as they comply with certain requirements. [Proclamation of Disaster Emergency, dated April 27, 2020](#).

    - Restaurants, fitness centers, malls, libraries, and race tracks may resume normal operations but must operate at 50% capacity. Social distancing must be maintained. Further particular requirements are detailed in the order. All other businesses previously ordered closed must remain closed until May 15.

    - This applies to all Iowa counties except: Allamakee, Benton, Black Hawk, Bremer, Dallas, Des Moines, Dubuque, Fayette, Henry, Iowa, Jasper, Johnson, Linn, Louisa, Marshall, Muscatine, Polk, Poweshiek, Scott, Tama, Washington, and Woodbury. In these counties, all businesses previously ordered closed must remain closed until May 15.
XVII. Kansas (Statewide)

- Effective March 17 through May 29, 2020, all K-12 schools are closed. See [Executive Order No. 20-07, dated March 17, 2020](#).

- Effective April 18 through May 1, 2020, all gatherings of more than ten people are prohibited. See [Executive Order No. 20-25, dated April 17, 2020](#).
  
  ° This includes gatherings at auditoriums, movie theatres, museums, stadiums, conference rooms, health and fitness centers, recreation centers, and pools. *Id.*

  ° This excludes, among others, office spaces and manufacturing, processing, distribution, and production facilities. *Id.*

  ° Executive Order No. 20-25 contains a full list of activities that are exempt from the prohibitions, including (i) retail establishments where customers and employees maintain a six foot distance from other individuals and they are performing essential activities, (ii) restaurants for takeout and delivery so long as no more than 10 customers are in the building and they maintain a distance of six feet and (iii) office spaces, but only for the purpose of performing essential activities. See [Executive Order No. 20-25, dated April 17, 2020](#).

- Effective March 24 through May 1, 2020, Kansas has established the Kansas Essential Functions Framework which includes essential functions that must be exempt from any local “stay home” or similar orders. See [Executive Order No. 20-15, dated March 24, 2020](#).

- Effective March 30 though May 3, 2020, all individuals are directed to stay in their homes unless performing an essential activity. See [Executive Order No. 20-16, dated March 28, 2020](#), as extended by [Executive Order No. 20-24, dated April 16, 2020](#).
  
  ° Essential activities include performing or going to work at a business or organization to perform an essential function. *Id.*

- Essential functions are laid out in full in paragraph 9 of [Executive Order No. 20-16, *Id.*](#).

XVIII. Kentucky (Statewide)

- Pursuant to [Executive Order 2020-266 dated April 2, 2020](#), Kentuckians are prohibited from traveling out of state, except:
  
  ° (i) When required by employment; (ii) to render care as a healthcare professional volunteer healthcare worker related to the State of Emergency; (iii) to obtain groceries, medicine, or other necessary supplies; (iv) to seek or obtain care by a licensed healthcare provider; (v) to provide care for the elderly, minors, dependents, persons with disabilities, or other vulnerable persons; or (vi) when required by court order.
Effective March 26, 2020 at 8:00 PM, all businesses which are not life-sustaining shall cease operations, except as needed to conduct Minimum Basic Operations. See Executive Order No. 2020-257 dated March 25, 2020. Life-sustaining businesses are all businesses that allow Kentuckians to remain Healthy at Home, including:

- Any businesses operating in the federal critical infrastructure sector as defined by CISA;
- Life-sustaining retail and their administrative support operations;
- All businesses related to food, beverage, and agriculture, as well as businesses that provide food, shelter, and other necessities of life for animals;
- Organizations that provide charitable and social services;
- Media;
- Gas stations and businesses needed for transportation;
- Financial services businesses;
- Housing, buildings, and construction;
- Mail, post, shipping, logistics, delivery, and pick-up services;
- Laundry services;
- Restaurants for consumption off-premises;
- Supplies for life-sustaining businesses;
- Transportation;
- Home-based care and services;
- Professional services;
- Manufacturing, distribution, and supply chain for critical products and industries;
- Critical labor union functions;
- Hotels and motels;
- Funeral services;
- Firearms and ammunition sales.

A fulsome list of qualifying retail establishments is detailed in Executive Order 2020-246 dated March 22, 2020, with additional qualifying businesses described in Executive Order 2020-257. All non-life sustaining retail operations may continue to provide local delivery and curbside service of online or telephone order.

Minimum Basic Operations are those 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, facilitate telecommuting, and other related functions.

Social Distancing Requirements. Executive Order 2020-257 further requires that operating businesses follow social distancing and hygiene guidance from the CDC and the Kentucky Department for Public Health to the fullest extent possible. Social distancing and hygiene recommendations include:

- Ensuring physical separation of employees and customers by at least six feet when possible;
- Regular handwashing or access to hand sanitizer;
- Regular cleaning and disinfecting of objects and surfaces;
- Permitting remote work when feasible; and
- Encouraging any sick employees to leave the premises. The state strongly encourages employers to offer sick employees paid leave.

The Order suspends the enforcement of evictions for the duration of the State of Emergency under Executive Order 2020-215, and suspends all in-person government activities that are not necessary to sustain or protect life.


All prior orders remain in effect except to the extent that they conflict with Executive Order 2020-257.

Penalties. Any violation of these Orders is punishable under KRS Ch. 39A. Where penalties are not specifically provided for in an Order, violators shall be guilty of a Class A Misdemeanor. See K.R.S. Ch.
§ 39A.990. Executive Order 2020-257 notes that businesses engaged in the lawful sale of firearms and ammunitions which do not follow social distancing and hygiene guidance could be subject to business closure.

XIX. Louisiana (Statewide)

- Effective through April 30, 2020, **the nonessential businesses listed below shall be closed to the public and members.** [Louisiana Proclamation Number 41 JBE 2020 dated April 2, 2020.](#)
  - **Examples of nonessential businesses:** (i) Casinos, movie theaters, bars, bowling alleys, and fitness centers and gyms, (ii) restaurants, cafes, and coffees shops, which may operate through takeout, drive-through and delivery services only, (iii) places of public amusement, whether indoors or outdoors, including but not limited to, carnivals, amusement parks, aquariums, zoos, museums, playgrounds, theme parks, theaters or other similar business, (iv) personal care and grooming businesses, including but not limited to, barber shops, beauty/nail salons, spas, massage/tattoo parlors, and other similar businesses and (v) 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. [Id.](#)
  - Any business not covered by the CISA guidance and not ordered temporarily closed by this Order shall reduce operations to continue with minimum contact with members of the public and essential employees, while requiring proper social distancing. [Id.](#)

- Effective through April 30, 2020, all individuals within the state of Louisiana must **stay home** unless performing an essential activity. [Id.](#)
  - **Examples of essential activities:** (i) Obtaining goods necessary for the individual or a family member (**e.g.**, food, medicine), (ii) obtaining non-elective medical care and treatment, (iii) going to/from an individual’s workplace to perform a job function necessary to provide goods or services described in (i-ii) above, or as otherwise deemed essential worker functions in the CISA guidance (see Section I above), (iv) traveling to/from a place of worship or family member’s home and (v) outdoor activity (**e.g.**, running, biking), **provided** individuals maintain a distance of six feet from one another and abide by the ten-person limitation on gathering size. [Id.](#)
    - The ten-person limitation on gathering size applies only to gatherings in a single space at the same time where individuals will be in close proximity to one another. It does not apply to normal operations such as airports, medical facilities, office buildings, factories or manufacturing facilities, or grocery stores. [Id.](#)

- **Enforcement Actions:** The Governor's Office of Homeland Security and Emergency Preparedness is directed to ensure compliance with the Order, and is empowered to exercise all authorities pursuant to [La. R.S. 29:721](#), et seq., and [La. R.S. 29:760](#), et seq. [Id.](#)
XX. Maine (Statewide)

- Effective March 18, 2020, gatherings of more than ten people are prohibited. An Order to Protect Public Health Dated March 18, 2020.
  - Effective March 25, 2020, all non-essential businesses and operations must cease activities that allow in-person contact or are at sites that require more than ten workers to convene in a space where social distancing is not possible. Non-essential businesses and operations may continue activities that: (i) do not allow in-person contact; (ii) do not require more than ten workers to convene in a space where social distancing is not possible; and (iii) are facilitated to the maximum extent practicable by employees working remotely. See An Order Regarding Essential Businesses and Operations Dated March 24, 2020.

- Essential businesses and operations may continue their activities. Essential businesses and operations are those:
  - Identified in the federal government’s CISA memorandum, which is incorporated to the executive order by reference; and
  - In addition, include businesses and operations involved in food processing and agriculture; fishing and aquaculture; industrial manufacturing; construction and maintenance of essential infrastructure; trash collection; grocery and household goods; forest products; essential home repair; hardware and auto repair; pharmacy and other medical, psychiatric, and long-term care facilities; group homes and residential treatment facilities; biomedical, life science, behavioral health, health care, dental care, and long-term services and supports providers and organizations; child care providers; post offices and shipping outlets; banks and credit unions; gas stations; laundromats; veterinary clinics, animal welfare, and animal feed and supply stores; truck delivery and distribution of goods; public transportation; legal, business, professional, environmental permitting, and insurance services; hotel and commercial lodging; and all utilities. See id.

- Enforcement of the order is left to the government department that regulates licenses and permits for a given business or operation. A violation of the order may be considered a violation of a license or permit, and penalties should be assessed as such. Violation of the order may also be a Class E crime carrying a maximum penalty of a $1000 fine and/or up to 180 days in jail. See id.

- Restaurants and bars must close dine-in facilities, and may continue to offer carry-out, delivery, and drive through services. See An Order to Protect Public Health.

XXI. Maryland (Statewide)

- Effective April 18, 2020 at 7:00am, (i) riders and operators on public transit, taxis, and ride-sharing services are required to wear Face Coverings (excluding operators in a separate compartment that is off-limits to riders); (ii) all customers over the age of nine are required to wear Face Coverings while inside the enclosed area of any Retail Establishment or restaurant offering food on delivery, carry-out, or drive-through basis (“Foodservice Establishment”); (iii) adult customers accompanying children age two through nine shall use reasonable efforts to cause those children to wear Face Coverings while inside the
enclosed area of any Retail Establishment or Foodservice Establishment; (iv) staff at all Retail Establishments required to wear Face Coverings while working in areas open to the public and areas in which interactions with other staff are likely; and (v) staff at Foodservice Establishments who interact with customers (including delivery personnel) required to wear Face Coverings while working.

- “Face Covering” means a covering that fully covers a person’s nose and mouth, but is not a Medical-Grade Mask. The term “Face Covering” includes, without limitation, scarves and bandanas. “Medical-Grade Mask” means an N95, KN95, surgical, or other mask that would be appropriate for a health care setting.

- “Retail Establishments” means retail businesses, establishments, and facilities in Maryland, including: (i) grocery stores, convenience stores, farmer’s markets, and other stores engaged in retail sale of non-prepared food; (ii) pharmacies and other stores that sell medication or medical supplies; (iii) stores that sell supplies for household consumption or use, and/or products needed to maintain safety, sanitation, and essential maintenance of the home or residence; (iv) alcoholic beverage stores; and (v) laundromats.

- All Retail Establishments shall, in good faith and to the extent possible: (i) where any queue is expected to form, designate with signage, tape, or by other means at least six-foot spacing for persons in line; (ii) sanitize, or provide customers with means to sanitize, handles of carts/baskets available to customers; (iii) provide staff and customers with clean restrooms stocked with soap or sanitizer, and allow staff to wash their hands at least once every 30 minutes; and (iv) post signage at each entrance advising customers about requirement to wear Face Coverings.

- **Enforcement Actions:** A person who knowingly and willfully violates this order is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding $5,000 or both.

Effective April 5, 2020, the health officer of any Maryland county and the Commissioner of Health for Baltimore City are authorized and directed to issue orders as may be necessary to (i) require a business, facility, or construction site unable or unwilling to operate without posing an unreasonable risk of exacerbating spread of COVID-19 (e.g., through non-compliance with social distancing guidance) (each, an “Unsafe Facility”) to modify operations to comply with social distancing guidance, or (ii) designate all or part of the Unsafe Facility as a zone where occupancy and use of buildings may be controlled, and prohibit or limit movement of individuals and/or vehicles to or from the Unsafe Facility, including by closing the Unsafe Facility. Orders are enforceable even if the Unsafe Facility is an essential business. [Order of the Governor of Maryland Delegating Authority to Local Health Officials, dated April 5, 2020](#).

- **Enforcement Actions:** A person who knowingly and willfully violates this order is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding $5,000 or both.

- On April 5, 2020, the Secretary of Health of Maryland issued an order requiring nursing home facilities to direct all staff who interact with residents to wear personal protective equipment, create separate observation and isolation areas for residents, and expedite all testing through the

- Effective March 30, 2020 at 8:00pm, all persons living in the State of Maryland are ordered to stay in their homes or places of residences (“Homes”), except (i) to conduct or participate in Essential Activities; (ii) staff and owners of business and organizations that are not required to close pursuant to paragraphs IV or V of the order may travel between their Homes and those businesses and organizations and to and from customers for the purpose of delivery goods or performing services; and (iii) staff and owners of non-essential businesses may travel (a) between their Homes and those non-essential businesses for the purpose of engaging in Minimal Operations; and (b) to and from customers for the purpose of delivering goods. Order of the Governor of Maryland to Stay at Home, dated March 30, 2020.

- **Essential Activities means:** (i) Obtaining necessary supplies or services for one’s self, family, household members, pets, or livestock, including, without limitation: groceries, supplies for household consumption or use, supplies and equipment needed to work from home, laundry, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence; (ii) Engaging in activities essential for the health and safety of one’s self, family, household members, pets, or livestock, including such things as seeking medical or behavior health or emergency services, and obtaining medication or medical supplies; (iii) Caring for a family member, friend, pet, or livestock in another household or location, including, without limitation, transporting a family member, friend, pet, or livestock animal for essential health and safety activities, and to obtain necessary supplies and services; (iv) Traveling to and from an educational institution for purposes of receiving meals or instructional materials for distance learning; (v) Engaging in outdoor exercise activities, such as walking, hiking, running, or biking, but only in compliance with paragraph III below and applicable social distancing guidance published by the U.S. Centers for Disease Control and Prevention (“CDC”) and the Maryland Department of Health (“MDH”); (vi) Travel required by a law enforcement officer or court order; or (vii) Traveling to and from a federal, State, or local government building for a necessary purpose. *Id.*

- **Closure of Certain Specific Businesses, Organizations, and Facilities, including:** (i) senior citizen activities centers; (ii) restaurants and bars (not including take-out or drive-through or delivery); (iii) fitness centers; (iv) theaters; (v) malls; (vi) other recreational establishments including bingo halls, bowling alleys, pool halls, amusement parks, roller and ice skating rinks, all golf courses, social and fraternal clubs, campgrounds and any other establishment not listed that is subject to the admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code; and (vii) tattoo parlors, tanning salons, barber shops and beauty salons.

- **This order does not require the closure of, or prohibit the movement of any staff or value** traveling to, from or in connection with their duties at any: (i) federal, State, or local government unit, building, or facility; (ii) any newspaper, television, radio or other media service; or (iii) any non-profit organization or facility providing essential services to low-income persons, including, without limitation, homeless shelters, food banks and soup kitchens.

- Gatherings larger than 10 persons are prohibited: social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events (“large 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. Planned large gatherings and events must be canceled or postponed until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded. *Id.*

- Effective March 19, 2020, access to Baltimore-Washington International Marshall Airport is restricted to ticketed passengers and badged employees. [Governor Hogan Announces Further Actions to Slow Spread of COVID-19](https://www.gohogan.org/newsroom/2020/03/19/announcements/)
  - Individuals must also stay off public transit (MARC train, Metro, Amtrak train or a bus or any other transportation), which is reserved for emergency personnel, front-line health-care providers and workers providing essential supplies and services. *Id.*

- **Enforcement Actions:** A person who knowingly and willfully violates this order is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding $5,000 or both.

XXII. Massachusetts (Statewide)

  - **Essential Services include** the workforces engaged and working in the below production and service sectors. This list is based on federal CISA guidance, but is tailored to reflect Massachusetts’ economy:
    - (i) Health care/public health/human services, including for example workers providing COVID-19 testing and clinical research needed for COVID-19 response, medical professionals, caregivers, and personnel for hospitals, laboratories, and other medical facilities, workers that manage health plans, billing, and health information, who cannot work remotely, workers providing security, incident management, and emergency operations for health care facilities that cannot work remotely, manufacturers, technicians, distributors, and others in supply chain of medical equipment, personal protective equipment, medical gases, pharmaceuticals, and cleaning supplies, manufacturer workers for health manufacturing (including pharmaceutical research and development); (ii) law enforcement, public safety, and first responders; (iii) food and agriculture; (iv) energy, including electricity, petroleum, natural gas/propane, and steam; (v) water and waste water; (vi) transportation and logistics; (vii) public works and infrastructure support services; (viii) communications and information technology; (ix) community or education based essential functions and government operations, including scientific researchers in higher education; (x) critical manufacturing; (xi) hazardous materials; (xii) financial services; (xiii) chemical; (xiv) defense industrial base; (xv) commercial facilities,
including workers supporting ecommerce through distribution, warehouse, call center facilities, and other essential operational support functions; (xvi) residential/shelter facilities and services; (xvii) hygiene products and services; and (xviii) construction-related activities. Massachusetts Guidance on COVID-19 Essential Services.

- Businesses with functions which are not covered in the list of Essential Services, but believe they are essential, may request a designation as such here. Questions related to businesses affected by this order can be sent to: covid19.biz@mass.gov.

  - Restaurants and bars may continue to operate on a takeout/delivery basis only. See COVID-19 Order No. 13 dated March 23, 2020

  - Gatherings of more than ten people are prohibited throughout the Commonwealth. Gatherings include any civic, leisure, sporting, or faith-based event, conferences, weddings, or any similar activity that brings together more than ten persons in any confined indoor or outdoor space.

    - Does not apply to operations/activities of any organization in its provision/delivery of Essential Services, any municipal legislative body, or operation of any child care facility. Id.

    - Enforcement Actions: The Order will be enforced by the Dept. of Public Health with the assistance of State or local police, if necessary. Violators may be subject to criminal penalty of imprisonment of not more than one year, a fine of not more than $500, or both, or a civil fine of up to $300 per violation. Id.

    - Boston

      - Effective March 17, 2020, construction work suspended unless “essential work,” which includes emergency utility, road or building work (e.g., gas/water leaks); new utility connections to occupied buildings; mandated building or utility work; work at public health facilities, including health care facilities and shelters; work that ensures reliability of transportation network; and other work necessary to render occupied residential buildings fully hospitable. City to review requests for exceptions on case-by-case basis. Employees should maintain necessary crews to keep sites safe and secure, prevent materials from blowing away, and prevent trespassing. Work must be complete by March 23, 2020. City of Boston order.

      - Effective April 5, 2020, Boston residents and visitors are advised to stay at home between the hours of 9pm and 6am unless they are actively providing or receiving COVID-19 essential services. See Advisory of the Boston Public Health Commission Dated April 5, 2020.

XXIII. Michigan (Statewide)

  - Stay Home, Stay Safe. Effective March 24 through May 15, 2020, with the exceptions as outlined below, all individuals currently living within the State of Michigan are ordered to stay at home or at their place of residence. The latest order permits businesses to resume certain activities, which are summarized in detail below. See Michigan Executive Order 2020-59 (COVID-19) dated April 23, 2020.
Exceptions. Individuals may leave their residence and travel as necessary to: (i) do outdoor physical activity (i.e., running, cycling) while remaining at least six feet from others; (ii) perform their jobs as critical infrastructure workers (as described in the CISA Guidance, see I. Federal, above) after being so designated by their employers; (iii) conduct Minimum Basic Operations, after being designated to perform such work by their employers; (iv) perform necessary government activities; (v) perform tasks that are necessary to their health and safety or that of household members (i.e., get healthcare, medicine); (vi) obtain necessary services or supplies (i.e., groceries, gasoline, medical supplies); (vii) care for a family member or other vulnerable persons; (viii) visit an individual under the care of a health care facility; (ix) attend legal proceedings for essential or emergency purposes as ordered by a court; (x) work or volunteer to provide food, shelter, and other necessities for disadvantaged individual; (xi) to return to their residence; (xii) to attend a funeral provided that there are no more than 10 individuals in attendance; and (xii) as required by law.

Social Distancing. All individuals who leave their residence must adhere to social distancing measures recommended by the Centers for Disease Control and Prevention, including remaining at least six feet from others to the extent feasible under the circumstances.

All businesses maintaining in-person activities must adopt social distancing practices to the maximum extent possible, as well as other mitigation measures, outlined in Section 10 of Executive Order 2020-42.

Essential Businesses. 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, to conduct Minimum Basic Operations, or to perform a resumed activity as outlined below.

Workers who are necessary to sustain or protect life are defined as “critical infrastructure workers,” as described in the CISA Guidance, as well as:

- (i) Child care workers serving the children or dependents of any workers performing critical infrastructure work or who are otherwise necessary to conduct basic minimum operations for their employer; (ii) essential workers at suppliers, distribution centers, and service providers whose continued operation is necessary to facilitate critical infrastructure work; (iii) workers in the insurance industry to the extent their work cannot be performed remotely; (iv) workers and volunteers for businesses or operations that provide food, shelter, and other necessities for individuals in need; (v) workers who perform critical labor union functions to the extent these functions cannot be performed remotely; (vi) workers at retail stores which sell products necessary to maintain the safety, sanitation, and basic operation of residences; (vii) workers at laundromats, coin laundries, and dry cleaners; (viii) workers at hotels and motels provided that the hotel or motel does not offer amenities where individuals may gather (e.g., a gym, dining, conference rooms, etc.); and (ix) workers at motor vehicle dealerships who are necessary to facilitate remote and electronic sales or leases or to deliver motor vehicles to customers.
- **Minimum Basic Operations.** 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 (i.e., payroll, 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 in writing.

- **Resumed Activities.** Workers who perform resumed activities are those who (i) process or fulfill remote orders for goods for delivery or curbside pick-up; (ii) perform bicycle maintenance or repair; (iii) are employed at garden stores, nurseries, lawn care, pest control, and landscaping operations, (iv) are maintenance workers and groundskeepers necessary to maintain the sanitation of places of outdoor recreation; and (v) work for moving or storage operations. These operations are subject to heightened hygiene and social distancing measures, as outlined in the Order.

- **Enforcement:** A willful violation of the order is a misdemeanor.
  - **School Closures.** In-person K-12 instruction has been suspended for the remainder of the 2019-2020 school year. The governor has further suspended rules and procedures of the School Aid Act in order to facilitate alternative education programming. See [Michigan Executive Order 2020-35 dated April 2, 2020](#).

XXIV. Minnesota (Statewide)

- **Return to Work.** Beginning April 27, non-customer-facing workers for Non-Critical Exempt Businesses may return to work, so long as their employer fulfills certain requirements. [Executive Order 20-40, dated April 23](#).
  - Non-Critical Exempt Businesses are (i) industrial and manufacturing businesses, including wholesale trade and warehousing (this category does not include customer-facing retail environments associated with an industrial or manufacturing business in this category), and (ii) office-based businesses where workers do their work within an office space, at their desk, and their work is primarily not customer facing.
  - Requirements: All Non-Critical Exempt Businesses must develop a plan for employees to come back to work, which ensures that sick workers remain home and social distancing in the workplace is maintained. However, “all workers that can work from home must [continue to] do so.” Additional specific guidance on the plan requirements can be found [here](#).

- Effective March 27 at 11:59pm, and through May 3 at 11:59pm, all Minnesota residents must stay at home. [Emergency Executive Order 20-20 Directing Minnesotans to Stay at Home, dated March 25, 2020; Emergency Executive Order 20-33 Extending Stay at Home Order and Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation, dated April 8, 2020](#). Residents may only leave their homes in order to perform certain activities and critical sector work.
Exempt Activities. Minnesotans may leave their homes in order to obtain necessary supplies such as medicine and food, seek medical services, donate blood, take walks outside, care for others, or travel to perform critical sector work.

Critical Sector. All workers, even those in critical sectors, must work from home if they are able to do so. Critical Sectors workers are permitted to travel to and from work, and to transport children to and from child care or school settings. Critical Sector workers include those defined in updated CISA guidance (see Section I, above), in addition to the categories listed below. Periodic updates on what constitutes Critical Sector work are available here.

- (i) Health care services including reproductive health care, childbirth services, mental health care, and substance use treatment; (ii) workers supporting manufacturers and distributors of personal care, hygiene, and healthcare products; (iii) workers providing home-based care, (iv) animal control officers, animal shelters, and veterinarians; (v) workers who support electronic security and life-safety services; (vi) those who perform work related to residential wells and septic tanks, and who supply bottled water or home filtration systems in areas where that is a health necessity; (vii) transportation services, including construction and maintenance, bicycle shops, and car sales necessary for essential travel; (viii) construction, construction material suppliers, and other critical trades; (ix) all workers who support news services; (x) election workers; (xi) workers performing government functions necessary to ensure the health, safety, and welfare of the public, to preserve the essential elements of the financial system of government; (xii) tribal governments and essential staff in the judicial, executive, executive constitutional, and legislative branches of government; (xiii) faith workers; (xiv) child care providers, (xv) K-12 and post-secondary educators; (xvi) hotels, (xvii) emergency shelters and certain social service organizations, (xviii) essential legal services, workers who facilitate and finance real estate services, and notaries performing services that cannot be deferred, (xix) critical labor union functions; and (xx) laundry services and essential supply stores.

Effective April 18 at 5 p.m. through May 3 at 11:59 p.m., certain outdoor recreational facilities are designated critical sector. Emergency Executive Order 20-38 Allowing for Safe Outdoor Recreation, dated April 17, 2020. However, all indoor facilities associated with these outdoor recreational facilities must remain closed except to the extent necessary to facilitate outdoor recreation. These facilities include: State- and locally-managed recreational lands; state, regional, or local public water accesses; marinas and docks; golf courses; off-highway vehicle, snowmobile, and watercraft repair shops by appointment only; lake service providers; bait shops; outdoor shooting ranges; or any other outdoor recreation facilities so designated in the Outdoor Recreation Guidelines.

All work should be done “to the maximum extent possible” in adherence to the Minnesota Occupational Safety and Health Standards and the Minnesota Department of Health and CDC Guidelines related to COVID-19.

It is recommended that employers (i) implement social distancing measures by increasing physical space between workers at the worksite, staggering work schedules, decreasing social contacts in the workplace, and limiting non-essential work travel; (ii) consider conducting regular health checks of staff and visitors entering buildings; (iii) require ill workers to stay home; (iv) encourage
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personal protective measures among staff; (v) disinfecting frequently touched surfaces daily; and (vi) ensure hand hygiene supplies are readily available. Minnesota Department of Health COVID-19 Guidance for Employers and Employees.

- **Enforcement.** Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates this Executive Order 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 90 days.

- **Declaration of Peacetime Emergency.** On April 13, the Declaration of Peacetime Emergency was extended to May 13, 2020. [Executive Order 20-35, dated April 13, 2020](#).

- **School Closures.** Schools are closed to students from March 18 through the end of the 2019-2020 school year. [Emergency Executive Order 20-02 Directing the Commissioner of Education to Temporarily Close Schools, dated March 15, 2020](#); [Emergency Executive Order 20-19 Directing the Commissioner of Education to Implement a Distance Learning Period, dated March 25, 2020](#); [Emergency Executive Order 20-41, dated April 23](#).

XXV. Mississippi (Statewide; Oxford)

- **Statewide**

  - Effective April 24, 2020, businesses are generally allowed to reopen (so long as they comply with social distancing requirements), with some exceptions, [Executive Order No. 1477](#):

    - All businesses are encouraged to continue utilizing telework and work-from-home procedures if possible.
    - Retail businesses must limit the number of customers in their stores at any given time to 50% capacity.
    - Restaurants and bars are still limited to drive-thru, curbside, or delivery service.
    - Fitness studios and gyms and other personal care and personal grooming facilities must remain closed (other than for drive-thru, curbside, or delivery services).
    - Healthcare professionals can resume performing certain non-emergent, elective medical procedures and surgeries.
    - Counties and municipalities are allowed to issue stricter local orders, so long as those orders do not impose restrictions that prevent Essential Business Operations.

- Effective on March 19, 2020, public schools shall be closed through April 17, 2020. [Executive Order No. 1460, dated March 19, 2020](#).

- **Oxford**
Effective on March 22, 2020, for a period of fifteen days, all non-essential businesses must close to the public. Essential businesses that are not required to close include: (i) city government services; (ii) hospitals and healthcare operations; (iii) gas stations, (iv) drug stores and pharmacies; (v) food services; (vi) hardware stores; (vii) security companies; (viii) businesses providing services necessary to maintain the safety, sanitation and essential operation of residents; (ix) banks; (x) community benefit organizations; (xi) laundry services; and (xii) professional services which service companies and individuals who are essential businesses. Second Emergency Resolution by the City of Oxford.

Enforcement: Violations of this order are punishable by the penalties laid out in Chapter 1, Code of Ordinances of the City of Oxford, Mississippi—General Provisions, including a fine of up to $50 or imprisonment of up to 30 days. Id.

XXVI. Missouri (Statewide)

- Effective March 23 through April 6, 2020, the Director of the Department of Health and Senior Services has ordered that every person in Missouri shall avoid social gatherings of more than ten people, and shall avoid eating or drinking at restaurants or bars (although drive-thru, pickup and delivery options are allowed). See Missouri DHSS Order dated March 21, 2020

- Schools shall be closed and people shall not visit nursing homes, long-term care facilities or retirement homes. Id.

- This order does not prohibit people from visiting grocery stores, gas stations, parks, and banks, so long as necessary precautions are taken and maintained to reduce transmission of COVID-19, including maintaining at least six feet of distance between all individuals that are not family members. Id.

- For offices and workplaces that remain open, individuals shall practice good hygiene and, where feasible, work from home. Id.

- Effective April 6 through May 3, 2020, all individuals shall avoid leaving their homes. See Missouri DHSS Order dated April 3, 2020, as extended by Missouri DHSS Order dated April 16, 2020

  - When individuals leave their homes for food, health care, or other necessities, they should practice social distancing. Id.

  - This order does not prohibit people from accessing essential services, such as grocery stores. Id.

- Any entity that does not employ individuals performing essential worker functions as set forth in the CISA Guidance shall adhere to the following limitations on social gatherings and social distancing:

  - All individuals shall avoid social gatherings of more than 10 people. Id.

  - Social Distancing Requirements: every person and business shall abide by social distancing requirements, including maintaining six feet of space between individuals. Id.
• This provision does not apply to individuals performing essential worker functions identified in the CISA list. Id.

  o **Enforcement:** Local and state health authorities shall enforce the order. Id.

    o On April 17, the Governor introduced the “Show Me Strong” Recovery Plan to safely and gradually reopen the state’s economy starting May 4th, once the stay at home order has expired. See Missouri Governor Press Release, dated April 17, 2020

XXVII. Montana (Statewide)

  o Effective March 12, 2020 and running concurrent with President Trump’s national declaration of a state of emergency, there is a state of emergency declared in Montana. See Executive Order No. 2-2020 dated as of March 12, 2020 and Executive Order No. 3-2020 dated as of March 13, 2020.

  o Until the end of the emergency, visitation in nursing homes is suspended for all visitors and non-essential healthcare providers, except for end of life care, in which case visitors must be screened. All nursing homes must follow this guidance from the Centers for Medicare and Medicaid Services. See Directive dated as of March 15, 2020; See also Phase One Reopening Directive dated April 22, 2020.

  o Effective March 20 through the end of the emergency, all of the following **must remain closed to the public:** Gyms, pools and hot tubs and places of assembly (e.g., movie and performance theaters, bowling alleys, etc.). See Phase One Reopening Directive dated April 22, 2020.

  o Effective through April 26, 2020, non-essential social and recreational gatherings outside of a residence, regardless of size, are prohibited if a distance of six feet between individuals cannot be maintained. See Directive dated as of March 26, 2020; as extended by Directive dated as of April 7, 2020; See also Phase One Reopening Directive dated April 22, 2020.

     Effective April 26, 2020, the individual Stay at Home Directive is lifted. Vulnerable individuals should continue to follow the stay at home guidance, and members of households with vulnerable individuals should take precautions to isolate from vulnerable individuals if resuming public activities. See Phase One Reopening Directive dated April 22, 2020.

  o Effective March 28 through April 26, 2020, **all individuals must stay at their place of residence** to the greatest extent possible, except while performing Essential Activities or Essential Business and Operations. Id; as extended by Directive dated as of April 7, 2020; See also Phase One Reopening Directive dated April 22, 2020.

     **Essential Activities** include: (i) performing tasks necessary to health and safety of one’s self or household member; (ii) obtaining necessary services or supplies (e.g., groceries or household consumer products); (iii) engaging in outdoor activities consistent with Social Distancing Requirements (e.g., running or biking); (iv) to work at an Essential Business or Operation or perform Minimum Basic Operations; (v) to take care of or transport a family member, friend or pet. Id.
Effective March 28 through April 27, 2020, all non-essential businesses must close their in-person operations, except for minimum basic operations. Following April 27, all distinction between essential and non-essential businesses cease, and only businesses specifically ordered to remain close must do so. *Id*; as extended by [Directive dated as of April 7, 2020; See also Phase One Reopening Directive dated April 22, 2020.*

- Following April 27, employers should continue to encourage telework wherever possible, and are encouraged to accommodate alternative in-person work arrangements (e.g., staggered schedules) to adhere to social distancing guidelines. Employers should close common areas where employees are likely to congregate and enforce strict social distancing protocols. *See Phase One Reopening Directive dated April 22, 2020.*

  - Businesses that reopen must adhere to the guidelines in *Appendix A.* *Id.*

- Effective April 27, **Main Street and retail businesses** may become operational with reduced capacity and where strict physical distancing protocols can be maintained. *Id.*

- **Outdoor recreation** may become operational if sites adhere to strict physical distancing between groups and exercise frequent sanitation protocols. *Id.*

- Effective May 4, 2020, **restaurants, bars, breweries, distilleries, and casinos** can become operational, if they comply with strict physical distancing and reduced capacity protocols. *Id.*

- **Essential Businesses and Operations** include: (i) Healthcare and Public Health Operations; (ii) Human Services Operations; (iii) Essential Infrastructure (e.g., food production and distribution, construction, building management and maintenance, utilities, transit infrastructure, etc.); (iv) Government Functions; (v) stores that sell groceries and medicine; (vi) food and beverage production and agriculture; (vii) organizations that provide charitable and social services; (viii) media; (ix) gas stations and businesses needed for transportation; (x) financial and real estate services and institutions; (xi) hardware and supply stores; (xii) critical trades; (xiii) mail, post, shipping, logistics, delivery, and pick-up services; (xiv) educational institutions; (xv) laundry services; (xvi) laundry services; (xvii) restaurants for consumption off-premises; (xviii) businesses selling supplies to work from home; (xix) businesses selling, supplying or manufacturing supplies for Essential Businesses and Operations; (xx) transportation; (xxi) home-based care and services; (xxii) residential facilities and shelters; (xxiii) professional services; (xxiv) manufacture, distribution and supply chain for critical products and industries; (xxv) critical labor union functions; (xxvi) hotels and motels; and (xxvii) funeral services. *Id.*

  - This list of Essential Businesses and Operations is meant to encompass the workers identified in the CISA Memorandum on Critical Infrastructure Workers. *Id; See also L. Federal (above)*

  - **Minimum Basic Operations** includes the minimum necessary activities to maintain the value of a business’s inventory, plant or equipment, ensure security, process payroll and employee benefits, or facilitate other employees’ work from home. *Id.*
Essential Businesses and Operations must comply with Social Distancing Requirements to the greatest extent feasible.

- Effective March 30 through May 24, 2020, there may be no actions for termination of a tenancy, possession or rent of a residential dwelling tenancy and no writ, judgment or order requiring a tenant vacate such premises will be enforced. These protections shall continue for vulnerable individuals who are required to remain sheltered at home pursuant to the Phase One Reopening Directive until the earlier of: (i) the end of the emergency or (ii) the date the vulnerable individual ceases to shelter at home. See Directive dated as of March 30, 2020; as extended by Directive dated as of April 7, 2020; See also Phase One Reopening Directive dated April 22, 2020.

- Landlords may not refuse to renew or extend the terms of a residential tenancy on at least a month-to-month basis, (ii) charge late fees, penalties or interests based on late or nonpayment of rent; (iii) increase the amount of rent payable under a rental agreement; (iv) request suspension of utilities provided to a tenant based on nonpayment; or (v) report a tenant to a credit bureau for nonpayment of a financial obligation. Id.

- Directive does not apply to evictions based on grounds other than late or nonpayment of obligations under a rental agreement, such as damage or illegal activity. Id.

- This prohibition on residential evictions will apply when one of the following circumstances exist and is documented by a tenant to the landlord or property owner: (i) a tenant is required to be quarantined based on a COVID-19 diagnosis; (ii) a tenant is required to self-quarantine based on a Directive of the Governor, advice of a healthcare provider, advice or directive of a state or local health authority or law enforcement officer, or where the tenant has reason to believe that self-quarantine is in the best interest of the public due to an exposure or high-risk activity; (iii) a tenant is over 65 or has any health condition that carries enhanced risk for COVID-19; (iv) a tenant suffers a substantial loss of income from COVID-19, including job loss, reduction in compensation, closure of place of employment, obligation to be absent from work to care for home-bound school children, or other pertinent circumstances. See Directive dated as of April 13, 2020.

- A landlord is prohibited from interpreting a health and safety provision of a contract to include COVID-19 as a reason for termination of a lease or rental agreement. A landlord may not terminate a lease or rental agreement based on information provided by a tenant to satisfy a notice requirement as provided above. Id.

- Effective March 30 through May 24, 2020, there may be no involuntary sale of residential real property (meaning a structure with one to four family housing units, or individual units of condominiums of cooperatives) or action for foreclosure of a mortgage or other lien on residential real property, nor may any writ, judgment or order directing the surrender or sale of such premises be enforced. See Directive dated as of March 30, 2020; as extended by Directive dated as of April 7, 2020; See also Phase One Reopening Directive dated April 22, 2020.
o Effective March 30 through May 24, 2020 no business or political subdivision supplying utilities or internet services for use in a dwelling unit or residence may terminate that service nor charge late fees or penalties. Id; See also Phase One Reopening Directive dated April 22, 2020.

o Effective March 30 through April 24, 2020 any person coming to Montana from another state or country for a non-work-related must immediately self-quarantine for 14 days. This applies retroactively to anyone who arrived in Montana prior to the effective date of this order. Exempt from the order are persons merely passing through Montana or to healthcare or public safety workers. See Directive dated as of March 30, 2020; as extended by Directive dated as of April 7, 2020; See also Phase One Reopening Directive dated April 22, 2020.

o Enforcement: all directives issued under Executive Orders 2-2020 and 3-2020 are enforceable as public health laws by the state Attorney General, DPHHS, or a county attorney. See Directive dated as of March 24, 2020.

XXVIII. Nebraska (Statewide)

o With the exception of food and alcohol service establishments, as well as certain businesses qualifying as gatherings of 10 or more individuals (see below), a majority of businesses in Nebraska are not currently subject to any COVID-19-related mandates concerning their operations or hygiene practices.

- In a Facebook Live Event on March 25, 2020, Governor Ricketts encouraged businesses to take the following steps: (i) increase takeout and delivery services; (ii) provide additional phone and online services; (iii) conduct business remotely whenever possible; (iv) monitor health of employees; (v) implement measures or guidance enabling employees and customers to maintain personal separation; (vi) limit the number of customers permitted on the premises at any given time; and (vii) offer gift cards worth more than purchase price which must be used after a certain date, to increase cash flow.

o On April 10, 2020, the Nebraska Department of Health and Human Services issued Directed Health Measure Order 2020-010, extending the following mandates to all 93 counties:

- Individuals who have tested positive for COVID-19, who exhibit two or more symptoms of the disease, or who reside with anyone who has tested positive or who is exhibiting two or more symptoms must self-quarantine at home for 14 days.

- Gatherings of more than 10 individuals in the same space at the same time are prohibited. This includes any event or convening that brings together more than 10 patrons, customers, or other invitees, excluding staff, including but not limited to pre-schools, daycare facilities (including in-home facilities), gymnasiums, salons, fitness centers, auditoriums, stadiums, large event conference rooms, meeting halls, theaters, libraries, or any other confined indoor or outdoor space. This further includes social gatherings such as weddings, funerals, parades, fairs, festivals, concerts, and other events.

- A gathering does not include: (i) normal operations at airports, bus and train stations; (ii) health care facilities; (iii) shopping malls and center; (iv) spaces where ten or more
persons may be in transit; (v) typical office environments, factories, or retail or grocery stores; (vi) events at which members of the media may need to be present; (vii) courts of law; (viii) public utilities; (ix) state, county, and city operations; (x) election offices and polling places on election day; (xi) logistics and distribution centers; and (xii) family residences housing ten or more people.

- The foregoing businesses are directed to use heightened, diligent and effective disinfection of exposed surfaces per the directions of the Nebraska Department of Health and Human Services, the CDC and the EPA.

- **School Closures.** Effective immediately through May 31, 2020, all schools are ordered to cease in-person instruction and all extra-curricular activities except for the following services, which may be continued as necessary: (i) remote learning; (ii) child care services; (iii) meal distribution; (iv) distribution of educational materials and supplies; (v) general building or physical plant operations and maintenance; and (vi) residential services.

- **Liquor, beer, and wine sales** are restricted to carry-out sales and delivery only, to the extent permitted by law. On-site consumption of alcohol is prohibited.

- **Food and beverage sales** at any dine-in establishments are restricted to drive-through, carry-out, and delivery only. Lines for carry-out and drive-through must maintain social distancing (i.e. six feet away from other persons) for patrons and staff whenever possible.

- **Elective surgeries** and procedures (e.g., any medical or dental procedure scheduled in advance because it does not involve a medical emergency) are prohibited. Surgeries or procedures that do not need to be performed immediately but which must be done to preserve the patient’s life or physical health are allowed by a case-by-case determination of the medical provider.

- This Order is effective immediately and shall remain in effect until the following dates:
  - April 30, 2020 for Cass, Douglas, and Sarpy counties;
  - May 6, 2020 for Burt, Butler, Cuming, Dodge, Hall, Hamilton, Lancaster, Madison, Merrick, Polk, Saunders, Seward, Stanton, Washington, and York counties; and

- **Penalties.** Failure to comply with this Order will result in unspecified legal action for enforcement by civil and/or criminal remedies.
XXIX. Nevada (Statewide)

- Effective March 31 through April 30, 2020, all Nevadans are ordered to stay in their residences. See Nevada Declaration of Emergency Directive 010 Stay at Home Order dated March 31, 2020.
  - Individuals may leave their homes to provide services, perform work necessary, or obtain services from Essential Healthcare operations. Id.

- Individuals may leave their homes to provide services or perform work necessary to the operations of Essential Infrastructure operations and Essential Licensed Businesses. Id.

- On April 21, Governor Sisolak announced that there is no firm date as to when the state will reopen. See Governor Sisolak Press Conference on April 21, 2020. The Governor stated that reopening of Nevada depends on expanded testing and tracing “in excess of what is currently possible.” He noted that Nevada is in “phase zero” under the White House recommendations and will need to find a downward trajectory of COVID-19 cases, decreased hospitalizations over a 14-day period, and decline in percentage of people testing positive. Id.
  - The Governor also announced that schools will be closed for the rest of the school year. Id.

  - Essential Licensed Businesses, including but not limited to, healthcare providers, veterinary services, grocery stores, pharmacies, financial institutions, hardware stores, convenience stores, security services, and gas stations, are encouraged to continue operations, but must adopt COVID-19 risk mitigation measures. Id.
  - Food establishments shall only serve customers through take-out, drive-through, curbside pickup, or delivery, and shall adopt COVID-19 risk mitigation policies. Id.

- The construction, mining, manufacturing, and infrastructure sector labor forces may continue operations, but shall maintain strict social distancing practices to facilitate a minimum of six feet of separation between workers. This social distancing restriction shall not be construed to supersede any safety practices imposed on the industry by state or federal law. Id.

- This Directive shall not be construed to hinder the ability of the industries identified in the CISA memorandum dated March 19, 2020 to continue their operation appropriately modified to account for CDC guidance. Id.

- Businesses not delineated in the Directive may continue operations if they are able to implement social distancing safeguards for the protection of their employees. Id.

- Businesses that do not comply, after receiving written notice from law enforcement, may be subject to criminal prosecution and civil penalties under NRS 202.595, NRS 202.450, and any other applicable statutes, ordinances or regulations. Id.
Effective March 16, 2020, K-12 schools will be cancelled until April 6, 2020, and social distancing guidelines must be followed (6 feet of social distancing per person for non-family members should be maintained). Nevada COVID-19 Mitigation Press Release.

- All non-essential gatherings should be postponed or cancelled (e.g., consider postponing celebrations, faith leaders should try to find ways to deliver to congregations without bringing them together in person).

Effective March 18, 2020, all casinos, gaming machines, devices, tables, games and any equipment related to gaming activity will be shut down.

Other non-essential businesses like beauty shops, nail, tanning and waxing salons, bars, movie theaters, gyms, auditoriums, stadiums, arenas, larger conference rooms, meeting halls, and cafeterias will be closed for 30 days; restaurants can only offer drive-thru, takeout or delivery.

- Order does not apply to essential services such as police, fire departments, transit, grocery stores, hospitals, pharmacies, drug and convenience stores, banks and financial institutions, hardware stores and gas stations. Grocery stores should consider special hours for the vulnerable populations.

McCarran International Airport will also remain open. Id.

Effective March 24 through April 16, 2020, the Nevada public shall not gather in groups of ten or more. See Nevada Declaration of Emergency Directive 007 dated March 24, 2020.

- The Nevada general public shall, to the extent practicable, abide by social distancing practices by maintaining a minimum six-foot distance between persons. Id.

XXX. New Hampshire (Statewide)

Effective March 27, 2020, all businesses and organizations that do not provide Essential Services shall close their physical workplaces and facilities to workers, customers, and the public and cease all in person operations. Emergency Order 17 Pursuant to Executive Order 2020-04 Dated March 26, 2020.

Essential services include (i) law enforcement, public safety, and first responders; (ii) food and agriculture; (iii) health care, public health, and human services; (iv) energy, including the electricity industry, petroleum workers, natural and propane gas workers, and steam workers; (v) waste and wastewater; (vi) transportation and logistics; (vii) public works; (viii) communications and information technology; (ix) other community-based essential functions; (x) manufacturing; (xi) hazardous materials; (xii) financial services; (xiii) chemical; (xiv) defense industrial base; (xv) real estate transactions, agents, and brokers; and (xvi) other retail for curbside pickup and delivery. See Exhibit A to Emergency Order #17.

Scheduled gatherings of ten people or more are prohibited. See Emergency Order #16 Pursuant to Executive Order 2020-04 Dated March 23, 2020.
XXXI. New Jersey (Statewide)

- Effective March 21, 2020 at 9:00pm, until revoked or modified by the Governor, all New Jersey residents shall remain home or at their place of residence. All gatherings of individuals (i.e., celebrations, events, etc.) are cancelled unless otherwise authorized by the Order. See Executive Order 107 dated March 21, 2020.
  - Exceptions to the stay at home order include (i) obtaining goods or services from essential retail businesses (as described in paragraph 6 of Executive Order 107); (ii) obtaining takeout food or beverages from restaurants, other dining establishments, or food courts (pursuant to paragraph 8 of Executive Order 107); (iii) seeking medical attention, essential social services, or assistance from law enforcement or emergency services; (iv) visiting family or other individuals with whom the resident has a close personal relationship; (v) reporting to, or performing, their job; (vi) 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 6 feet apart); (vii) leaving the home for an educational, religious, or political reason; (viii) leaving because of reasonable fear for his or her health or safety; or (ix) leaving at the direction of law enforcement or other government agency.
  - When in public, individuals must practice social distancing and stay 6 feet apart whenever practicable, excluding immediate family members, caretakers, household members, or romantic partners. Id.
  - Individuals who travel pursuant to the exceptions listed above should only use public transportation if they have no other feasible choice; individuals who ride public transportation should abide by best social distancing practices. Id.

- The brick-and-mortar premises of all non-essential retail businesses must close to the public as long as Executive Order 107 remains in effect. Id.
  - Essential retail businesses, as fully described in Executive Order 107, are excluded from this directive and may remain open during their normal business hours Id.
  - Examples of essential businesses include: grocery/food stores, pharmacies, medical supply stores, retail functions of gas stations, convenience stores, healthcare facilities and 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 5 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.
- Effective April 10, 2020 until revoked, Essential Retail Businesses permitted to maintain in-person operations under Executive Order 107 must adopt policies which, at a minimum: (a) limit occupancy of store to 50% of stated maximum store capacity; (b) establish hours permitting store access solely to high-risk individuals, wherever possible; (c) establish a physical barrier (e.g., shield guard) between customers and cashiers/baggers, wherever feasible; (d) require infection control practices; (e) provide employees break time for repeated hand washing; (f) arrange for contactless payment, pickup, or delivery options wherever possible; (g) provide sanitization materials to staff and customers; (h) require frequent sanitization of high-touch areas; (i) place conspicuous signage alerting staff and customers of six-foot physical distance requirement; (j) demarcate six feet of spacing in checkout lines; (k) require workers and customers to wear cloth face coverings and gloves except where doing so would inhibit the individual’s health—businesses must, at their expense, provide such face coverings and gloves to employees. See Executive Order 122 dated as of April 8, 2020.

- All restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, all bars and all other holders of liquor license with retail consumption privileges, are permitted to operate normal business hours, but are limited to offering only food delivery and/or take-out services in accordance with their existing liquor licenses. Id.

- Effective 8:00pm on April 13 until revoked, all such facilities must adopt mitigation policies which, at a minimum, include measures such as: (a) limiting occupancy to 10% of stated maximum, wherever feasible; (b) ensuring six feet of distance between workers and customers; (c) providing sanitization materials to staff; (d) providing at the business’s expense and requiring workers to wear cloth face coverings and gloves while on the premises. See Executive Order 125 dated as of April 11, 2020.

- All recreational and entertainment business, including but not limited to the following list, must close to the public as long as Executive Order 107 remains in effect.

  - (i) casino gaming floors, including retail sports wagering lounges, and casino concert and entertainment venues; (ii) racetracks, including stabling facilities and retail sports wagering lounges; (iii) gyms and fitness centers and classes; (iv) entertainment centers, including but not limited to, movie theaters, performing arts centers, other concert venues, and nightclubs; (v) all indoor portions of retail shopping malls (restaurants and other stores located within shopping malls that have their own external entrances open to the public, separate from the general mall entrance, may remain open pursuant to the terms of Executive Order 107); (vi) all places of amusement, whether indoors or outdoors, including but not limited to, locations with amusement parks, water parks, aquariums, zoos, arcades, fairs, children’s play centers, funplexes, theme parks, bowling alleys, family and children’s attractions; (vii) 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, hair braiding shops, nail salons, electrology facilities, spas, massage parlors, tanning salons, tattoo parlors, and public and private social clubs; and (viii) all municipal, county,
and State public libraries, and all libraries and computer labs at public and private colleges and universities. *Id.*

- **Effective April 10, 2020 until revoked,** the physical operations of all **non-essential construction projects** must cease. See *Executive Order 122 dated as of April 8, 2020.*

  - **Essential construction projects** include: (a) projects necessary for the delivery of health care services; (b) transportation projects; (c) utility projects; (d) residential projects that are exclusively designated as affordable housing; (e) projects already underway involving individual homes/apartments, but only with a crew of five or fewer workers (includes additions); (f) projects involving K-12 schools; (g) projects involving a residential unit for which a tenant/buyer has already entered an agreement to occupy the unit by a certain date; (h) projects involving facilitates where goods/products sold by online or essential retail businesses are manufactured, distributed, stored, or serviced; (i) projects involving data centers or facilities that are critical to a business’s ability to function; (j) projects necessary for delivery of social services; (k) projects necessary to support law enforcement or first responder units in COVID-19 response; (l) projects ordered or contracted for federal, state, county or municipal governments; (n) any work on non-essential construction projects necessary to physically secure and ensure structural integrity of the site during the work suspension; and (m) emergency repairs to ensure health and safety of residents. *Id.*

- **Effective April 10, 2020 until revoked,** **manufacturing, warehousing and essential construction businesses must adopt policies** which, at a minimum: (a) prohibit non-essential visitors from entering the workspace; (b) limit worksite meetings to fewer than ten people; (c) require six feet of distance between individuals at all times; (d) stagger work start and stop times and lunch break times, where practicable; (e) restrict number of individuals who can access common areas concurrently; (f) require workers and visitors to wear cloth face coverings except where doing so would inhibit the individual’s health—businesses must, at their expense, provide such face coverings and gloves to employees; (g) require infection control practices; (h) limit sharing of tools, equipment and machinery; (i) provide sanitization materials; (j) require frequent sanitization of high-touch areas. See *Executive Order 122 dated as of April 8, 2020.*

- **Effective April 10, 2020 until revoked,** all essential retail businesses, warehousing business, and essential construction **must also adopt policies** which, at a minimum: (a) immediately separate and send home workers with COVID-19 symptoms; (b) promptly notify workers of any known exposure at the workplace; and (c) clean and disinfect workplace consistent with CDC guidelines. *Id.*

- All businesses or non-profits in the State, whether closed or open to the public, must accommodate their workforce, wherever practicable, for telework or work-from-home arrangements. *Id.*

  - To the extent a business or non-profit has employees that cannot perform their functions via telework or work-from-home arrangements, the business or non-profit should make best efforts to reduce staff on site to the minimal number necessary to ensure that essential operations can continue. *Id.*

- **Effective 8:00pm on April 13 until revoked,** **NJ Transit** must adopt policies that facilitate social distancing and mitigate the spread of the virus, such as: (a) limiting capacity at 50% of stated maximum
on all trains, buses and light rail; (b) arranging for contactless pay options across all modes of transportation where feasible; (c) requiring frequent sanitization of high-touch areas in stations; and (d) requiring workers and customers to wear cloth face coverings, and providing such masks to employees at the NJ Transit’s expense. See Executive Order 125 dated as of April 11, 2020.

- Private carriers that continue in-person operations must adopt the same policies. *Id.*

  o Effective March 19, 2020 there may be no residential evictions, foreclosures or other removal actions in the State. See Executive Order 106 dated March 19, 2020.

  o Owners of building used for commercial, industrial or other enterprises where such business is authorized to maintain in-person operations (e.g., warehouses, manufacturing facilities, commercial offices, airports, grocery stores, universities, hotels and residential buildings with 50+ units) **must adopt policies** which, at a minimum, implement the following cleaning protocols: (a) clean and disinfect high-touch areas routinely; (b) maintain cleaning procedures in all areas of the facility; (c) ensure facility has a sufficient number of workers to perform the above protocols effectively. See Executive Order 122 dated as of April 8, 2020.

  o No cable or telecommunication provider may terminate residential internet or voice services for reason of non-payment, nor may such service be downgraded or reduced in quality unless if pursuant to a policy improved in writing by the Board of Public Utilities. See Executive Order 126 dated as of April 13, 2020.

    ▪ Late fees/charges or fee or charge for reconnection of voice services may only be charged pursuant to a policy approved in writing by the Board of Public Utilities. *Id.*

    ▪ Any cable or telecommunication provider that discontinued service to a New Jersey resident after March 16, 2020 (even if for unpaid bills prior to March 16, 2020) must, at the customer’s request, reconnect such service at no cost beyond the provider’s actual costs incurred in doing so. *Id.*

  o Effective 5:00pm March 27, 2020 all adult elective surgeries and invasive procedures are suspended. A surgery or procedure is elective if it can be delayed without undue risk to the current or future health of the patient as determined by the patient’s treating physician dentist. See Executive Order 109 dated as of March 23, 2020.

  o Effective March 29, 2020 and continuing until revoked, all healthcare facilities designated by the Office of Emergency Management must report data concerning capacity and supplies on a daily basis by 10:00am to the OEM. See Executive Order 111 dated as of March 28, 2020.

  o The Commissioner of the Department of Children and Families (“DCF”) shall implement a plan, which will be effective by April 1, that **closes all childcare services except Emergency Child Care Services, which are provided for the children of “essential persons.”** See Executive Order 110 dated as of March 25, 2020.

    ▪ Organizations may seek designation as an Emergency Child Care Center entitled to remain operating after April one by submitting the certification form to the DCF for approval by March 27, 2020. Applicants demonstrating that child care services will be provided **exclusively** to
“essential persons” during the school closure period and all other standards will be followed shall be approved as an Emergency Child Care Center. Id.

- Effective March 18, 2020 and continuing indefinitely, all public, private and parochial preschools, elementary and secondary schools, including charter and renaissance schools, shall be closed to students. All institutions of higher education shall cease in-person instruction. See Executive Order 107 dated March 21, 2020.

- The Dept. of Consumer Affairs (“DCA”) is authorized to reactivate on a temporary basis the license of any healthcare professional previously licensed to practice in New Jersey who retired within the last five years. See Executive Order 112 dated April 1, 2020.
  - DCA is authorized to issue a temporary license to practice medicine and/or surgery to any physician who is licensed and in good standing in another country, provided that physician can certify, at a minimum, that he/she has engaged in the practice for at least five years and has engaged in clinical practice within the last five years. Id.

- Any individual (i) granted a temporary license, certificate or registration to practice a healthcare profession or occupation in connection with the State’s COVID-19 response; (ii) holding a license, certificate or registration to practice a healthcare profession or occupation in New Jersey who acts outside of their ordinary practice in connection with the State’s COVID-19 response; and (iii) any healthcare facility in temporary use to provide essential services in support of the State’s COVID-19 response is immune from civil liability for any damages alleged to have been sustained as a result of the individual’s good faith acts or omissions in the course of providing healthcare services in support of COVID-19 response. Id.
  - This immunity does not extend to acts or omissions that constitute a crime, actual fraud, actual malice, gross negligence or willful misconduct. Id.

- The Director of Emergency Management is authorized to take or use personal services and/or real or personal property, including medical resources, for the purpose of protecting and promoting the public health and welfare. Compensation for commandeered services or property will be paid in accordance with the New Jersey Disaster Control Act. See Executive Order 113 dated April 2, 2020.

- All state and county parks in New Jersey must close, notwithstanding anything to the contrary in earlier orders. See Executive Order 118 dated as of April 7, 2020.

- All executive orders and actions of the executive branch, including administrative orders, issued under the Emergency Health Powers Act to respond to the COVID-19 public health emergency which otherwise have lapsed or would soon lapse are declared to remain in full force and effect as of April 7, 2020. See Executive Order 119 dated as of April 7, 2020.

- All property and casualty insurance companies, life insurance companies, insurance premium finance companies, health insurance companies, health maintenance organizations (“HMOs”), health service corporations or other entities issuing health or dental benefits plans may not cancel any policy or contract as a result of nonpayment during the emergency grace period, as defined below: See Executive Order 123 dated as of April 9, 2020.
For property, casualty and life insurance companies and insurance premium finance companies, the period is 90 days, during which claims must be paid without regard to nonpayment of premium by the policyholder. Id.

For health insurance companies, HMOs, health service corporations or other entities issuing health and dental policies, the period is 60 days, during which claims must be paid without regard to nonpayment of premium by the policyholder. Id.

The Commissioner of the Dept. of Banking and Insurance may extend these periods further as necessary. Subject insurance entities must exercise any forbearances on collection documentation or other regulatory requirements as prescribed by the Commissioner, including with respect to late fees, interest or other charges related to nonpayment of premiums. Id.

At the conclusion of the emergency grace period, the policyholder’s unpaid premium shall be amortized over a period of time directed by the Commissioner. Id.

- Any municipal or county government action which in anyway does, might or will conflict with Executive Order 107 or impede its achievement is invalid, including modifications to the list of Essential Retail Businesses. See Executive Order 108 dated March 21, 2020.

- Enforcement Actions: Penalties for violation of the Order, or aiding and abetting such violation, may include 6 months of imprisonment, a fine of up to $1,000 or both.

XXXII. New Mexico (Statewide)

- Effective through May 15, 2020, all businesses and non-profit entities deemed non-essential are ordered closed and all non-essential workers are required to work from home. Essential businesses may remain open provided they minimize their operations and staff to the greatest extent possible. Essential businesses must also direct employees to maintain at least six-foot distancing from other individuals, avoid person-to-person contact, wash their hands frequently and ensure that all surfaces are cleaned routinely. Executive Order 2020-022 dated April 6, 2020; Governor’s Tweet dated April 23, 2020.

- Examples of essential businesses include: (i) Health care operations, including emergency veterinary services, pharmacies, medical wholesale and distribution, home health care workers, emergency dental facilities, nursing homes, research facilities, intermediate care facilities for those with intellectual disabilities and medical supplies and equipment manufacturers and providers; (ii) homeless shelters, food banks and other services providing care to indigent or needy populations; (iii) childcare facilities necessary to provide services to those workers employed by essential businesses and essential non-profit entities; (iv) grocery stores and other businesses that generate the majority of their revenue from the sale of household consumer products; (v) farms and other food cultivation, processing, or packaging operations; (vi) facilities used by law enforcement or emergency management personnel; (vii) infrastructure operations, including public works construction, commercial and residential construction and maintenance, airport operations, public and private transportation providers, natural resources extraction or mining operations, waste collection and Internet providers; (viii) manufacturing operations involved in food processing, chemicals, fertilizer, pharmaceuticals, household paper products, metals,
electrical equipment, appliance and transportation equipment; (ix) services necessary to maintain
the safety and sanitation of residences or essential businesses, including security services,
custodial services, plumbers, electricians and other skilled trades; (x) media services; (xi) gas
stations and automobile repair facilities; (xii) hardware stores; laundromats and dry cleaner
services; (xiii) utilities; (xiv) funeral homes; (xv) banks, insurance providers, payroll services,
brokerage services and investment management firms; (xvi) real estate services; businesses
providing mailing and shipping services; (xvii) laboratories and defense and national security-
related operations supporting the US government; (xviii) restaurants (but only for delivery or carry
out) and local breweries or distillers (but only for carry out); (xix) professional services, such as
legal or accounting services, but only where necessary to assist in compliance with legally
mandated activities; and (xx) logistics and businesses that store, ship or deliver food, goods or
services directly to residences or retailers. *Id.*

- **Examples of non-essential businesses include:** all casinos and horse racing facilities (which must
  all close), except casinos operating on tribal lands; hotels, motels, RV parks and other places of
 lodging (all of which shall not operate at more than 50% of maximum occupancy, not including
 health care workers) and call centers (which must reduce their in-person workforce by 100%). *Id.*

  - Effective through May 15, 2020, **congregations of more than five people are prohibited.** *Id.*

  - **Enforcement Actions:** The New Mexico Department of Public Safety, the New Mexico Department of
    Homeland Security and Emergency Management, the Department of the Environment, and all other state
    departments and agencies are authorized to take all appropriate steps to ensure compliance. *Id.*

XXXIII. New York (Statewide and New York City)

  - **New York (Statewide)**

    - Effective 8:00pm March 22, 2020, all businesses and not-for-profit entities shall utilize, to the
      maximum extent possible, any telecommuting or work from home procedures that they can safely
      utilize. [New York Executive Order No. 202.8 dated as of March 20, 2020](#)

    - **Each employer in the state shall reduce the in-person workforce at any work locations by 100% no later than 8:00pm on March 22 and lasting at least through May 15, 2020.** *Id. See also Executive Order 202.14 (extending the New York on PAUSE Policy); Executive Order 202.18 dated as of April 16, 2020 (further extending PAUSE Policy).*

      - **Essential businesses or entities providing essential services are not subject to the in-person restrictions.** This includes: essential health care operations (i.e., research and lab services), essential infrastructure (i.e., utilities, telecommunication, and transit), essential manufacturing (i.e., food processing and pharmaceuticals), essential retail (i.e., grocery and pharmacy), essential services (i.e., trash collection, mailing/shipping), financial institutions, news media, providers of basic necessities to economically disadvantaged (i.e., shelters, foodbanks, and related human service providers), construction, defense (i.e., national security related operations), sanitation vendors, vendors providing essential
services/products to governmental agencies, and child care services. See Executive Order No. 202.6 dated as of March 18, 2020.

- More details on what qualifies as an “essential” business is available per Empire State Development Corporation’s Guidance. See ESDC Guidance.

- Any business that has a single occupant/employee (i.e., gas station) is deemed exempt and is treated as an essential business. Businesses specifically ordered to close under prior orders (i.e., gyms, movie theaters, casinos, etc.) are not eligible for designation as an essential business and must remain closed. Id.

- Businesses not covered by the ESDC Guidance may request an opinion to be deemed “essential” by the Empire State Development Corporation by using this form.

- Effective March 29 through May 15, 2020, Order 202.6 is modified to clarify that construction is now deemed essential only if it is emergency or essential construction. All non-essential and non-emergency construction must shut down. See Executive Order 202.13 dated as of March 29, 2020; See also Executive Order 202.14; Executive Order 202.18 dated as of April 16, 2020 (further extending PAUSE Policy).
  - Emergency construction is a project necessary to protect the health and safety of the occupants, or to continue a project if it would be unsafe to allow it remain undone until it is safe to shut the site. See ESDC Guidance.
  - Essential construction, which may continue, includes: (i) roads, (ii) bridges, (iii) transit facilities, (iv) utilities, (v) hospitals or healthcare facilities, and (vi) affordable housing and homeless shelters. Id.
  - Continuing emergency or essential construction must maintain social distance, including for elevators, meals and entry/exit from the site. Sites that cannot maintain social distance must close. Id.
  - Enforcement: Fines of up to $10,000 per violation apply. Id.

- Effective at 8:00pm on April 15 through May 12, 2020, any employees who are present in the workplace must be provided and must wear face coverings when in direct contact with customers or members of the public. Businesses must provide such face coverings to employees at the businesses expense. See Executive Order 202.16 dated as of April 12, 2020.

- Enforcement Actions: Any violation of the in-person workforce reduction order constitutes a violation of section 12 of the Public Health Law and will result in a civil
penalty of up to $2,000 per violation. New York Executive Order No. 202.8 dated as of March 20, 2020

- If a business was already fined, the penalty can be increased up to $5,000 for each repeat violation if the violation was “a serious threat to the health and safety” of an individual. The penalty can further increase to $10,000 if the violation directly results in the serious physical harm to any individual. Id.

- Effective 8:00pm March 16, 2020 all movie theaters, gyms and casinos must close indefinitely. All restaurants and bars will operate on a take-out and delivery basis only. See Executive Order 202.3 dated as of March 16, 2020.

- Effective 8:00pm March 19, all indoor portions of retail shopping malls, public amusements (e.g., theme parks, carnivals, bowling alleys, etc.) must close. See Executive Order 202.5 dated as of March 18, 2020.

- Effective 8:00pm March 20, 2020 all barbershops, hair/nail salons, tattoo/piercing parlors or similar personal care service businesses must close. See Executive order 202.7 dated as of March 19, 2020.

- All provisions of Orders 202.3 through 202.11 which closed or otherwise restricted public or private businesses or places of public accommodation, are continued such that the expiration date of all such Orders are aligned and expire on May 15, 2020, unless further extended. See Executive Order 202.13 dated as of March 29, 2020; See also Executive Order 202.14; Executive Order 202.18 dated as of April 16, 2020 (further extending PAUSE Policy).

- All non-essential gatherings of individuals of any size for any reason are prohibited. See Executive Order 202.10 dated as of March 23, 2020.

  - Enforcement: The maximum fine for violations of the State’s Social Distancing Protocol is increased from $500 to $1,000 effective April 6, 2020. See Executive Order 202.14.

- All individuals must wear a cloth face covering their nose and mouth when they are in public and unable to maintain social distancing. This includes all operates of and passengers in public transport or vehicles for-hire (i.e. taxis, Ubers, etc.). Exceptions: children under two years old and those who cannot medically tolerate a face covering. See Executive Order 202.17 dated as of April 15, 2020.

- There shall be no enforcement of either an eviction of any tenant residential or commercial, or a foreclosure of any residential or commercial property for a period of ninety days. See Executive Order 202.8 dated as of March 20, 2020.

- For 90 days, all banks which maintain a branch, representative or other office in the State must grant a forbearance on loans to any person or business who has a financial hardship as a result of COVID-19. See Executive Order 202.9 dated as of March 21, 2020.
• The Dept. of Financial Services issued regulations under the above order. The DFS Regulations **apply only to residential mortgages.** See [DFS Regs. 119.3(k)](http://ropesgray.com).

- Effective 8:00pm March 20, 2020, any appointment that is in-person at any state or county department of motor vehicles is cancelled, and until further notice, only on-line transactions will be permitted. See [Executive Order 202.8 dated as of March 20, 2020](http://ropesgray.com).

- Effective 8:00pm March 23, 2020, any healthcare facility is authorized to allow students who are in programs to become a licensed healthcare professional in NY to volunteer at such facility for educational credit without a clinical affiliation agreement. See [Executive Order 202.10 dated as of March 23, 2020](http://ropesgray.com).

- All elective surgeries and procedures, as the Commissioner of Health shall define, must be canceled. No pharmacist may dispense hydroxychloroquine or chloroquine for an experimental or prophylactic use which is not connected to a state-approved clinical trial related to COVID-19. [Id.](http://ropesgray.com)

- The Commissioner of Health is authorized to suspend or revoke the operating certificate of any general hospital which is unable to meet the requirements of the necessary capacity directives, and may appoint a receiver to continue such hospitals operations on 24 hours’ notice. [Id.](http://ropesgray.com)

- Any health care facility licensed by the State must, as a condition of licensure, permit the attendance of one support person who does not have a fever at the time of labor/delivery to be present a support person for a patient giving birth. See [Executive Order 202.12 dated as of March 28, 2020](http://ropesgray.com).

- The Dept. of Financial Services directs **health insurers** to take actions to alleviate the administrative and financial stress on hospitals. Such required actions include: (i) paying claims from in-network hospitals without reviewing for medical necessity; (ii) immediately processing for payment all claims for services rendered from March 7 through June 18; (iii) suspending preauthorization and concurrent review requirements for outpatient services through June 18; (iv) ceasing retrospective review of services provided at in-network hospitals until June 18. See [Supplement 1 to DFS Insurance Circular Letter No. 8 dated as of April 22, 2020](http://ropesgray.com).

- New York is part of the coalition of seven east coast states coordinating reopening decisions and policies. Gov. Cuomo is the informal leader of the group. See [Press Release dated as of April 13, 2020](http://ropesgray.com).

- On April 16, Gov. Cuomo outlined the below four-point blueprint he would follow in making decisions to reopen New York, which he said will be implemented in coordination with the other coalition member-states. See [Press Release dated as of April 16, 2020](http://ropesgray.com).

  - 1) Do No Harm. The first priority is to control the rate of infection. This included extending the PAUSE policy (which closes non-essential businesses and requires individuals to stay home) until May 15 and requiring masks in public settings where social distancing is not possible.
2) Strengthen the Healthcare System. Continuing the surge and flex strategy to ensure all who need medical attention get it, expanding strategic stockpile of PPE and other medical equipment, and sharing resources across states and localities.

3) Testing and Contact Tracing. Drastic expansion of diagnostic and antibody testing is needed to inform decisions about phased reopening of the economy.
   - Downstate New York, Connecticut and New Jersey are working with Bloomberg Philanthropies on a nation-leading contact tracing program. See Press Release dated as of April 22, 2020.

4) Phased Return to "New Normal". Businesses will be reopened in phases of priority, with more essential industries returning to work sooner than less essential or those that present a higher risk of infection spread. As businesses reopen, a new normal will include the following precautions and practices:
   - Transport: ensuring employees have means for safe transport (e.g., gloves, masks, etc.) or continuing telecommuting.
   - Workplace: ensuring workplaces are designed to include social distancing measures, continued telecommuting for those who can or are more vulnerable.
   - Customer interaction: minimize employee contact with customers and provide PPE employees in public-interacting roles.
   - Proactive infection planning: ensuring protocols are in place should an employee develop COVID-19 symptoms or test positive.

   - New York City
     - Restaurants/bars takeout only, provided that establishments do not exceed 50% capacity for patrons waiting for food effective March 16, 2020. NYC Emergency Executive Order No. 100.
     - All entertainment venues closed, including for capacity below 500 and commercial gyms effective March 16, 2020. Id.
     - New York City Health and Hospitals Corporate to immediately cancel or postpone elective procedures system-wide and cease performing within 96 hours of issuance of Order. Other hospitals and ambulatory surgery centers in NYC directed to do same. Id.
   - Procedures are to be deemed “electives” by assessing which procedures can be postponed or cancelled based on patient risk considering emergency need to redirect resources

XXXIV. North Carolina (Statewide; Durham; Madison County; Mecklenburg County; Pitt County)
   - North Carolina (Statewide)
Effective March 30, 2020 at 5:00 p.m. for thirty days, all individuals are ordered to stay at home. All persons may leave their homes only for essential activities, essential governmental operations, or to participated in or access essential businesses. Executive Order No. 121, dated March 27, 2020.

Exceptions include travelling for the following essential activities: (i) for health and safety; (ii) for necessary supplies and services; (iii) for outdoor activity; (iv) to take care of others; and (v) for certain types of work; (vi) for places of worship; (vii) to receive goods and services; (viii) to return or travel between one’s place or places of residence; and (ix) to volunteer with organizations that provide charitable and social services. Id.

- When outside, individuals must maintain social distancing requirements, including maintaining a distance of six feet between persons. Id.
- Mass gatherings of more than 10 persons are prohibited (subject to exceptions below). Id.

All businesses and operations in are to close, except for essential businesses and operations, including: (i) essential businesses laid out in CISA list; (ii) businesses that sell, produce, or distribute groceries, medicine, or essential household goods; (iii) human services operations; (iv) healthcare and public health operations (term to be broadly defined, but does not include fitness gyms, spas, salons, or other similar facilities; (v) media; (vi) gas stations and businesses needed for transportation; (vii) financial and insurance institutions; (viii) hardware and supply stores; (ix) critical trades; (x) mail, post, shipping, logistics, delivery, and pick-up services; (xi) educational institutions; (xii) laundry services; (xiii) restaurants for consumption off-premises; (xix) organizations that provide charitable services; (xx) religious entities; (xxi) supplies to work from home; (xxx) manufacture, distribution, and supply chain for critical products and industries; (xxxiv) defense and military contractors. Id.

- All operating businesses must, to the extent practicable, maintain social distancing requirements. Id.

Enforcement: Violations of this Executive Order are punishable as a Class 2 misdemeanor in accordance with N.C. Gen. Stat. Sec. 14-288.20A, which includes a fine of up to $1,000 and/or imprisonment of up to 30 days. Id.

- Durham
  Effective March 26, 2020 at 6:00 p.m. through April 30, 2020, all individuals in the City of Durham are prohibited from traveling outside of their homes. All public or private gatherings of more than 10 people are prohibited. Second Amendment to Declaration of Emergency in the City of Durham (Stay at Home Order).
- Exceptions to the stay-at-home order include travelling for essential activities, including:
  (i) health and safety; (ii) necessary supplies and services; (iii) outdoor activity; (iv) permitted business functions (to perform work in businesses described below); and (v) to take care of others. *Id.*

- All businesses and operations in are to close, except for **essential businesses and operations**, including:
  (i) **essential businesses laid out in CISA list**; (ii) businesses that sell, produce, or distribute groceries, medicine, or essential household goods; (iii) human services operations; (iv) **healthcare and public health operations** (term to be **broadly defined**), but does not include fitness gyms, spas, salons, or other similar facilities; (v) media; (vi) gas stations and businesses needed for transportation; (vii) financial and insurance institutions; (viii) hardware and supply stores; (ix) **critical trades**; (x) mail, post, shipping, logistics, delivery, and pick-up services; (xi) educational institutions; (xii) laundry services; (xiii) restaurants for consumption off-premises; (xiv) services and supplies for essential businesses; (xv) transportation; (xvi) home-based care and services; (xvii) residential facilities or shelters; (xviii) professional services; (xix) childcare facilities; (xx) hotels and motels; and (xxi) funeral services. *Id.*

- **All such businesses must follow social distancing requirements to the extent possible, including maintaining at least a six-foot distance between persons. *Id.***

- Businesses providing non-essential goods and services may continue to operate remotely. *Id.*

  - **Madison County**

    - Madison County officials issued a “shelter in place recommendation,” which was texted to residents on March 23, 2020. The advisory suggested staying at home, with the exception of essential trips to the grocery store, to pick up medicine, to seek medical services, or to go to work at essential businesses.

  - **Mecklenburg County**

    - Effective March 26, 2020 at 8:00 a.m., all businesses in the County, except for essential businesses and operations, are to cease. *Joint Proclamation of the County of Mecklenburg, dated 23, 2020.*

    - Essential businesses include:
      (i) stores that sell groceries and medicine; (ii) food, beverage, and agriculture; (iii) organizations that provide charitable and social services; (iv) media; (v) gas stations and businesses needed for transportation; (vi) financial institutions; (vii) hardware and supply stores; (viii) critical trades; (ix) mail, post, shipping, logistics, delivery, and pick-up services; (x) educational institutions; (xi) laundry services; (xii) restaurants for consumption off-premises; (xiii) supplies to work from home; (xiv) supplies for essential businesses; (xv) transportation; (xvi) home-based care and services; (xvii) residential facilities and shelters; (xviii) professional services; (xix) childcare centers; (xx) **manufacture, distribution, and supply chain for critical products and industries**; (xxi) hotels and motels; and (xxii) funeral services. *Id.*
All public and private gatherings of more than ten people are prohibited, except for limited purposes. *Id.*

**Individuals may only leave their residence to perform the following essential activities:** for health and safety, for necessary supplies and services, for outdoor activity (but must comply with social distancing requirements), for certain types of work related to essential businesses or operations, and to take care of others. *Id.*

**Enforcement:** Violations of this proclamation shall result in a Class 2 misdemeanor in accordance with G.D. 14-288.20A, which includes a fine of up to $1,000 and/or 60 days in prison. *See id.*

- Pitt County

  Effective March 25, 2020 at 5:00 p.m., all individuals are required to stay in their homes. Nonessential gatherings of 10 persons or more are prohibited. [Second Proclamation of Emergency Restrictions for Pitt County, North Carolina.](#)

  - **Exceptions include travelling for the following essential activities:** (i) for health and safety; (ii) for necessary supplies and services; (iii) for outdoor activity; (iv) to take care of others; and (v) for certain types of work. *Id.*

  - **All businesses except for essential businesses are required to close. Essential businesses include:** (i) businesses identified in the CISA list; (ii) stores that sell groceries or medicine; (iii) food cultivation; (iv) manufacturing; (v) organizations that provide charitable and social services; (vi) healthcare and public health operations; (vii) media; (viii) gas stations and businesses needed for transportation; (ix) financial and insurance institutions; (x) hardware and supply stores; (xi) critical trades; (xii) mail, post, shipping, logistics, delivery, and pick-up services; (xiii) educational institutions; (xiv) laundry services; (xv) restaurants for consumption off-premises; (xvi) services and supplies for essential businesses, (xvii) transportation; (xviii) home-based care and services; (xix) residential facilities or shelters; (xx) professional services; (xxi) childcare facilities; (xxii) hotels and motels; and (xxiii) funeral services; and (xxiv) solid waste. *Id.*

    - All such businesses must follow social distancing requirements to the extent possible, including maintaining at least a six-foot distance between persons. *Id.*

    - Businesses providing non-essential goods and services may continue to operate remotely. *Id.*

XXXV. North Dakota (Statewide)

- North Dakota has not yet issued a stay-at-home order.

  - However, until further notice, all individuals who test positive for COVID-19 and their household members are required to self-quarantine in their homes for 14 days and may not leave without prior approval from the Department of Health. [Executive Order 2020-21, dated April 6, 2020.](#)
April 10, the order was modified in order to allow health care workers to enter the homes of self-quarantined individuals. Executive Order 2020-21.1, dated April 10, 2020.

- Enforcement. Pursuant to North Dakota Century Code 23-07.6, persons who do not obey the self-isolation order are guilty of a class B misdemeanor. Similarly, anyone who enters a quarantined household, and is not authorized to do so, is guilty of a class B misdemeanor.

- Business Closures. Effective March 20 at 12:00 p.m. through April 30, 2020, the governor has ordered the closure of certain businesses. Executive Order 2020-06.2, dated April 1; Executive Order 2020-06.1, dated March 27; Executive Order 2020-06, dated March 19; Executive Order 2020-06.3, dated April 15.

  - All on-site dining establishments are closed to patrons, except for take-out and delivery. Recreational facilities, health clubs, athletic facilities, theaters, cosmetologists, salons, barbers, tattoo facilities, tanning facilities, and massage facilities shall also be closed.

  - Enforcement. Violations of these orders are subject to a $1000 fine.

- School Closures. All K-12 schools are closed to students until further notice, except for the limited provision of child care services under certain circumstances. Executive Order 2020-10.1, dated March 30, 2020.

XXXVI. Ohio (Statewide)

- Effective 11:59pm March 23 through May 1, 2020, all individuals living in Ohio must stay at their place of residence, except as otherwise allowed by this Order. Individuals may leave their homes only for Essential Activities, Essential Government Functions, to participate in Essential Businesses and Operations, or for Essential Travel. See Director’s Amended Stay at Home Order dated April 2, 2020.

  - When outside their homes for exempted activities, individuals must abide by the Social Distancing Requirements set forth below. Id.

  - Except for the limited purposes allowed by this Order, all public and private gatherings of any number of people outside a single living unit are prohibited. Id.

  - Essential Activities for which individuals may leave their residences are: (i) tasks essential to the health and safety of themselves or family/household members (i.e., obtaining medical supplies); (ii) obtaining necessary services/supplies (i.e., groceries, household consumer products, automotive supplies); (iii) engaging in outdoor activity, provided Social Distancing Requirements are followed (i.e., running, hiking); (iv) to perform work providing essential products and services at Essential Businesses or Essential Operations or to carry out Minimum Basic Operations; (v) to care for or transport a family member, friend, or pet. Id.

  - Individuals are also permitted to leave their residence to work for or obtain services through Healthcare and Public Health Operations. These categories include, but are not limited to: hospitals, pharmacies, dentists, biotech and pharmaceutical companies, doctors’ offices, etc. Id.
Individuals are also permitted to leave their residence to work for or obtain services through Human Services Operations. This category includes, but is not limited to: long-term care facilities, child care centers, shelters, residential facilitates for the disadvantaged, etc. *Id.*

Individuals are also permitted to leave their residence to provide any services or perform work necessary to offer, provision, operate, maintain or repair Essential Infrastructure. Essential Infrastructure includes, but is not limited to: food production/distribution; construction (including housing and essential business construction); building management and maintenance; airport operations; operation/maintenance of utilities; electrical; cybersecurity; roads, railways and public transit; telecommunications systems. *Id.*

**Essential Travel** includes travel: (i) related to Essential Activities, Essential Government Functions, Essential Businesses and Operations, or Minimum Basic Operations; (ii) to care for vulnerable persons; (iii) to/from educational institutions; (iv) to return to place of residence; and (v) required by law. *Id.*

**Essential Government Functions** means all services provided by the state or any locality needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public. Every government body determines its Essential Government Functions. *Id.*

- **Categorically exempt** from this order are public personnel such as: law enforcement officers, correction officers, judges, jurors, legislators, dispatchers, first responders and other government employees working for or supporting Essential Businesses and Essential Operations. *Id.*

- **All businesses and operations in the State, except for Essential Businesses and Operations**, are required to cease all activities, except for Minimum Basic Operations. Businesses may also continue any operations consisting exclusively of employees/contractors performing duties from their residences. Businesses include any for-profit, not-for-profit, or educational entity regardless of the nature of its service or entity structure. *Id.*

- Essential Businesses and Operations are encouraged to remain open, but must comply with the Social Distancing Requirements.

- The Order specifically prohibits continued operation of public amusements such as: (i) theme parks; (ii) country/social clubs; (iii) aquariums/zoo; (iv) museums; (v) movie and performance theaters; (vi) playgrounds; (vii) indoor sports facilities. *Id.*

- **Essential Businesses and Operations** means Healthcare and Public Health Operations, Human Services Operations, Essential Government Functions, and Essential Infrastructure, as well as:

  - (i) All workers identified in the CISA guidance (*see* Section I, above); (ii) stores that sell grocery and medicine; (iii) agriculture and food/beverage production; (iv) organizations providing charitable/social services; (v) religious entities; (vi) media; (vii) First Amendment protected speech; (viii) gas stations and transportation businesses (including bike, farm, and construction equipment); (ix) financial and insurance institutions; (x) hardware stores; (xi) critical trades (including plumbing, HVAC, janitorial, electrical); (xii) mailing, shipping, and logistics; (xiii)
educational institutions for purposes of facilitating distance learning or performing critical research; (xiv) laundry services; (xv) restaurants for consumption off-premises; (xvi) supplies to work from home; (xvii) businesses that sell, manufacture or supply Essential Businesses and Operations with support/materials they need to operate; (xviii) transportation; (xix) home-based care; (xx) residential facilities and shelters; (xxi) professional services; (xxii) manufacture, distribution an supply chain for critical products and industries; (xxiii) critical labor union activities; (xxiv) hotels/motels; (xxv) funeral services. Id.

- **Minimum Basic Operations** include, provided that employees comply with Social Distancing Requirements: (i) the minimum necessary activities to maintain the value of the businesses inventory, preserve its physical plant and equipment, ensure security, process payroll/benefits; and (ii) minimum activities necessary to enable other employees to work remotely. *Id.*

- **Social Distancing Requirements** include maintaining six-foot social distance from others, washing hands with soap and water as frequently as possible, covering cough/sneeze with tissue or elbow, regularly cleaning high-touch surfaces, and not shaking hands. *Id.*

- This Order will be **enforced by State and local law enforcement.**

- All **K-12 schools in Ohio are closed** to students, effective March 17, 2020 through May 1, 2020, unless otherwise modified. See [Amended Order of Ohio Director of Health, dated March 30, 2020](#).

XXXVII. Oklahoma (Statewide; Norman; Oklahoma City; Tulsa)

- **Statewide**
  - Effective through May 16, 2020 (except as outlined in the OURS plan described below), **all businesses not identified as being within a critical infrastructure sector** as defined by the US Department of Homeland Security (USDHS) (see “I. Federal” above) or **defined as essential by the Oklahoma Department of Commerce** through the use of the North American Industry Classification System shall close to the public. Businesses within a critical infrastructure sector must **take all reasonable steps necessary** to comply with the Order and protect their employees, workers and patrons. [Fourth Amended Executive Order 2020-13 dated April 24, 2020](#).

  - Restaurants and bars are permitted to provide pick-up, curbside and delivery services. *Id.*

  - Effective through May 16, 2020 (except as outlined in the OURS plan described below), adults over the age of 65 and people of any age who have serious underlying medical conditions must **stay in their place of residence** except to work in a critical infrastructure sector or conduct essential errands (i.e., errands that are critical to everyday life, including obtaining medication, groceries and gasoline and visiting medical providers). *Id.*

  - Effective through May 16, 2020 (except as outlined in the OURS plan described below), **social gatherings of ten people or more are prohibited. Id.**
Effective through May 16, 2020, those entering the state from an area with substantial community spread (including, but not limited to, New York, Connecticut, New Jersey, Washington, California and Louisiana) must quarantine for 14 days from the time of entry into the state or the duration of the person’s presence in the state, whichever is shorter. This does not apply to people employed by airlines; performing military, emergency or health response; coming into the state to participate in business within critical infrastructure sectors or working for utilities companies or their contractors, who are traveling into the state to assist with emergency management. *Id.*

Minor medical procedures and non-emergency dental procedures must be postponed until April 30, 2020. *Id.*

**Open Up and Recover Safely (OURS), a statewide three-phased reopening plan:**

- **Phase 1**

  - The following business may **reopen on April 24, 2020**: (i) personal care businesses (including hair salons, barbershops, spas, nail salons and pet groomers, all of which can reopen for appointments only, must adhere to sanitation protocols and follow guidelines posted on the Oklahoma Department of Commerce website regarding social distancing) and (ii) state parks and outdoor recreation. Grocery stores should continue to maintain hours for vulnerable populations. *Open Up and Recover Safely* dated April 22, 2020.

  - The following businesses may **reopen on May 1, 2020**: (i) dining, entertainment, movie theaters and sporting venues, all of which should follow CDC-recommended social distancing and sanitation protocols, (ii) gyms, which should follow CDC-recommended social distancing and sanitation protocols, (iii) places of worship, which should follow CDC-recommended social distancing and sanitation protocols, follow the recommended guidelines by the Oklahoma Department of Commerce and leave every other row or pew open and (iv) tattoo parlors, which can reopen for appointments only and must adhere to sanitation and social distancing protocols. *Id.*

  - Individuals over 65 or part of a vulnerable population should continue to follow the stay-at-home guidelines described above. All individuals should maximize social distance from others in public, avoid socializing in groups or facilities that do not readily allow for appropriate social distancing and minimize non-essential travel. *Id.*

- **Phase 2 (goal date is May 15, 2020, subject to hospital and incident rates remaining at a manageable level for 14 days)**

  - Bars may operate with diminished standing-room occupancy and under social distancing and sanitation protocols. *Id.*
Organized sports activities can reopen and operate under proper social distancing and sanitation protocols. *Id.*

Funerals and weddings can resume under social distancing protocols. *Id.*

Children’s nursery areas in places of worship may reopen. *Id.*

Individuals over 65 or part of a vulnerable population should continue to follow the stay-at-home guidelines described above. All individuals should maintain social distance from others in public, avoid socializing in groups that do not readily allow for appropriate social distancing and consider resuming non-essential travel. *Id.*

- Phase 3 (goal date is **June 1, 2020**, subject to hospital and incident rates remaining at a manageable level for 14 days)
  - Employers can resume unrestricted staffing of worksites. *Id.*
  - Summer camps can open. *Id.*
  - Visits to senior care facilities and hospitals will still be prohibited. *Id.*

- Norman, OK

  - Effective through April 30, 2020, **all non-essential businesses** and non-essential operations are required to cease all in-person operations. They may continue to operate to the extent business activities can be performed at home. *Proclamation 2020-06 dated April 7, 2020.*

  - **Examples of essential businesses:** (i) Healthcare operations (including dentists, pharmacies, medical marijuana dispensaries, biotechnology companies, mental health providers and home healthcare service providers) and essential infrastructure (including public works construction, commercial and residential construction, airport operations, utilities, railroads, waste collection and removal, Internet, and telecommunication and video systems), (ii) grocery stores, farmers’ markets, convenience stores, liquor stores, etc., (iii) food cultivation, (iv) human and animal food processing facilities, (v) businesses that provide food, shelter and social services for economically disadvantaged or otherwise needy individuals, (vi) media services, (vii) gas stations and auto-supply, auto-repair and related facilities, (viii) banks and related financial institutions, (ix) hardware stores, (x) stores that sell telecommunication and devices, (xi) service providers, such as plumbers, electricians and exterminators, that are necessary to maintaining the safety, sanitation and essential operations of residences, essential activities and essential businesses, (xii) mailing and shipping services, (xiii) laundromats and dry cleaners, (xiv) public transit, (xv) restaurants and other facilities preparing and serving food and drink, but only for delivery and carry out, (xvi) businesses that supply products needed for people to work from home, (xvii) businesses that supply other essential businesses with the support or supplies necessary to operate, (xviii) businesses that ship or deliver groceries, food, goods
or services, (xix) private transportation providers (including airlines and taxis), as well as transportation maintenance services), (xx) home-based care, (xxi) residential facilities and shelters, (xxii) professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities and (xxiii) childcare facilities providing services that enable employees exempted from the Proclamation to work as permitted. *Id.*

- **Effective through April 30, 2020, individuals may only leave their residences to perform essential activities** or to provide any services or perform any work necessary to the operations and maintenance of essential business, infrastructure, manufacturing, health operations or minimum basic operations (*i.e.*, the minimum necessary activities to maintain the value of inventory and facilities, ensure security, process payroll and employee benefits, and to facilitate employees to be able to work remotely). All individuals shall exercise **six-foot social distancing** requirements outside of their homes at all times. *Id.*

  - **Examples of essential activities**: (i) activities essential to one’s health and safety or to the health and safety of family members, household members or close acquaintances, such as obtaining medical supplies, visiting a health care professional or obtaining supplies needed to work from home, (ii) activities necessary to obtain needed services for oneself and one’s family or household members or close personal acquaintances, such as delivering groceries, household consume products and other products necessary to maintain safety, sanitation and essential operation of residences, (iii) outdoor activities, (iv) activities or tasks required to perform work providing essential products and services at an essential business or minimum basic operations at non-essential businesses, (v) activities or tasks required to care for a family member, close personal acquaintance or pet in another household and (vi) activities related to performance of duties by those identified as critical infrastructure workers by CISA guidance (*see “I. Federal” above). *Id.*

  - **Examples of non-essential activities**: Weddings, funerals, wakes, memorial services, church services or similar gatherings with attendance exceeding ten people. *Id.*

  - Customers of essential businesses shall, to the extent possible, limit visits to such businesses on an odd/even basis using their home address (*e.g.*, if one’s residence is 123 City Street, one would shop on odd numbered days only). *Id.*

- **Enforcement Actions**: A maximum penalty of $750 or 60 days in jail per violation. *Id.*

- **Oklahoma City, OK**
  - Effective through April 30, 2020, **all non-essential businesses** operating within the city of Tulsa are required to cease all activities located within the city. They may continue to operate to the extent business activities can be performed at home and perform essential functions as necessary to maintain the business’s inventory, preserve the condition of the business’s physical plant and equipment, ensure security and process payroll and benefits. To the greatest extent feasible, all businesses shall comply with **six foot physical distancing** for both employees and the general
Essential businesses are those businesses identified by the Governor of the State of Oklahoma or his designee as critical infrastructure sectors, including critical government workers as defined by the government employer. *Id.*

- Effective through April 30, 2020, all individuals are ordered to shelter at their place of residence. Organized gatherings of ten or more people are prohibited, except for organized gatherings in government office buildings, food banks, congregate care facilities (e.g., nursing homes), medical and medical research facilities, childcare facilities, day camps, media press conferences, blood drives and other disaster response activities. When engaging in activity outside the residence, all individuals shall exercise six foot physical distancing requirements, except when using public transit, where there must be a distance of at least three feet between all users. *Id.*

Examples of essential activities: (i) activities essential to one’s health and safety or to the health and safety of family members, household members or pets, such as visiting a health care professional or obtaining supplies needed to work from home, (ii) obtaining necessary services or supplies for themselves, family, household members or pets, or to deliver those services or supplies to others, (iii) outdoor activities, (iv) performing work at an essential business, (v) caring for or transportation a family member or pet in another residence, (vi) moving to another residence and (vii) otherwise carrying out activities permitted in the Proclamation. *Id.*

Tulsa, OK

- Effective through April 30, 2020, all non-essential businesses operating within the city of Tulsa are required to cease all activities located within the city. They may continue to operate to the extent business activities can be performed at home and perform essential functions as necessary to maintain the business’s inventory, preserve the condition of the business’s physical plant and equipment, ensure security and process payroll and benefits. To the greatest extent feasible, all businesses shall comply with six foot physical distancing for both employees and the general public, offset shift hours and/or days and require employees to work remotely where feasible. Executive Order No. 2020-05 dated April 1, 2020.

- Essential businesses are those businesses identified by the Governor of the State of Oklahoma or his designee as critical infrastructure sectors, including critical government workers as defined by the government employer. *Id.*

- Effective through April 30, 2020, all individuals are ordered to shelter at their place of residence. All public of private events or social gatherings (defined as more than one person outside of a single residence) are prohibited, except the social gathering of members of a residence. When engaging in activity outside the residence, all individuals shall exercise six foot physical distancing requirements. *Id.*
• **Examples of essential activities:** (i) activities essential to one’s health and safety or to the health and safety of family members, household members or pets, such as visiting a health care professional or obtaining supplies needed to work from home, (ii) outdoor activities, (iii) performing work at an essential business, (iv) caring for or transportation a family member or pet in another residence and (v) moving to another residence. *Id.*

- **Enforcement Actions:** A maximum penalty of $100 or 90 days in jail applies. *Id.*

XXXVIII. Oregon (Statewide)

- On March 23, 2020, after “some Oregonians [did] not adhere[] to social distancing guidance provided by the Oregon Health Authority,” Oregon implemented additional measures to “reduce person-to-person interaction with the goal of slowing transmission.” See Executive Order No. 20-12 (issued March 23, 2020).

- As of March 23, nonessential social and recreational gatherings are prohibited, regardless of size, if individuals cannot maintain a distance of at least six feet. Individuals may engage in non-contact outdoor recreational activities, but only to the extent that they can maintain appropriate six-foot social distancing. *Id.*

  • **Social distancing:** if individuals do need to leave their homes or residences, they should, to the greatest extent possible, maintain social distancing of at least six feet.

    - Individuals are also directed to minimize travel, other than essential travel.
    - Pools, skate parks, outdoor sports courts, and playground equipment areas must close, and recreational areas that remain open must prominently display signs requiring social distancing.

- As of March 23, a list of businesses—including, for example, amusement parks, barber shops, gyms and fitness studios, indoor and outdoor malls, spas, museums, skating rinks, and theaters—“for which close personal contact is difficult or impossible to avoid” are closed. *Id.*

  • Restaurants, bars, and cafes can remain open to provide for offsite consumption. *Id.*

  • Indoor and outdoor malls and other prohibited businesses that provide food, groceries, health care, medical, pharmacy, or pet store services may continue to operate. *Id.*

- As of 12:01 a.m. on March 24, 2020, other retail businesses may not operate “unless the business designates an employee or officer to establish, implement, and enforce social distancing policies, consistent with guidance from the Oregon Health Authority.” *Id.*

  • **Social distancing:** Retail businesses that provide groceries, health care, medical, or pharmacy services are encouraged, but not required, to comply with social distancing guidelines. *Id.*
As of March 25, 2020, all businesses and nonprofits must, to the maximum extent possible, facilitate employees to telework or work from home. Id.

- If an employee can work remotely, the employee is prohibited from working in an office. Id.
- **Social distancing:** If telework and work-from-home options are not available, businesses and nonprofits must “designate an employee or officer to establish, implement, and enforce social distancing policies” and “address how the business or non-profit will maintain social distancing protocols for business-critical visitors.” Id.

- From March 25, 2020, until April 28, 2020, childcare facilities can continue operating only if they provide services to groups of ten or fewer children in classrooms that cannot be accessed by other children and prioritize the childcare needs of first responders, emergency workers, and health care professionals. Id.

- **Penalties:** Individuals found to be in violation of the Executive Order are subject to the penalties for a Class C misdemeanor (up to 30 days’ imprisonment and/or a $1,250 fine). Business and nonprofits that fail to comply with the Executive Order will be closed until they demonstrate compliance.

  - Effective March 23, 2020, and lasting 90 days, all elective and non-urgent procedures across all care settings that utilize PPE (including dental and veterinary), shall be canceled or rescheduled no earlier than June 15, 2020. See Executive Order No. 20-10.
    - A procedure/surgery is **exempt if a three-month delay in the procedure/surgery would put the patient at risk of irreversible harm.** Criteria for determining whether irreparable harm exists include: (i) threat to patient’s life; (ii) threat of irreversible harm to patient’s mental or physical health; (iii) threat of permanent dysfunction of an extremity or organ system; (iv) risk of metastasis; (v) risk of rapidly worsening symptoms. Id.
    - There may be no non-essential visitors to hospitals or ambulatory surgical centers. The Oregon Health Authority will provide guidance on limitation and screening requirements by March 23, 2020. Id.
    - **Penalty:** This executive order will be enforced as a public health law under ORS 431A.010 (which methods include subpoenas, administrative orders, and civil penalties of up to $500 per violation per day). Any person who knowingly violates shall be **guilty of Class C misdemeanor**, as described in ORS 401.990.

XXXIX. Pennsylvania (Statewide)

  - Effective April 1, 2020 at 8:00pm, and through April 30, 2020, the stay at home order expanding counties is further amended to apply to all individuals residing in the Commonwealth, who are hereby ordered to stay at home except as needed to access, support, or provide life-sustaining business, emergency, or government services. Executive Order dated as of April 1, 2020 (Order for Individuals to Stay at Home)
For employees of life-sustaining businesses that remain open, the following child care services may remain open: group and family child care providers in a residence; child care facilities operating under a waiver granted by the Department of Human Services Office of Child Development and Early Learning; and, part-day school age programs operating under an exemption from the March 19, 2020, business closure Orders.

Individuals leaving their home or place of residence to access, support, or provide life-sustaining services for themselves, another person, or a pet must employ social distancing practices as defined by the Centers for Disease Control and Prevention. Individuals are permitted to engage in outdoor activities; however, gatherings of individuals outside of the home are generally prohibited except as may be required to access, support, or provide life-sustaining services as outlined above.

- The stay at home order dated March 23, 2020 has been amended on March 24, March 25, March 27 and March 28, 2020, for the purpose of expanding the counties affected by the stay at home order, and extending the order through April 30, 2020. Executive Order dated as of March 30, 2020

- The order now includes these 26 counties: Allegheny, Beaver, Berks, Bucks, Butler, Carbon, Centre, Chester, Cumberland, Dauphin, Delaware, Erie, Lackawanna, Lancaster, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Philadelphia, Pike, Schuylkill, Washington, Wayne, Westmoreland and York counties.

- Effective March 23, 2020 at 8:00pm, and through April 6, 2020, all individuals residing in the below counties are ordered to stay at home except as needed to access, support, or provide life-sustaining business, emergency, or government services: Allegheny County, Bucks County, Chester County, Delaware County, Monroe County, Montgomery County, and Philadelphia County. Executive Order dated as of March 23, 2020

- Allowable individual activates and allowable essential travel include:
  - (i) 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; (ii) 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; (iii) engaging in outdoor activity, such as walking, hiking or running if they maintain social distancing; (iv) to perform work providing essential products and services at a life-sustaining business; (v) to care for a family member or pet in another household; (vi) any travel related to the provision of or access to the above-mentioned individual activities or life-sustaining business activities; (vii) travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons; (viii) travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services; (ix) travel to return to a place of residence from an outside jurisdiction; (x) travel required by law enforcement or court order; and (xi) travel required for non-residents to return to their place of residence outside the commonwealth.
The following operations are exempt:

- Life Sustaining Business Activities; (ii) health care or medical services providers; (iii) access to life-sustaining services for low-income residents, including food banks; (iv) 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 care operating in a residence; and part-day school age programs operating under an exemption from the March 19, 2020 business closure Orders; (v) news media; (vi) law enforcement; (vii) the federal government; and (viii) religious institutions

- For employees of life sustaining businesses that remain open, the following child care services may remain open: group and family child care providers in a residence; child care facilities operating under a waiver granted by the Department of Human Services Office of Child Development and Early Learning; and, part-day school age programs operating under an exemption from the March 19, 2020 business closure Orders. See list of life sustaining businesses here: Industry Operating Guidance updated March 24, 2020.

Social Distancing: Individuals leaving their home or place of residence to access, support, or provide life sustaining services for themselves, another person, or a pet must employ social distancing practices as defined by the Centers for Disease Control and Prevention. Individuals are permitted to engage in outdoor activities; however, gatherings of individuals outside of the home are generally prohibited except as may be required to access, support or provide life sustaining services as outlined above.

Effective March 19, 2020 at 8:00pm and continuing indefinitely, no person or entity may operate a business that is not a Life Sustaining Business, regardless of whether that business is open to members of the public. The order does not apply to businesses that can operate on a virtual/teleworking basis. See Executive Order dated as of March 19, 2020.

- Generally, Life Sustaining Businesses include certain businesses in natural resources and mining, manufacturing, trade, transportation and utilities, information, financial services, professional business services, education and health services, leisure and hospitality, and some other services like automotive and electronic repair, death care services, religious organizations and social advocacy organizations. For a very detailed list of closed businesses, see Industry Operating Guidance updated March 24, 2020.

- This order supersedes any prior business closure orders/guidance. Id.

- Life Sustaining Businesses may continue to operate but must follow social distancing and other mitigation procedures defined by the CDC. Id.

Waivers and agency outreach. Businesses designated as Non-Life Sustaining may request a waiver to keep their location open by contacting: RA-dcexemption@pa.gov. All waiver decisions will be communicated by email and will balance public health, safety, and the security of industry supply chains supporting Life-Sustaining Businesses. For guidance on the decision of whether a business is required to close, contact: ra-dcedcs@pa.gov.
- **All restaurants and bars may continue** to operate take out, delivery or drive through services only. *Id.*

- **Enforcement actions** against non-Life Sustaining Businesses that are in violation of this order will begin at 12:01am on March 21, 2020. *Id.* Enforcement actions could include: citations, fines, or license suspensions; loss of eligibility for any applicable disaster relief aid; and/or administrative actions such as termination of state loans or grant funding. See [Press Release of the PA Governor dated as of March 19, 2020](#).

- Information regarding working capital loans for businesses affected by the COVID-19 shutdown will be posted [here](#).

**XL. Rhode Island (Statewide)**

- Effective March 30, 2020, all non-critical retail businesses must cease in-person operations. Critical retail businesses include, but are not limited to, (i) food and beverage stores; (ii) pharmacies and medical supply stores; (iii) compassion centers; (iv) pet supply stores; (v) printing shops; (vi) mail and delivery stores and operations; (vii) gas stations; (viii) laundromats; (ix) electronics and telecommunications stores; (x) office supply; (xi) industrial and agricultural/seafood equipment and supply stores; (xii) hardware stores; (xiii) funeral homes; (xiv) auto repair and supply; (xv) banks and credit unions; (xvi) firearms stores; (xvii) healthcare and public safety professional uniform services; and (xviii) other stores and businesses identified as critical by the Department of Business Regulation. [Amended Eleventh Supplemental Emergency Declaration Dated March 28, 2020](#).
  - The Department of Business Regulation’s [list of essential businesses](#) matches that of the executive order.

- Effective March 16, 2020, **restaurants and bars** may only offer food and non-alcoholic beverages for take-out and delivery, and may not permit on-premises consumption of food and drink. See [Second Supplemental Emergency Declaration Dated March 16, 2020](#).

- Effective March 22, 2020, all **gatherings of more than ten people** are prohibited. See [Seventh Supplemental Emergency Declaration Dated March 22, 2020](#).

- **All public recreation and entertainment establishments** must cease in-person operations. See *id*.
  - These include, but are not limited to, theaters, cinemas, sporting events, bowling alleys, concert venues, museums, and zoos. See *id*.

- **All close-contact businesses** (i.e., those that cannot maintain social distancing with their customers) must cease in-person operations. See *id*.
  - These include, but are not limited to, gymnasiums, fitness centers and similar exercise facilities, hair salons and barbershops, nail salons, spas and tattoo parlors.

- All businesses remaining open must implement CDC guidance to ensure social distancing, including: (i) maintaining a distance of at least 6 feet between persons; (ii) ensuring employees practice appropriate
hygiene measures, including hand-washing; (iii) ensuring sick employees remain home; and (iv) regularly cleaning and disinfecting frequently touched objects and surfaces. See id.

- All business service personnel that can work from home are required to do so. These include, but are not limited to, accountants, lawyers, human resources, and procurement professionals. See id.

- Employers should consider providing personnel who are not involved in critical operations with assignments they can complete from home. See id.

### South Carolina (Statewide; Charleston)

- **Statewide**
  - Effective Tuesday, April 21st at 12:00 p.m., public beaches may be reopened to the public. Local authorities have the discretion to determine any restrictions needed with respect to public beaches and waters. Executive Order No. 2020-28.
  - Effective Monday, April 20th at 5:00 pm, a number of retail stores are allowed to reopen to the public, including: (i) furniture stores; (ii) clothing, shoe, and clothing-accessory stores; (iii) department stores; (iv) sporting good stores; (v) book, craft, and music stores; (vi) flea markets; and (vii) florists.
    - **Stores must adhere to previous mandates requiring an occupancy limit of five customers per 1,000 square feet or 20% of posted occupancy limits.**
  - Effective April 7, 2020, at 5:00 p.m., all residents and visitors of the state are required to limit social interaction, practice social distancing in accordance with CDC guidance, and remain in their homes except for purposes of engaging in essential business, essential activities, or critical infrastructure operations. This stay-at-home order is effective for the duration of the State of Emergency, most recently extended to April 27th.
    - **Essential activities include:** (i) caring for or visiting a family member; (ii) obtaining necessary supplies and services; (iii) activities essential for health and safety; (iv) caring for pets; (v) engaging in outdoor exercise, provided that a six-foot distance is maintained between persons; (vi) attending religious services; and (vii) travelling required by law.
    - **Critical infrastructure operations include:** (i) operating commercial vehicles transporting essential goods, such as food, water, medicine, medical supplies and equipment, fuels and petroleum products; and (ii) performing or assisting with military, healthcare, public safety, or emergency response operations.
      - **Any retail business allowed to continue operation must limit the number of customers allowed to enter to five customers per 1,000 square feet.**
    - **Enforcement:** Violations of this order are subject to a misdemeanor, which includes a fine of up to $100 or imprisonment of up to 30 days.
Charleston

- Effective March 26, 2020, at 12:01 a.m., individuals must stay in their homes except for purposes of working at or conducting business with an essential service or to engage in individual outdoor recreational activities. [Emergency Ordinance on Stay at Home – 2020-042](#).
  - Individuals who go out for essential services or to engage in individual outdoor recreational activities must maintain social distancing requirements (e.g., maintain a distance of six feet between persons). *Id.*

- Social gatherings of 10 or more are prohibited for any reason other than working at or receiving essential services. *Id.*

- **Essential services include:**
  1. essential health care operations;
  2. essential infrastructure operations (e.g., utilities, telecommunications and data centers, airports/airlines, and transportation infrastructure);
  3. essential manufacturing operations (e.g., food processing, manufacturing agents such as food and beverages, chemicals, medical equipment, pharmaceuticals, telecommunications, microelectronics/semi-conductor, agriculture/farms, vehicle and aircraft manufacturing);
  4. essential retail operations (e.g., grocery stores, laundromats, mail and shipping services, building cleaning and maintenance);
  5. news media;
  6. financial institutions and professional services operations;
  7. providers of basic necessities to economically disadvantaged populations;
  8. construction;
  9. defense operations; and
  10. essential services necessary to maintain safety, sanitation, and essential operations of residences or other essential businesses. *Id.*

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**XLII. South Dakota (Statewide)**

- South Dakota has not issued a stay-at-home order.
  - However, individuals in Minnehaha and Lincoln counties who are either (i) over the age of 65, or (ii) have serious underlying medical conditions, must stay home if possible. However, these individuals may leave home in order to conduct essential errands, or if they work in a critical sector job, as defined in CISA guidance (see Section I above). This order is effective until May 11. [Executive Order 2020-13, dated April 6, 2020; Executive Order 2020-18, dated April 24, 2020](#).

- All South Dakota businesses are directed to follow CDC hygiene practices in order to stop the spread of COVID-19, such as social distancing and encouraging staff to work remotely. [Executive Order 2020-12, dated April 6, 2020](#). This replaces an earlier order that only encouraged, but did not direct, adherence to CDC hygiene practices.

- All enclosed bars, restaurants, breweries, cafes, casinos, coffee shops, recreational and athletic facilities, health clubs, and entertainment venues are encouraged to suspend or modify business practices that involve ten or more people to be in an enclosed space where physical separation of at least six feet is not possible. These businesses are encouraged to continue offering take-out and delivery options.
XLIII. Tennessee (Statewide)

- Effective March 31 through April 30, 2020, all persons in Tennessee are required to stay at home, except for when engaging in Essential Activity or Essential Services as defined in the Order. See Tennessee Executive Order No. 22 dated March 30, 2020, as amended by Tennessee Executive Order No. 23 dated April 2, 2020 and as extended by Tennessee Executive Order No. 27 dated April 13, 2020.
  - All persons are strongly encouraged to limit to the greatest extent possible the frequency of engaging in Essential Activity or Essential Services, and to at all times follow the Health Guidelines to the greatest extent practicable. Id.
  - For those businesses that remain open, employers should take steps to the greatest extent practicable to permit employees to work from home, and to observe the Health Guidelines and necessary precautions advised by the CDC. Id.
  - Essential Activities include obtaining medical assistance, groceries, food and other necessary supplies, engaging in outdoor activity, visiting a place of worship, and attending a wedding or funeral. Id.
  - Essential Services include personnel identified in the CISA Memo, health care and public health operations, essential infrastructure operations, food and medicine stores, food and beverage production and agriculture, financial institutions, critical trades, and supplies for essential businesses. For a full list of Essential Services, see Attachment A to Executive Order No. 22. Id.

- On April 20, Gov. Bill Lee announced that the stay-at-home order will not be extended past April 30, and that some businesses around the state will begin reopening the week of April 27. The scope of applicable businesses and specific timeline has not yet been announced. Tennessee Office of the Governor COVID-19 Bulletin #22.
  - Social distancing limitations will remain in effect for businesses that reopen.
  - The plan involves 89 of Tennessee’s 95 counties. The Governor’s office will work with local officials in Shelby, Madison, Davidson, Hamilton, Knox, and Sullivan counties (containing Tennessee’s major metropolitan areas) to coordinate reopening approach.

- Effective March 23 through April 30, 2020, persons in the State shall not participate in social gatherings of ten or more people. See Tennessee Executive Order No. 17 dated March 22, 2020 and Tennessee Executive Order No. 21 dated March 30, 2020, as extended by Tennessee Executive Order No. 27 dated April 13, 2020.
  - All critical infrastructure remains operational, and government entities and businesses will continue providing important and essential services. Id.
    - For offices, workplaces, and businesses that remain open, employees should work from home where feasible, and employees and their customers should practice good hygiene
and observe the necessary precautions advised by the President and the CDC to reduce the spread of COVID-19. *Id.*

- This Order **does not mandate sheltering in place** and does not prohibit persons from visiting places necessary to maintain health and economic well-being, including grocery stores, gas stations, parks, and banks, among other places, so long as they observe the necessary precautions advised by the President and the CDC to reduce the spread of COVID-19. *Id.*

- Restaurants and bars may operate on a takeout, drive through, or delivery basis only. *Id.* See Section 5 of the Order for more details pertaining to the requirements restaurants and limited service restaurants must meet in order to sell for take-out or delivery alcoholic beverages or beer.

- Gyms, fitness/exercise centers and substantially similar facilities **shall not be open to members or the public.** *Id.*

- No person may visit nursing homes, retirement homes, or assisted-living facilities, unless to provide essential assistance or to visit residents receiving imminent end-of-life care, provided such visits may be accomplished without unreasonable risk to other residents. *Id.*

  o Effective March 24 through April 13, 2020, all non-emergency dental or oral procedures, and all non-essential medical procedures are prohibited. See *Tennessee Executive Order No. 18 dated March 23, 2020.*

  o Effective March 30 through April 30, 2020, businesses that perform close-contact personal services and entertainment and recreational gathering venues shall not be open to members of the public. See *Tennessee Executive Order No. 21 dated March 30, 2020,* as extended by *Tennessee Executive Order No. 27 dated April 13, 2020.*

**Texas (Statewide; Bell County; Bexar County; Brazoria County; Cameron County; Dallas County; Denton County; El Paso County; Fort Bend County; Galveston County; Gregg County; Harris County; Hidalgo County; Hunt County; McLennan County; Montgomery County; Nueces County; Robertson County; Scurry County; Tarrant County; Travis County; Williamson County)**

  o **Statewide**

    - Effective **May 1, 2020,** the businesses listed below may reopen if they follow the minimum standard health protocols detailed in The Governor’s Report to Open Texas. Bars, salons, gyms and barbers must remain closed. *The Governor’s Report to Open Texas dated April 27, 2020.*

      - Non-essential retailers (may operate up to 25% of the total listed occupancy, and may operate through pickup, delivery by mail or delivery to the customer’s doorstep). *Id.*

      - Shopping malls (may operate up to 25% of the total listed occupancy, but food court dining areas, play areas and interactive displays and settings must remain closed). *Id.*

      - Restaurants (may operate for dine-in service up to 25% of the total listed occupancy and may not offer valet services except for vehicles with placards or plates for disabled
parking; applies only to restaurants that are not required to post the 51% sign required by the Texas Alcoholic Beverage Commission). *Id.*

- Movie theaters (may operate up to 25% of the total listed occupancy). *Id.*
- Museums and libraries (may operate up to 25% of the total listed occupancy and must close any interactive functions or exhibits, including child play areas; also, local museums and libraries may operate only if permitted by the local government). *Id.*
- Churches and places of worship, including funeral services, burials and memorials (social distancing is encouraged). *Id.*
- Single-person offices. *Id.*
- Rural counties may, on an individualized basis, increase capacity for restaurants, retail stores and/or movie theaters if the county judge certifies and affirms to the Texas Department of State Health Services that certain standards have been investigated and confirmed to be met. *Id.*

- Effective through April 30, 2020, all services should be provided through remote telework from home, unless they are essential services that cannot be provided through remote telework. Executive Order GA-14 dated March 31, 2020. However, effective April 24, 2020, retail services that are not essential services that may be provided through pickup, delivery by mail or delivery to the customer’s doorstep may reopen in strict compliance with the terms required by the Texas Department of State Health Services. Executive Order dated April 17, 2020.

  - Examples of essential services: (i) religious services conducted in churches, congregations and houses of worship and (ii) everything identified in CISA guidance (see “I. Federal” above). *Id.*
    - Requests for additions to the list of essential services can be sent to the Texas Division of Emergency Management at EssentialServices@tdem.texas.gov or by visiting www.tdem.texas.gov/essentialservices. *Id.*

- Effective through April 30, 2020, every person in Texas shall 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. *Id.*

  - The Order does not prohibit people from engaging in essential daily activities, including: (i) going to the grocery store or gas station, (ii) providing or obtaining other essential services or accessing reopened services, (iii) visiting parks, hunting or fishing or (iv) engaging in physical activity such as 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. *Id.*
- People shall “avoid” eating or drinking at bars, restaurants and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios or cosmetology salons. The use of drive-through, pick up or delivery options for food and drink is allowed. *Id.*

- People may 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. *Id.*

- Schools will remain closed to in-person classroom attendance and shall not recommence before the end of the 2019-2020 school year. *Id.*

- **Enforcement Actions:** Failure to comply with any executive order issued during the COVID-19 disaster 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 fine and confinement. *Id.*

- **Bell County**

  - Effective through April 30, 2020, **all non-essential business operations must cease all activities**, except for operations consisting of employees or contractors performing activities at their own residences (i.e., working from home). To the greatest extent possible, all essential businesses must comply with social distancing guidelines (including maintaining six foot social distancing for both employees and the general public). The Order does not prohibit the gathering of members of a household unit. [Bell County Disaster Declaration Directive #5 dated April 3, 2020](#).

- **Examples of essential businesses:** (i) healthcare operations (including hospitals, pharmacies, dentists, veterinarians, doctors’ offices, healthcare suppliers, pharmaceutical and biotech companies), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) critical infrastructure (including work necessary to the operations and maintenance of the critical infrastructure sectors identified in CISA guidance [see “I. Federal” above]), (iv) essential retail (including food service providers (grocery, warehouse, and convenience stores) and stores selling basic consumer goods, gas stations, food cultivation, shipping/mailing/delivery businesses, hardware store and businesses selling supplies needed to work from home), (v) services necessary to maintain essential operations of residences or other essential businesses (including waste collection/processing, mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, storage for essential businesses, funeral services, skilled trades (plumbing, electrical, janitorial, etc.), and businesses that supply other essential businesses with support/supplies), (vi) news media, (vii) providers of basic necessities to economically disadvantaged populations and (viii) childcare facilities providing services that enable employees exempted in the Order to work as permitted. *Id.*

  - Any manufacturer who retools for the purpose of producing ventilators is an essential business. *Id.*
Effective through April 30, 2020, all individuals living in Bell County must shelter at their place of residence and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only to perform essential activities, to perform essential government functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. Id.

- **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). Id.

- Bexar County (including San Antonio, TX)

  Effective through April 30, 2020, all non-exempted businesses must cease all activities, except for (i) operations consisting of employees or contractors performing activities at their own residences (i.e., working from home), (ii) operations to maintain security, upkeep and maintenance of premises, equipment or inventory and (iii) IT or other operations that facilitate working from home. Executive Order NW-05 of County Judge dated April 6, 2020.

- **Examples of exempted businesses:** (i) Healthcare services (including pharmacies, pharmaceutical and biotechnology companies, mental health providers, medical research, laboratory services, home-based and residential-based care and veterinary care, but not including gyms and elective medical, surgical and dental operations), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) education and research for purposes of facilitating distance learning and companies engaged in science or engineering research and development, (iv) infrastructure, development, operation and construction (including public works construction, housing construction, airport operations and aircraft manufacturing, utilities, Internet, waste collection and removal and telecommunications systems), (v) transportation (including operation, maintenance, construction and manufacture of transportation services), (vi) IT services, (vii) food, household staples and retail (including food service providers (grocery, warehouse, and convenience stores) and restaurants serving food for delivery, curbside pick-up or carry out), (viii) services necessary to maintain residences or support exempt businesses (including mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, skilled trades (plumbing, electrical, janitorial, etc.), and businesses that supply other essential businesses with support/supplies), (ix) news media, (x) services to economically disadvantaged populations, (xi) childcare facilities providing services that enable employees exempted in the Order to work as permitted, (xii) worship services provided...
by remote measures, (xiii) funeral services and (xiv) critical infrastructure sectors identified in CISA guidance (see “I. Federal” above). Id.

- No person shall sell any of the following goods or services for more than the price the person charged for the goods or services on 11:59 PM on March 19, 2020: (i) groceries, beverages, toilet articles and ice, (ii) restaurant, cafeteria and boarding-house meals and (iii) medicine, pharmaceutical and medical equipment and supplies. Id.

- Effective through April 30, 2020, all individuals living in Bexar County must **stay at home** and **all public and private gatherings of any number of people** occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. Individuals may leave their residences only to perform exempted activities or work in exempted businesses. Id.

  - **Examples of exempted activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity and (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order. Id.

  - **Enforcement Actions:** A violation of the Order is punishable by a fine not to exceed $1,000, confinement in jail for a term not to exceed 180 days. Id.

- Brazoria County

  - Effective through April 30, 2020, **all non-essential business operations must cease all activities**, except for operations consisting of employees or contractors performing activities at their own residences (i.e., working from home). To the greatest extent possible, **all essential businesses must comply with social distancing guidelines** (including maintaining six foot social distancing for both employees and the general public). Brazoria County Stay Safe at Home Order dated March 25, 2020; Brazoria County Stay Safe at Home Order Extended dated March 31, 2020.

  - **Examples of essential businesses:** (i) healthcare operations (including hospitals, pharmacies, dentists, veterinarians, doctors’ offices, healthcare suppliers, pharmaceutical and biotech companies but not including fitness and exercise gyms), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) critical infrastructure (including work necessary to the operations and maintenance of the critical infrastructure sectors identified in CISA guidance (see “I. Federal” above)), (iv) essential retail (including food service providers (grocery, warehouse, and convenience stores) and stores selling basic consumer goods, gas stations, food cultivation, shipping/mailing/delivery businesses, hardware store and businesses selling supplies needed to work from home), (v) services necessary to maintain essential operations of residences or other essential businesses (including waste collection/processing, mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, storage for essential businesses, funeral services, skilled trades
(plumbing, electrical, janitorial, etc.), and businesses that supply other essential businesses with support/supplies), (vi) news media, (vii) providers of basic necessities to economically disadvantaged populations, (viii) childcare facilities providing services that enable employees exempted in the Order to work as permitted and (ix) labor union functions (including the maintenance of health and welfare funds and checking on the well-being and safety of members). *Id.*

- Any manufacturer who retools for the purpose of producing ventilators may apply for an essential business exemption. *Id.*

**Effective through April 30, 2020,** all individuals living in Fort Bend County must **shelter at their place of residence** and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only to perform essential activities, to perform essential government functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. *Id.*

- **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). *Id.*

- **Cameron County**

  - **Effective through May 4, 2020,** all non-essential businesses must cease all activities at facilities located within Cameron County, except for minimum basic operations and operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). To the greatest extent feasible, essential businesses must comply with six-foot social distancing, including customers standing in line. *Emergency Management Order Extending Mandatory Countywide Shelter in Place With Lifting of Certain Restrictions dated April 20, 2020.*

- **Examples of essential businesses:** (i) Healthcare operations (including pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare services providers and veterinary care, but **not including** gyms), essential infrastructure (including construction, airport operations, utilities, public transportation, waste collection, Internet and telecommunications services) and essential government functions, (ii) grocery stores, certified farmers’ markets, convenience stores and other establishments engaged in the retail sale of food, (iii) food and beverage cultivation, processing and distribution, (iv) businesses that are necessary to supply food and beverage cultivation, processing and distribution, (v) businesses that provide food, shelter and social services for economically disadvantaged or otherwise needy individuals, (vi) news
media, (vii) gas stations and auto-supply, auto-repair and related facilities, (viii) banks and related financial institutions, (ix) hardware stores, (x) 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, (xi) landscaping and pool cleaning services, (xii) businesses providing mailing and shipping services, (xiii) laundromats, dry cleaners and laundry service providers, (xiv) restaurants and other facilities that prepare and serve food, but only for delivery or carry out, (xv) businesses that supply products needed for people to work from home, (xvi) businesses that supply other essential businesses with the support or supplies necessary to operate, (xvii) businesses that ship or deliver groceries, food, goods or services directly to residences, (xviii) private transportation providers (including airlines and taxis), (xix) home-based care, (xx) professional services, such as legal and accounting services, when necessary to assist in compliance with legally mandated activities and (xxi) funeral homes, (xxii) childcare facilities providing services that enable employees exempted in the Order to work as permitted. *Id.*

- Golfing and tennis activities at private clubs and restricted to members or residents only will be allowed to commence on April 21, 2020 with certain restrictions in place, including the practice of social distancing, wearing facial coverings when social distancing may be compromised or other people may be in the vicinity, reservations and payments must be made online, club houses being closed except for carry-out or delivery meals, no person-to-person contact is permitted and fitness centers and swimming pools must remain closed. *Id.*

- Effective through May 4, 2020, all individuals living in Cameron County must *shelter at their place of residence* and *all public and private gatherings of any number of people* occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces or when people need to leave their places of residence, they must as reasonably as possible maintain *social distancing of at least six feet* from others. Individuals may leave their residences only for essential personal activities, obtaining healthcare operation services, performing essential infrastructure operations, performing or accessing essential governmental functions or operating essential businesses. The Order does not prohibit the gathering of members of a household unit. *Id.*

- **Examples of essential personal activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations, (v) to take care of others (including caring for a family member or pet in another household) and (vi) to perform minimum basic operations (*i.e.*, employees or contractors performing activities at their own residences (*i.e.*, working from home)). *Id.*
- **Enforcement Actions:** A violation of the Order is punishable by a fine of not more than $1,000 per violation or confinement in jail for a term not to exceed 180 days. *Id.*

  - Dallas County (including Dallas, TX)

- Effective through April 30, 2020, **all non-essential business operations must cease all activities**, except for operations consisting of employees or contractors performing activities at their own residences (*i.e.*, working from home). To the greatest extent possible, all essential businesses must comply with social distancing guidelines (including maintaining six foot social distancing for both employees and the general public). *Amended Order of County Judge dated April 6, 2020.*

  - **Examples of essential businesses:** (i) healthcare operations (including hospitals, pharmacies, dentists, veterinarians, doctors’ offices, healthcare suppliers, pharmaceutical and biotech companies), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) essential critical infrastructure (including work necessary to the operations and maintenance of the critical infrastructure sectors identified in CISA guidance (see “I. Federal” above)), (iv) essential retail (including food service providers (grocery, warehouse, and convenience stores) and stores selling basic consumer goods, gas stations, food cultivation, shipping/mailing/delivery businesses, hardware store and businesses selling supplies needed to work from home), (v) services necessary to maintain essential operations of residences or other essential businesses (including waste collection/processing, mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, storage for essential businesses, funeral services, skilled trades (plumbing, electrical, janitorial, etc.), and businesses that supply other essential businesses with support/supplies), (vi) news media, (vii) providers of basic necessities to economically disadvantaged populations and (viii) childcare facilities providing services that enable employees exempted in the Order to work as permitted. *Id.*

    - Any manufacturer who retools for the purpose of producing ventilators is an essential business. *Id.*

  - Restaurants and bars may operate on a takeout, drive-through and delivery basis only, except for facilities located within hospitals or medical facilities. *Id.*

  - All elective medical, surgical and dental procedures are prohibited anywhere in the County. Healthcare providers must identify which procedures are elective by assessing risk of postponement/cancellation to the patient in light of the need to redirect resources to respond to COVID-19. *Id.*

- Effective March 22 through at least May 21, 2020, **all eviction hearings and writs of possession are suspended** for 60 days to prevent renters from being displaced. *Id.*

- Effective through April 30, 2020, all individuals living in Dallas County must **shelter at their place of residence** and **all public and private gatherings of any number of people** occurring
outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only to perform essential activities, to perform essential government functions or to operate essential businesses. *Id.*

- **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). *Id.*

- **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. *Id*

  o Denton County

  - Effective through April 30, 2020, all non-essential business operations must cease all activities, except for operations consisting of employees or contractors performing activities at their own residences (*i.e.*, working from home). To the greatest extent possible, all essential businesses must comply with social distancing guidelines (including maintaining six foot social distancing for both employees and the general public). [Disaster Declaration and Executive Order of the Denton County Commissioners Court dated April 7, 2020.](#)

- **Examples of essential businesses:** (i) Healthcare operations (including pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare services providers and veterinary care, but not including gyms and fitness centers or elective medical, surgical and dental procedures), (ii) government functions, (iii) education (for the purposes of distance-learning, preparation and distribution of meals to students and maintenance/cleaning of facilities), (iv) critical infrastructure (including the critical infrastructure sectors identified in CISA guidance (see “I. Federal” above)), (v) essential retail (including food service providers, laundry service providers, gas stations, auto-supply stores, bicycle repair stores, hardware stores and businesses that supply products needed for people to work from home), (vi) providers of basic necessities to economically disadvantaged populations, (vii) services needed to maintain essential operations of residences or other essential businesses (including trash collection, funeral homes, plumbers, electricians, exterminators, professional services (such as legal and accounting services when necessary to assist in compliance with legally mandated activities) and businesses that supply other essential businesses with support or supplies needed to operate, (viii) automotive sales (dealerships may continue online sales but showrooms must remain closed, (ix) news media and (x) childcare services providing services that enable employees exempted in the Order to work as permitted. *Id.*
Effective through April 30, 2020, all individuals residing in Denton County must stay at their place of residence and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only to perform essential activities, to provide or perform essential government functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. Id.

- **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations and (v) to take care of others (including caring for a family member or pet in another household). Id.

- **Examples of essential businesses:** (i) Healthcare operations (including pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare services providers and veterinary care, but not including gyms and fitness centers or elective medical, surgical and dental procedures) and essential infrastructure (including construction, airport operations, utilities, public transportation, waste collection, Internet and telecommunications services), (ii) essential retail (including food service providers, businesses that ship or deliver groceries or goods, restaurants and other facilities that prepare and serve food but only for delivery or carry out, laundry service providers, automobile dealerships, auto manufacturing, bicycle repair, hardware stores and businesses that supply products needed for people to work from home, but not including outdoor food stalls or other goods sold in an outdoor market, including farmers’ markets and swap meets, (iii) providers of basic necessities to economically disadvantaged populations, (iv) services needed to maintain essential operations of residences or other essential businesses (including trash collection, funeral homes, plumbers, electricians, exterminators, professional services (such as legal and 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 and petroleum refineries, (v) media, (vi) financial institutions, (vii) mail and delivery services, (viii) educational institutions for purposes of facilitating distance learning or performing essential functions, (ix) supplies for essential businesses, critical infrastructure and...
essential government functions (including businesses that retool so that a substantial part of their business is for the purpose of manufacturing and producing ventilators), (x) food delivery services, (xi) transportation, (xii) home-based care and services, (xiii) residential facilities and shelters, (xiv) information technology services, (xv) childcare facilities providing services that enable employees exempted in the Order to work as permitted, (xvi) animal shelters and other businesses that maintain live animals, (xvii) vector and pest control and (xviii) funeral and post-mortem services. *Id.*

- Effective March 25 and effective indefinitely, all individuals living in El Paso County must **stay at home or their place of residence** and **all public and private gatherings of any number of people** occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces or when people need to leave their places of residence, they must as reasonably as possible maintain **social distancing of at least six feet** from others. Individuals may leave their residences only for essential activities, to perform work or operate in an essential business or in critical infrastructure, engage in essential travel or minimum basic operations. The Order does not prohibit the gathering of members of a household unit. *Id.*

  - **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations, (v) to take care of others (including caring for a family member or pet in another household) and (vi) to seek safe residence for those who residences are unsafe or become unsafe (such as victims of domestic violence). *Id.*

  - ** Enforcement Actions:** A violation of the Order is a misdemeanor punishable by a fine not to exceed $1,000, confinement in jail for a term not to exceed 180 days. *Id.*

- **Fort Bend County**

  - Effective through April 30, 2020, **all non-essential business operations must cease all activities**, except for operations consisting of employees or contractors performing activities at their own residences (i.e., working from home). To the greatest extent possible, **all essential businesses must comply with social distancing guidelines** (including maintaining six foot social distancing for both employees and the general public). *Fourth Amended and Restated Order by the County Judge of Fort Bend County dated April 1, 2020.*

  - **Examples of essential businesses:** (i) healthcare operations (including hospitals, pharmacies, dentists, veterinarians, doctors’ offices, healthcare suppliers, pharmaceutical and biotech companies but **not including** elective medical, surgical and dental procedures, nor fitness and exercise gyms), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) critical infrastructure (including work necessary to the operations and
maintenance of the critical infrastructure sectors identified in CISA guidance (see “I. Federal” above), (iv) essential retail (including food service providers (grocery, warehouse, and convenience stores) and stores selling basic consumer goods, gas stations, food cultivation, shipping/mailing/delivery businesses, hardware store and businesses selling supplies needed to work from home), (v) services necessary to maintain essential operations of residences or other essential businesses (including waste collection/processing, mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, storage for essential businesses, funeral services, skilled trades (plumbing, electrical, janitorial, etc.), and businesses that supply other essential businesses with support/supplies), (vi) news media, (vii) providers of basic necessities to economically disadvantaged populations and (viii) childcare facilities providing services that enable employees exempted in the Order to work as permitted. Id.

- Any manufacturer who retools for the purpose of producing ventilators is an essential business. Id.

- Effective through April 30, 2020, all individuals living in Fort Bend County must shelter at their place of residence and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only to perform essential activities, to perform essential government functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. Id.

- **Examples of essential activities**: (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). Id.

- **Enforcement Actions**: Failure to comply with the Order is an offense punishable by a fine of up to $1,000 or confinement in jail for a term of up to 180 days. Id.

- Galveston County

- Effective through April 30, 2020, all non-essential businesses must cease all activities at facilities located within Galveston County, except for operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). To the greatest extent feasible, essential businesses must comply with six-foot social distancing for both employees and the general public. Order Relating to Continuity of Essential Services and Activities in Galveston County dated April 1, 2020.

- **Examples of essential businesses**: (i) Healthcare operations (including pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare
services providers and veterinary care, but not including gyms and fitness centers or elective medical, surgical and dental procedures) and essential infrastructure (including construction, airport operations, utilities, public transportation, waste collection, Internet and telecommunications services), (ii) government functions (i.e., 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, (iii) critical infrastructure (including the critical infrastructure sectors identified in CISA guidance (see “I. Federal” above)), (iv) essential retail (including food service providers, laundry service providers, gas stations, auto-supply stores, bicycle repair stores, hardware stores and businesses that supply products needed for people to work from home), (v) providers of basic necessities to economically disadvantaged populations, (vi) services needed to maintain essential operations of residences or other essential businesses (including trash collection, funeral homes, plumbers, electricians, exterminators, professional services (such as legal and accounting services when necessary to assist in compliance with legally mandated activities) and businesses that supply other essential businesses with support or supplies needed to operate, (vii) news media and (viii) childcare facilities providing services that enable employees exempted in the Order to work as permitted. Id.

- Effective through April 30, 2020, all individuals living in Galveston County must remain at their place of residence and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces or when people need to leave their places of residence, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only for essential activities, essential governmental functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. Id.

- Examples of essential activities: (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations, (v) to take care of others (including caring for a family member or pet in another household) and (vi) “to exercise a fundamental Constitution rights (sic)” Id.

- Enforcement Actions: Failure to comply with the Order is an offense punishable by a fine of up to $1,000 or confinement in jail for a term of up to 180 days or both. Id.

- Gregg County

- Effective indefinitely, all non-essential business operations must cease all activities, except for operations consisting of employees or contractors performing activities at their own residences (i.e., working from home) and minimum basic operations (including the minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits and facilitate remote working). Order Renewing Declaration of Local Disaster and Public Health Emergency Related to Communicable Disease dated March 30, 2020; First

- **Examples of essential businesses:** (i) Healthcare operations *(including* pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare services providers and veterinary care, but **not including** gyms and fitness centers) and essential infrastructure *(including construction, airport operations, utilities, public transportation, waste collection, Internet and telecommunications services)*, (ii) grocery stores, certified farmers’ markets, convenience stores and other establishments engaged in the retail sale of food, (iii) food cultivation, (iv) businesses that provide food, shelter and social services for economically disadvantaged or otherwise needy individuals, (v) news media, (vi) gas stations and auto-supply, auto-repair and related facilities, (vii) banks and related financial institutions, (viii) hardware and construction supply stores, (ix) 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, (x) businesses providing mailing and shipping services, (xi) laundromats, dry cleaners and laundry service providers, (xii) restaurants and other facilities that prepare and serve food, but only for delivery or carry out, (xiii) 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, (xv) businesses that ship or deliver groceries, food, goods or services directly to residences, (xvi) private transportation providers *(including airlines and taxis)*, (xvii) home-based care, (xviii) residential facilities and shelters, (xix) professional services: legal, accounting, insurance, real estate *(including appraisal, survey and title services)*, engineering and architectural, (xx) childcare facilities providing services that enable employees exempted in the Order to work as permitted, (xxi) utilities, telecommunications, trash collection, law enforcement, ambulance, corrections, dispatch, animal shelters and governmental employees who have not been specifically deemed non-essential and sent home by the government entity, (xxii) janitorial and maintenance services, funeral industry, defense industry, space and technology industry, technology support, and scientific research and (xxiii) religious services performed at healthcare operations, in a residence, at a funeral or the broadcasting religious services. *Id.*

- Effective indefinitely, all residents of Longview or Gregg County must **shelter in place** except to perform essential activities, operate essential businesses or maintain essential governmental functions. When leaving the home for necessary tasks, individuals must stay **at least six feet** from others. *Id.*

- **Examples of essential activities:** (i) For health and safety of household members *(including pets)* and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations and (v) to take care of others *(including caring for a family member or pet in another household).* *Id.*
- **Enforcement Actions:** A fine or imprisonment may apply. *Id.*
  
  - **Harris County (including Houston, TX)**
    
    - Effective through April 30, 2020, **the following businesses must close:** (i) hair and nail salons and spas, (ii) live performance theaters, arenas and stadiums, (iii) movie theaters, game rooms, bowling alleys and arcades, (iv) indoor and outdoor flea markets and swap meets, (v) indoor malls and indoor shopping centers, (vi) bingo halls and (vii) gyms, swimming pools and other facilities used for training, martial arts, sport or recreation. *Order of County Judge Lina Hidalgo dated April 3, 2020.*
    
    - Effective through April 30, 2020, restaurants, bars and other establishments that serve food and alcohol are prohibited from serving food for consumption on the premises and may only serve food or alcohol by take out, delivery or drive-through services. *Id.*
    
    - Effective through April 30, 2020, all individuals living in Harris County must **stay at their place of residence** and **all public and private gatherings of any number of people** occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only to perform essential activities, to perform essential government functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. *Id.*
      
      - **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). *Id.*

      - **Examples of essential businesses:** (i) critical infrastructure (including work necessary to the operations and maintenance of the critical infrastructure sectors identified in CISA guidance (see “I. Federal” above)), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) healthcare operations (including hospitals, pharmacies, dentists, veterinarians, doctors’ offices, healthcare suppliers, pharmaceutical and biotech companies), (iv) essential retail (including food service providers (grocery, warehouse, and convenience stores) and stores selling basic consumer goods, gas stations, food cultivation, shipping/mailing/delivery businesses, hardware store and businesses selling supplies needed to work from home), (v) services necessary to maintain essential operations of residences or other essential businesses (including waste collection/processing, mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, storage for essential businesses, funeral services, skilled trades (plumbing, electrical, janitorial, etc.), and businesses that supply other essential businesses with support/supplies), (vi) news media, (vii) providers of basic necessities to
economically disadvantaged populations, (vii) childcare facilities providing services that enable employees exempted in the Order to work as permitted, (viii) infrastructure, development, operation and construction (including public works construction, housing construction and other types of construction), (ix) transportation (including vehicle manufacturers, public transportation, businesses supporting airport operations, street and highway maintenance and construction and vehicles for hire), (x) labor union functions, (xi) NASA and the Port of Houston, (xii) airports and related operations and (xiii) professional services (including 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). *Id.*

- Any manufacturer who retools so that a substantial part of their business is for the purpose of producing ventilators, personal protective equipment or other medical supplies and equipment necessary for COVID-19 response, or to provide or support essential services during the COVID-19 response, may apply for an essential business exemption. *Id.*

- **Enforcement Actions:** A violation of the Order is punishable by a fine not to exceed $1,000, confinement in jail for a term not to exceed 180 days. *Id.*

○ Hidalgo County

- Effective through April 30, 2020, **all non-essential business operations must cease all activities**, except for operations consisting of employees or contractors performing activities at their own residences (*i.e.*, working from home). To the greatest extent possible, **all essential businesses must comply with social distancing guidelines** (including maintaining six foot social distancing for both employees and the general public). The Order does not prohibit the gathering of members of a household unit. [Shelter-at-Home Order dated April 7, 2020](#).

- **Examples of essential businesses:** (i) healthcare operations (*including* hospitals, pharmacies, dentists, veterinarians, doctors’ offices, healthcare suppliers, pharmaceutical and biotech companies but **not including** elective medical, surgical and dental procedures, nor fitness and exercise gyms), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) critical infrastructure (including work necessary to the operations and maintenance of the critical infrastructure sectors identified in CISA guidance (*see* “I. Federal” above)), (iv) essential retail (including food service providers (grocery, warehouse, and convenience stores) and stores selling basic consumer goods, gas stations, food cultivation, shipping/mailng/delivery businesses, hardware store and businesses selling supplies needed to work from home), (v) services necessary to maintain essential operations of residences or other essential businesses (including waste collection/processing, mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, storage for essential businesses, funeral services, skilled trades (plumbing, electrical, janitorial, etc.), and businesses that supply other essential
businesses with support/supplies), (vi) news media, (vii) providers of basic necessities to economically disadvantaged populations and (viii) childcare facilities providing services that enable employees exempted in the Order to work as permitted. *Id.*

- Any manufacturer who retools for the purpose of producing ventilators is an essential business. *Id.*

- Effective through April 30, 2020, all individuals living in Hidalgo County must *shelter at home in their residences* and *all public and private gatherings of any number of people* occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only to perform essential activities, to perform essential government functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. *Id.*

- **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). *Id.*

- **Enforcement Actions:** Failure to comply with the Order is an offense punishable by a fine of up to $1,000 or confinement in jail for a term of up to 180 days. *Id.*

- **Hunt County**

  - Effective through April 30, 2020, all non-essential business operations must cease all activities, except for operations consisting of employees or contractors performing activities at their own residences (*i.e.*, working from home). Resolution No. 16050 dated April 14, 2020.

  - **Examples of essential businesses:** (i) Healthcare operations (*including* pharmacies, pharmaceutical and biotechnology companies, mental health providers, medical research, laboratory services, home-based and residential-based care and veterinary care, but *not including* gyms and elective medical, surgical and dental operations), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) critical infrastructure (including work necessary to the operations and maintenance of the critical infrastructure sectors identified in CISA guidance (*see* “I. Federal” above)), (iv) essential retail (including food service providers (grocery, warehouse, and convenience stores) and stores selling basic consumer goods, gas stations, food cultivation, shipping/mailing/delivery businesses, hardware store and businesses selling supplies needed to work from home), (v) services necessary to maintain essential operations of residences or other essential businesses (including waste
collection/processing, mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, storage for essential businesses, funeral services, skilled trades (plumbing, electrical, janitorial, etc.), and businesses that supply other essential businesses with support/supplies), (vi) news media, (vii) providers of basic necessities to economically disadvantaged populations and (vii) childcare facilities providing services that enable employees exempted in the Order to work as permitted. *Id.*

- Any manufacturer who retools so that a substantial part of their business is for the purpose of producing ventilators may apply for an essential business exemption. *Id.*

- Effective March 24 through at least May 23, 2020, all eviction hearings and writs of possession are suspended for 60 days to prevent renters from being displaced. *Id.*

- Effective through April 30, 2020, all individuals living in Hunt County must shelter at their place of residence and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only to perform essential activities, to perform essential government functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. *Id.*

  - Examples of essential activities: (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). *Id.*

  - Enforcement Actions: A violation of the Order is punishable by a fine not to exceed $1,000, confinement in jail for a term not to exceed 180 days. *Id.*

- McLennan County

  - Effective through April 30, 2020, all non-essential businesses must cease all activities at facilities located within McLennan County, except for operations consisting exclusively of employees or contractors performing activities at their own residences (*i.e.*, working from home) and minimum basic operations (including (i) 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 and (ii) the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences). *Amended and Restated Order of the County Judge dated March 24, 2020*; *Extension Order dated April 14, 2020.*

  - Examples of essential businesses: (i) Healthcare operations (*including* pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare
services providers and veterinary care, but not including gyms and fitness centers) and essential infrastructure (including construction, airport operations, utilities, public transportation, waste collection, Internet and telecommunications services), (ii) grocery stores, certified farmers’ markets, convenience stores and other establishments engaged in the retail sale of food, (iii) food cultivation, (iv) businesses that provide food, shelter and social services for economically disadvantaged or otherwise needy individuals, (v) news media, (vi) gas stations and auto-supply, auto-repair and related facilities, (vii) banks and related financial institutions, (viii) hardware and construction supply stores, (ix) 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, (x) businesses providing mailing and shipping services, (xi) laundromats, dry cleaners and laundry service providers, (xii) restaurants and other facilities that prepare and serve food, but only for delivery or carry out, (xiii) 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, (xv) businesses that ship or deliver groceries, food, goods or services directly to residences, (xvi) private transportation providers (including airlines and taxis), (xvii) home-based care, (xviii) residential facilities and shelters, (xix) professional services: legal, accounting, insurance, real estate (including appraisal, survey and title services), engineering and architectural, (xx) childcare facilities providing services that enable employees exempted in the Order to work as permitted, (xxi) utilities, telecommunications, trash collection, law enforcement, ambulance, corrections, dispatch, animal shelters and governmental employees who have not been specifically deemed non-essential and sent home by the government entity, (xxii) janitorial and maintenance services, funeral industry, defense industry, space and technology industry, technology support, and scientific research and (xxiii) religious services performed at healthcare operations, in a residence, at a funeral or the broadcasting religious services. *Id.*

- Effective through April 30, 2020, all individuals living in McLennan County must shelter at their place of residence and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces or when people need to leave their places of residence, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only for essential activities, essential governmental functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. *Id.*

- Examples of essential activities: (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations and (v) to take care of others (including caring for a family member or pet in another household). *Id.*
- Enforcement Actions: A violation of the Order shall be a Class C misdemeanor and is punishable by a fine of not less than $1.00 and not more than $1,000. Each day a violation exists shall be a separate offense. *Id.*

- Montgomery County

- Effective through April 30, 2020, **all non-essential business operations must cease all activities**, except for operations consisting of employees or contractors performing activities at their own residences (i.e., working from home) or those employees associated with ongoing physical maintenance of non-essential businesses. To the greatest extent possible, **all essential businesses must comply with social distancing guidelines** (including maintaining six foot social distancing for both employees and the general public). The Order does not prohibit the gathering of members of a household unit. Order of County Judge dated March 31, 2020.

- **Examples of essential businesses**: (i) healthcare operations (including hospitals, pharmacies, dentists, veterinarians, doctors’ offices, healthcare suppliers, pharmaceutical and biotech companies but **not including** elective medical, surgical and dental procedures, nor fitness and exercise gyms), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) critical infrastructure (including work necessary to the operations and maintenance of the critical infrastructure sectors identified in CISA guidance (see “I. Federal” above)), (iv) essential retail (including food service providers (grocery, warehouse, and convenience stores) and stores selling basic consumer goods, gas stations, food cultivation, shipping/mailing/delivery businesses, hardware store and businesses selling supplies needed to work from home), (v) services necessary to maintain essential operations of residences or other essential businesses (including waste collection/processing, mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, storage for essential businesses, funeral services, skilled trades (plumbing, electrical, janitorial, etc.), and businesses that supply other essential businesses with support/supplies), (vi) news media, (vii) providers of basic necessities to economically disadvantaged populations and (viii) childcare facilities providing services that enable employees exempted in the Order to work as permitted. *Id.*

- Effective through April 30, 2020, all individuals living in Montgomery County must **shelter at home in their residences** and **all public and private gatherings of any number of people** occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only to perform essential activities, to perform essential government functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. *Id.*

- **Examples of essential activities**: (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an
essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). *Id.*

- Effective through April 30, 2020, a **curfew** is in place starting at 11:59 PM every night and ending at 6:00 AM the next morning for all persons not performing essential government functions, working for and traveling to or from an essential business or seeking emergency medical care. *Id.*

- **Enforcement Actions:** Failure to comply with the Order is an offense punishable by a fine of up to $1,000 or confinement in jail for a term of up to 180 days. *Id.*

- **Nueces County**

  - Effective through April 30, 2020, **all non-essential businesses must cease all activities at facilities located within Nueces County**, except for operations consisting exclusively of employees or contractors performing activities at their own residences (*i.e.*, working from home). To the greatest extent possible, essential businesses must comply with **six-foot social distancing** for both employees and the general public. *First Amended Order to Stay at Home dated April 2, 2020.*

  - **Examples of essential businesses:** (i) Healthcare operations (*including* pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare services providers and veterinary care, but **not including** gyms and fitness centers or elective medical, surgical and dental procedures) and essential infrastructure (including construction, airport operations, utilities, public transportation, waste collection, Internet and telecommunications services), (ii) government functions (*i.e.*, 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, (iii) critical infrastructure (including the critical infrastructure sectors identified in CISA guidance (*see* “I. Federal” above)), (iv) essential retail (including food service providers, laundry service providers, gas stations, auto-supply stores, bicycle repair stores, hardware stores and businesses that supply products needed for people to work from home), (v) providers of basic necessities to economically disadvantaged populations, (vi) services needed to maintain essential operations of residences or other essential businesses (including trash collection, funeral homes, plumbers, electricians, exterminators, professional services (such as legal and accounting services when necessary to assist in compliance with legally mandated activities) and businesses that supply other essential businesses with support or supplies needed to operate, (vii) news media and (viii) childcare facilities providing services that enable employees exempted in the Order to work as permitted. *Id.*

  - Effective through April 30, 2020, all individuals living in Nueces County must **shelter at their place of residence** and **all public and private gatherings of any number of people** occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces or when people need to leave their places of residence, they must as reasonably as possible maintain **social distancing of at least six feet** from others. Individuals may leave their residences only for essential activities, essential
governmental functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. *Id.*

- **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations and (v) to take care of others (including caring for a family member or pet in another household). *Id.*

- **Enforcement Actions:** A violation is punishable by a fine of up to $500 per violation. A second offense after warning in which intent to commit all elements of an act prohibited in the Order is proven my result in a fine of up to $1,000 per violation or up to 180 days in jail. *Id.*

  o Robertson County

- Effective through April 30, 2020, **all non-essential businesses must cease all activities at facilities located within Robertson County**, except for minimum basic operations and operations consisting exclusively of employees or contractors performing activities at their own residences (*i.e.*, working from home) (including (i) 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 and (ii) the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences). *Extended Order dated April 14, 2020.*

- **Examples of essential businesses:** (i) Healthcare operations (*including* pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare services providers and veterinary care, but *not including* gyms and fitness centers) and essential infrastructure (including construction, airport operations, utilities, public transportation, waste collection, Internet and telecommunications services), (ii) grocery stores, certified farmers’ markets, convenience stores and other establishments engaged in the retail sale of food, (iii) food cultivation, (iv) businesses that provide food, shelter and social services for economically disadvantaged or otherwise needy individuals, (v) news media, (vi) gas stations and auto-supply, auto-repair and related facilities, (vii) banks and related financial institutions, (viii) hardware and construction supply stores, (ix) 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, (x) businesses providing mailing and shipping services, (xi) laundromats, dry cleaners and laundry service providers, (xii) restaurants and other facilities that prepare and serve food, but only for delivery or carry out, (xiii) 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, (xv) businesses that ship or deliver groceries, food, goods or services directly to residences, (xvi) private transportation providers (including airlines and taxis), (xvii) home-based care, (xviii) residential facilities and shelters, (xix) professional services:
legal, accounting, insurance, real estate (including appraisal, survey and title services), engineering and architectural, (xx) childcare facilities providing services that enable employees exempted in the Order to work as permitted, (xxi) utilities, telecommunications, trash collection, law enforcement, ambulance, corrections, dispatch, animal shelters and governmental employees who have not been specifically deemed non-essential and sent home by the government entity, (xxii) janitorial and maintenance services, funeral industry, defense industry, space and technology industry, technology support, and scientific research and (xxiii) religious services performed at healthcare operations, in a residence, at a funeral or the broadcasting religious services. Id.

- Effective through April 30, 2020, all individuals living in Robertson County must shelter at their place of residence and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces or when people need to leave their places of residence, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only for essential activities, essential governmental functions or to operate essential businesses. The Order does not prohibit the gathering of members of a household unit. Id.

  - Examples of essential activities: (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations and (v) to take care of others (including caring for a family member or pet in another household). Id.

  - Enforcement Actions: A violation of the Order shall be a misdemeanor and is punishable by a fine of not more than $1,000 or confinement in jail for a term not to exceed 180 days. Id.

  o Scurry County

  - Effective through April 28, 2020, all non-essential businesses must cease all activities at facilities located within Scurry County, except for minimum basic operations and operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home) (including (i) 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 and (ii) the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences). To the greatest extent feasible, essential businesses must comply with six-foot social distancing for both employees and the general public. Order of County Judge of Scurry County dated April 21, 2020.

  - Examples of essential businesses: (i) Healthcare operations (including pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare services providers and veterinary care, but not including gyms or elective medical,
surgical or dental procedures), essential infrastructure (including construction, airport operations, utilities, public transportation, waste collection, Internet and telecommunications services) and essential government functions, (ii) grocery stores, certified farmers’ markets, convenience stores and other establishments engaged in the retail sale of food, (iii) food cultivation, (iv) residential, transportation and commercial construction, (v) businesses that provide food, shelter and social services for economically disadvantaged or otherwise needy individuals, (vi) news media, (vii) gas stations and auto-supply, auto-repair and related facilities, (viii) banks and related financial institutions, (ix) hardware stores, (x) 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, (xi) businesses providing mailing and shipping services, (xii) laundromats, dry cleaners and laundry service providers, (xiii) restaurants and other facilities that prepare and serve food, but only for delivery or carry out, (xiv) 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, (xvi) businesses that ship or deliver groceries, food, goods or services directly to residences, (xvii) private transportation providers (including airlines and taxis), (xviii) retail clothing stores or businesses that supply clothing, safety clothing or gear to the public or essential personnel, (xix) professional services: legal, accounting, insurance, real estate (including appraisal, survey and title services), engineering and architectural, (xx) childcare facilities providing services that enable employees exempted in the Order to work as permitted, (xxi) package stores and tobacco stores if the product is provided through a curbside or drive-through basis only, (xxii) businesses engaged in energy production or the support thereof and (xxiii) weddings and wedding venues while a wedding is being conducted but not otherwise. Id.

- **Examples of non-essential businesses:** (i) hair, nail and tanning salons and barber shops, (ii) tattoo parlors, (iii) piercing businesses, (iv) hair removal or waxing businesses, (v) massage businesses, (vi) commercial amusement and entertaining businesses including arcades, gaming facilities, game rooms, indoor movie theaters, bars and lounges, gyms and fitness facilities and all other locations closed by the Governor of Texas and (vii) meetings of service clubs such as the Lions Club, Kiwanis, Rotary, etc. Id.

- Effective through April 28, 2020, all individuals living in Scurry County must **self-isolate at their place of residence** and **all public and private gatherings of any number of people** occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces or when people need to leave their places of residence, they must as reasonably as possible maintain **social distancing of at least six feet** from others. Individuals may leave their residences only for essential activities or performing or accessing essential governmental functions, healthcare operations, essential businesses and essential infrastructure. The Order does not prohibit the gathering of members of a household unit. Id.
• **Examples of essential activities**: (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations, (v) to take care of others (including caring for a family member or pet in another household) and (vi) to exchange children between parents, guardians or managing conservators pursuant to a child custody order or agreement between the parties. *Id.*

- **Enforcement Actions**: A violation of the Order shall be a criminal offense and is punishable by a fine of not more than $1,000 or confinement in jail for a term not to exceed 180 days. *Id.*

  o **Tarrant County (including Fort Worth, TX and Arlington, TX)**

    - Effective through April 30, 2020, **all non-essential businesses must close to the public**, except for operations consisting of minimum basic operations (including (i) 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, (ii) IT or other operations that facilitate employees working from home, (iii) online or call-in sales performed by employees in a store or facility closed to the public and (iv) in-store repair services performed by employees in a store or facility closed to the public). *Executive Order of County Judge dated April 3, 2020.*

• **Examples of essential businesses**: (i) Healthcare operations (including pharmacies, pharmaceutical and biotechnology companies, mental health providers, medical research, laboratory services, home-based and residential-based care and veterinary care, but not including gyms and elective medical, surgical and dental operations), (ii) government functions (including all services provided by local governments needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public), (iii) critical infrastructure (including work necessary to the operations and maintenance of the critical infrastructure sectors identified in CISA guidance *(see “I. Federal” above)*), (iv) essential retail (including food service providers (grocery, warehouse, and convenience stores) and stores selling basic consumer goods, gas stations, food cultivation, shipping/mailing/delivery businesses, hardware store and businesses selling supplies needed to work from home), (v) providers of basic necessities to economically disadvantaged populations, (vi) services necessary to maintain essential operations of residences or other essential businesses (including waste collection/processing, mailing/shipping, building cleaning, maintenance and security, warehousing/distribution, storage for essential businesses, funeral services, skilled trades (plumbing, electrical, janitorial, etc.), and businesses that supply other essential businesses with support/supplies), (vii) news media, (viii) financial institutions, (ix) real estate transactions, (x) childcare facilities providing services that enable employees exempted in the Order to work as permitted, (xi) animal shelters, zoos and other businesses that maintain live animals, (xii) construction, (xiii) funeral services, (xiv) worship services conducted remotely and (xv) moving services and supplies. *Id.*
No person shall sell any of the following goods or services for more than the price the person charged for the goods or services on March 16, 2020: (i) groceries, beverages, toilet articles and ice, (ii) restaurant, cafeteria and boarding-house meals and (iii) medicine, pharmaceutical and medical equipment and supplies. *Id.*

- Effective through April 30, 2020, all individuals living in Tarrant County must **stay at their place of residence** and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only for essential travel (including in order to perform essential activities), to work in essential businesses, government service or essential critical infrastructure or to perform minimum basic operations. The Order does not prohibit the gathering of members of a household unit. *Id.*

- **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). *Id.*

- **Enforcement Actions:** A violation of the Order is punishable by a fine not to exceed $1,000, confinement in jail for a term not to exceed 180 days. *Id.*

- Travis County (including Austin, TX)

- Effective through May 8, 2020, **all non-essential business operations must cease all activities**, except for operations consisting of employees or contractors performing activities at their own residences (*i.e.*, working from home) and minimum basic operations (including the minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits and facilitate remote working). County Judge Order No. 2020-07 Relating to the Declaration Regarding COVID-19 dated April 13, 2020.

- **Examples of essential businesses:** (i) Healthcare operations (**including** pharmacies, pharmaceutical and biotechnology companies, mental health providers, medical research, laboratory services, home-based and residential-based care and veterinary care, but **not including** gyms, elective medical, surgical and dental operations and retail outlets selling electronic cigarette and cannabidiol products), (ii) groceries and stores that sell other essential supplies (including convenience stores, liquor stores and establishments engaged in the retail sale of household consumer products), (iii) food cultivation (including farming, livestock and fishing), (iv) social services and charitable organizations, (v) news media, (vi) gas stations and businesses needed for transportation (including automobile dealerships, auto-manufacturing and assembly, auto-supply and auto-repair), (vii) financial institutions (including banks, consumer lenders, sales and finance lenders, credit unions, appraisers and title companies), (viii) hardware and supply stores, (ix) critical trades (**including** plumbers, electricians, exterminators, pool cleaners, pool builders, utilities and other...
service providers only to the extent that services are necessary to maintaining the safety, sanitation and essential operations of residences, but not including discretionary maintenance or improvement), (x) mail and delivery services, (xi) educational institutions (for purposes of temporarily closing facilities, facilitating distance learning or performing critical research or essential functions), (xii) restaurants for consumption off-premises, (xiii) supplies to work from home, (xiv) supplies and service for essential businesses, critical infrastructure and essential government functions (including janitorial services, laundry services, computers, audio and video electronics, hardware, paint, sanitary equipment and food and beverages), (xv) food delivery services, (xvi) transportation (including airlines, taxis and other private transportation providers), (xvii) home-based care and services, (xviii) residential facilities and shelters, (xix) professional services (including legal, accounting, insurance and real estate services when necessary to assist in compliance with legally mandated activities and only to the extent that service can be provided with minimum basic operations), (xx) information technology services/telecommunication services, (xxi) childcare facilities providing services that enable employees exempted in the Order to work as permitted, (xxii) moving supply services, (xxiii) hotels and motels and (xxiv) funeral services. *Id.*

- Effective through May 1, 2020, all deadlines imposed by local rule, rule or regulation are suspended. *Id.*

- Effective through May 8, 2020, all individuals living in Travis County must shelter at their place of residence and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. Individuals may leave their residences only to perform essential activities, perform work in or obtain services from an essential business, an essential government service or critical infrastructure, or to engage in essential travel or minimum basic operations. The Order does not prohibit the gathering of members of a household unit. All non-essential travel is prohibited. *Id.*

- **Examples of essential activities:** (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work at an essential business, government service, critical infrastructure or carrying out activities specifically permitted in the Order and (v) to take care of others (including caring for a family member or pet in another household). *Id.*

- **Examples of essential government functions:** (i) Transit and transportation services, equipment and facilities, (ii) utilities and sanitation services, (iii) information and communications (including news media and press), (iv) emergency services, (v) public health and medical services, (vi) fire and law enforcement (including corrections), (vii) public works, (viii) court operations and (ix) critical road, equipment, technology and infrastructure maintenance or repair. *Id.*

- **Face covering requirement:** When leaving one’s residence, all persons over the age of ten must wear some form of covering over their nose and mouth, such as a homemade
mask, scarf, bandana or handkerchief, except when: (i) alone in a separate single space (whether indoor or outdoor), (ii) in the presence only of other members of one’s household or residence (whether indoor or outdoor), (iii) when doing so poses a greater mental or physical health, safety or security risk than spreading the coronavirus, (iv) when engaged in outdoor activity or (v) for consumption purposes. *Id.*

- **Enforcement Actions**: A violation of the Order may be punishable through criminal or civil enforcement. A violation of the Order is a misdemeanor punishable by a fine not to exceed $1,000, confinement in jail for a term not to exceed 180 days or both fine and confinement. *Id.*

  o Williamson County

- Effective through April 30, 2020, all non-essential businesses must cease all activities at facilities located within Williamson County, except for minimum basic operations and operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home) (including (i) 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 and (ii) the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences). To the greatest extent feasible, essential businesses must comply with six-foot social distancing for both employees and the general public. *Order of County Judge dated March 24, 2020; Extension of Order News Alert.*

- **Examples of essential businesses**: (i) Healthcare operations (including pharmacies, pharmaceutical and biotechnology companies, mental health providers, home healthcare services providers and veterinary care, but *not including* gyms or elective medical, surgical or dental procedures), essential infrastructure (including construction, airport operations, utilities, public transportation, waste collection, Internet and telecommunications services) and essential government functions, (ii) grocery stores, certified farmers’ markets, convenience stores and other establishments engaged in the retail sale of food, (iii) food cultivation, (iv) residential, transportation and commercial construction, (v) businesses that provide food, shelter and social services for economically disadvantaged or otherwise needy individuals, (vi) news media, (vii) gas stations and auto-supply, auto-repair and related facilities, (viii) banks and related financial institutions, (ix) hardware stores, (x) 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, (xi) businesses providing mailing and shipping services, (xii) laundromats, dry cleaners and laundry service providers, (xiii) restaurants and other facilities that prepare and serve food, but only for delivery or carry out, (xiv) 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, (xvi) businesses that ship or deliver groceries, food, goods or services directly to residences, (xvii) private transportation providers (including airlines and taxis), (xviii) any business that retools so that a substantial part of their business is for the purpose of manufacturing and producing products intended to be directly utilized for COVID-19 response, (xix) professional
services: legal, accounting, insurance, real estate (including appraisal, survey and title services), engineering and architectural and (xx) childcare facilities providing services that enable employees exempted in the Order to work as permitted. Id.

- Effective through April 30, 2020, all individuals living in Williamson County must shelter at their place of residence and all public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited unless expressly permitted by the Order. To the extent individuals are using shared or outdoor spaces or when people need to leave their places of residence, they must as reasonably as possible maintain social distancing of at least six feet from others. Individuals may leave their residences only for essential activities or performing or accessing essential governmental functions, healthcare operations, essential businesses and essential infrastructure. The Order does not prohibit the gathering of members of a household unit. Id.

- Examples of essential activities: (i) For health and safety of household members (including pets) and to work for or obtain services at any healthcare operations, (ii) for necessary supplies and services, (iii) for outdoor activity, (iv) for performing work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in the Order, including minimum basic operations, (v) to take care of others (including caring for a family member or pet in another household) and (vi) to exchange children between parents, guardians or managing conservators pursuant to a child custody order or agreement between the parties. Id.

- Enforcement Actions: A violation of the Order shall be a criminal offense and is punishable by a fine of not more than $1,000 or confinement in jail for a term not to exceed 180 days. Id.

XLV. Utah (Statewide)

- The Governor issued an updated “Stay Safe, Stay Home” Directive on April 17, 2020. The new Directive maintains the same minimum statewide standards for individuals and organizations, detailed below. It also maintained the previously established expiry date of May 1, 2020. The Directive adds one exemption, to permit individuals who regularly travel out-of-state for employment purposes to continue to do so.

- For-Profit and Nonprofit Organizations should:

  - (i) Respond in a flexible way to varying levels of disease transmission in the community and refine business response plans as needed;

  - (ii) Consider how best to decrease the spread of COVID-19 and lower the impact in the workplace. This may include activities in one or more of the following areas:

    - (a) reducing transmission among employees and volunteers, (b) maintaining healthy business operations, and (c) maintaining a healthy work environment;

  - (iii) Encourage and enable employees and volunteers who can work remotely to work remotely;
• (iv) Utilize video conferencing and virtual meeting services;

• (v) Implement policies for employees and volunteers who cannot work remotely, including:
  
  o (a) requiring employees and volunteers who present symptoms of illness consistent with COVID-19 to stay home, (b) not requiring a positive COVID-19 test result or health care provider's note for employees or volunteers who stay home due to illness, (c) 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, (d) 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); (e) 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 (f) implementing flexible work hours (e.g., staggered shifts).

• (vi) Assess essential functions and the reliance that others and the community have on services or products offered.
  
  o (a) 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).
  
  o (b) Identify alternate supply chains for critical goods and services.
  
  o (c) 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.
  
  o (d) 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.

• (vii) Take measures to accommodate high-risk individuals in the workplace.

• Exemptions. These directives do not apply to: (i) healthcare professionals, (ii) law enforcement officers and first responders, (iii) faith leaders and workers; and (iv) charitable and social service organizations.

  - All individuals should:
    
    • (i) Stay at home as much as possible;
• (ii) Work from home whenever possible;

• (iii) Encourage socializing by phone and video chats;

• (iv) Self-quarantine for 14 days after traveling or being exposed to an individual presenting symptoms of illness consistent with COVID-19;

• (v) Engage in appropriate social distancing, including:
  o (a) maintaining a 6-foot distance from other individuals in public, (b) not shaking hands with other individuals, (c) not visiting friends or family without urgent need, and (d) not attending any gathering of any number of people except for members of the same household;

• (vi) Follow strict hygiene standards, including:
  o (a) washing hands frequently with soap and water for at least 20 seconds, (b) using hand sanitizer frequently, (c) avoiding touching your face, (d) covering coughs or sneezes, (e) regularly cleaning high-touch surfaces, and (f) follow any other standards promulgated by the CDC, the Utah Department of Health, and local health departments; and

• (vii) Help others as reasonably appropriate to practice all the same principles.

  o The state has invited businesses to submit their information to potentially have their business added to Utah’s ‘essential business’ list, should Utahans be asked to shelter in place.

  o Restaurants, Bars, and Taverns. Effective March 21, 2020 through April 15, 2020, all food service establishments, including bars and other alcohol-service establishments, are prohibited from serving the general public on the premises. Drive-through service, delivery, and take-out are permitted, subject to restrictions. See Utah Public Health Order dated April 1, 2020.

    • Penalties. Any food service establishment that knowingly violates a provision of this Order or an Order of the Local Health Authority shall be immediately closed.

  o Mass Gatherings. Mass gatherings are not currently banned, but the state recommends following the March 16, 2020 White House Guidelines to avoid any social event or gathering of more than 10 people.

  o School Closures. The governor announced on March 23, 2020 that Utah’s K-12 public schools and technical colleges will extend their dismissal through Friday, May 1, 2020.

XLVI. Vermont (Statewide)

  o Effective March 24, 2020, Vermonter are directed to stay at home and leave only for essential reasons, including personal safety, shopping for groceries or medicine, curbside pick-up of goods, medical care,
exercise, care of others, and permitted work. See Addendum 6 to Executive Order 01-20 Dated March 24, 2020.

- All businesses and non-for-profit entities must suspend in-person operations, with the exception of those deemed critical to public health and safety, as well as economic and national security. See id.

- Entities deemed critical to public health and safety, as well as economic and national security, include those that perform the following functions:
  
  - (i) Health care operations such as COVID-19 testing and clinical research, healthcare providers, public health workers, laboratory services, caregivers, logistics, technology, security, and custodial support, blood and plasma donors, and mortuary services; (ii) law enforcement, public safety, and first responders; (iii) critical infrastructure including utilities, telecommunications, airports, and transportation infrastructure; (iv) critical manufacturing, including food and animal feed manufacturing, processing and supply, and pharmaceuticals; (v) construction necessary to support the COVID-19 response and maintain critical infrastructure; (vi) grocery stores, pharmacies, and other retail that sell essential supplies; (vii) fuel products and supply; (viii) hardware stores; (ix) transportation and agricultural equipment parts, repair, and maintenance; (x) trash collection and disposal; (xi) agriculture and farms, animal shelters, production and delivery of seed, chemicals, and fertilizers, CSAs and veterinarians; (xii) lodging necessary to support that COVID-19 response, critical infrastructure, and national security; (xiii) other building and property services for the safety and operations of residences and businesses; (xiv) mail and shipping services; (xv) news media; (xvi) banks and financial institutions; (xvii) providers of necessities and services to economically disadvantaged populations; and (xviii) others necessary to support the COVID-19 response, critical infrastructure, and national security. See id.

- Vermont adopted its own list of essential businesses independent of the CISA guideline, although there is overlap.

- Violation of an emergency order is punishable by a fine not exceeding $500, imprisonment not exceeding six months, or both. See 20 V.S.A. § 24.

- Effective April 20, 2020, certain businesses may resume activities provided that they implement health and safety requirements. See Addendum 10 to Executive Order 01-20, Work Smart & Stay Safe – Restart VT: Phase I dated April 17, 2020.

  - Throughout the state of emergency, included the phased restart of the economy, businesses that operate must implement the following health and safety requirements: (i) Employees shall not report to, or be allowed to remain at, work or job site if sick or symptomatic; (ii) Employees must observe strict social distancing of 6 feet while on the job; (iii) Employees must wear non-medical cloth face coverings over their nose and mouth while in the presence of others; (iv) Employees must have easy and frequent access to soap and water or hand sanitizer during the duration of work, and handwashing or hand sanitization should be required before entering and leaving job sites. All common spaces and equipment must be cleaned and disinfected at the beginning, middle, and end of each shift and prior to transfer from one person to another; and (v) No more than two people shall occupy one vehicle when conducting work. See id.
Effective April 20, 2020, the following business activities may resume:

- Outdoor work or construction work in unoccupied structures, with no more than two persons per location/job. Supporting operations may resume with the minimum number of employees necessary to support curbside pickup and delivery services;
- Commercial retail operations with the minimum number of employees necessary to support curbside pickup, delivery services, and warehouse or distribution operations in support of curbside or delivery. No in-store transactions are allowed; and
- Services operating with a single worker, so long as no more than two persons are present at one time. See id.

Effective April 27, 2020, certain other businesses may resume activities provided that they implement health and safety requirements. See Addendum 11 to Executive Order 01-20, Work Smart & Stay Safe – Restart VT: Phase II dated April 24, 2020.

- The following business activities may resume: (i) Micro-crews of no more than five persons per location/job, to perform outdoor work and construction work in unoccupied structures; (ii) Manufacturing and distribution operations with a maximum of five employees in any location if they are low-density and ensure employees are at least six feet apart at all times; (iii) Supporting operations with the minimum number of employees necessary to support curbside pickup and delivery services; (iv) In-person shopping at outdoor retail operations, such as garden centers and greenhouses offering mulch, stone, plant, tree, and seed sales, provided that these operations shall not permit more than ten total people including customers and staff; and (v) Libraries for curbside pickup and lending. See id.

In addition, effective May 1, 2020, farmers markets may open using limited in-person operations provided that they: (i) Adhere to all municipal ordinances and permitting requirements prior to opening; (ii) Alter their business practices to eliminate crowds and reduce contacts between vendors and customers, transitioning from shopping and social events to a food distribution system; and (iii) Use a “pre-order, local food pick-up” model to the extent possible. See id.

Virginia (Statewide)

- Effective March 24, 2020 at 11:59 p.m. until April 23, 2020 at 11:59 p.m., all public and private in person gatherings of ten or more individuals are prohibited. Executive Order No. 53, dated March 23, 2020.

- All dining and congregation areas in restaurants, dining establishments, and other food and beverage retailers are closed—however, those establishments may continue to offer delivery and take-out services. Recreational and entertainment businesses (including theaters, fitness centers, beauty salons, etc.) must close. Id.

- Essential businesses may remain open during normal business hours. Essential businesses include: (i) retailers that sell food and beverage products or pharmacy products; (ii) medical retailers; (ii) electronic retailers; (iii) automotive facilities; (iv) home improvement retailers; (v)
liquor stores; (vi) retail functions of gas stations and convenience stores; (vii) retail located within healthcare facilities; (viii) banks and other financial institutions; (ix) pet stores; (x) printing and office supply stores; and (xi) laundromats and dry cleaners. Id.

- All essential retail establishments must, to the extent possible, adhere to social distancing recommendations, enhanced sanitizing practices on common surfaces, and other appropriate workplace guidance from state/federal authorities. Id.

- Any brick-and-mortar retail businesses that are not deemed essential must limit all in-person shopping to no more than ten patrons per establishment, adhere to social distancing recommendations, sanitize common surfaces, and apply relevant workplace guidance. If any such business cannot adhere to the ten-patron limit, it must close. Id.

- Businesses offering professional rather than retail services may remain open, but must adhere to social distancing recommendations, enhanced sanitizing practices on common surfaces, and apply the relevant workplace guidance from state and federal authorities. Id.

- All in-person instruction at K-12 schools is suspended for the remainder of the school year. Facilities providing child care services may remain open. Id.

- Effective March 25, 2020 until April 24, 2020, doctors are prohibited from providing procedures that require personal protective equipment (including gowns, masks, face shields and respirators) if such procedures can be delayed without causing harm or negatively affecting the patient’s health outcomes. Order of Public Health Emergency Two.

- Enforcement: Violations of the order are punishable as a Class 1 Misdemeanor under § 18.2-11 of the Virginia Code, misdemeanors are punishable by confinement in jail for not more than twelve months and a fine of not more than $2,500, either or both. Id.

### XLVIII. Washington (Statewide)

- As of March 23, 2020 (and through May 3, 2020 at 11:59 p.m.), individuals are prohibited from leaving their homes, except to engage in essential activities, to perform work as an essential employee of an essential business, or to carry out minimum basic operations for a nonessential business. See Proclamation by the Governor Amending Proclamation 20-05 (issued March 23, 2020); Proclamation by the Governor Amending Proclamations 20-05 and 20-25 (issued May 4, 2020).

- Essential activities are limited to obtaining necessary supplies and services, engaging in activities essential for health and safety, caring for others, and engaging in outdoor exercise activities. Id.

- **Social distancing:** Individuals may engage in outdoor exercise activities only if they follow appropriate social distancing practices. Id.

- All public and private gatherings, regardless of size, are prohibited if they involve individuals from more than one household or residential living unit. Id.
Essential businesses are identified in the “Essential Critical Infrastructure Workers” list. Id.


Businesses can clarify their status or petition to be added to the Essential Critical Infrastructure Workers list by emailing business@mil.wa.gov.

- As of midnight on March 25, 2020, all nonessential businesses must cease operations, except for performing basic minimum operations. See Proclamation by the Governor Amending Proclamation 20-05 (issued March 23, 2020). The Proclamation does not, however, prevent employees from working from home or apply to businesses consisting exclusively of workers performing business activities from their homes and without in-person contact with clients. Id.

  • Minimum basic operations are defined as 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.” Id.

  o Essential businesses are “encouraged to remain open and maintain operations,” but they must “establish and implement social distancing and sanitation measures established by the United States Department of Labor or the Washington State Department of Health Guidelines.” Id.

  • Social distancing: Essential businesses are “prohibited from operating” unless they establish and implement social distancing measures. Id.

  o Penalty: A violation of the Proclamation is punishable as a gross misdemeanor, which allows the State to imprison the violator for up to 364 days, to fine the violator up to $5,000, or both. Id.

XLIX. Washington, D.C.

- Effective 12:01am on April 1, 2020, all individuals living in Washington, DC, are ordered to stay at their place of residence, except as otherwise specified by this order. DC Mayor Stay at Home Order 2020-54 (March 30, 2020).

  • Individuals may leave their residences only to engage in Essential Activities including obtaining medical care that cannot be provided through telehealth and obtaining food and essential household goods; to perform or access Essential Governmental Functions; to work at Essential Businesses; to engage in Essential Travel; or engage in Allowable Recreational Activities.
- Essential Activities means (i) engaging in activity or performing a task essential to an individual’s own health or safety, or to the health or safety of the individual’s family or household members, including pets, (ii) obtaining services or supplies for an individual’s own self or the individual’s family or household members, (iii) performing work providing essential products and services at Essential Businesses or otherwise carrying out activities specifically permitted in this order, including Minimum Basic Operations, (iv) caring for a family member or pet in another household or serving as a caregiver providing essential services to another, (v) providing or obtaining services at a Health Care Operation (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, or any related and/or ancillary health care services, veterinary care and all health care services provided to animals), and (vi) providing any services or performing any work necessary to the operations and maintenance of Essential Infrastructure.

- When engaging in Essential Travel, (i) individuals using public transportation must comply with the Social Distancing Requirements; (ii) drivers of ride-sharing vehicles must have disinfecting wipes in their vehicles and must wipe down all surfaces potentially touched by a passenger after each ride; (iii) individuals using shared personal mobility devices such as scooters and bicycles are strongly encouraged to bring their own disinfecting wipes and wipe down the parts of the device they touch before and after riding; and (iv) public and private transit officials shall make provisions for frequently disinfecting buses, subway cars, and any other vehicles they operate, to the highest feasible standards.

- The provisions of Mayor’s Order 2020-53 regarding which business are essential and Minimum Basic Operations of Non-Essential Businesses remain in effect. Essential Businesses and Essential Government Functions are defined in Mayor’s Order 2020-53 (see below).

- Enforcement Actions: Any individual who willfully violates this order may be guilty of a misdemeanor and upon conviction subject to a fine not exceeding $5,000, imprisonment of not more than 90 days, or both.

  - Non-essential Businesses conducting Minimum Basic Operations pursuant to Mayor’s Order 2020-53 may be asked to show their operational plan and why the activities they are conducting, and how they are conducting them, fit within the allowable limits.

  - Effective March 25, 2020 at 10:00pm, and through April 24, 2020, all non-essential businesses are ordered closed and in-person customer service at the Department of Motor Vehicle and other city offices must stop. [DC Mayor Order 2020-53 (March 24, 2020)]

- Non-essential businesses include: (i) tour guides and touring services; (ii) gyms, health clubs, spas, and massage establishments; (iii) theaters, auditoriums and other places of large gatherings; (iv) nightclubs; (v) hair, nail, and tanning salons and barbershops; (vi) tattoo parlors; (vii) sales not involved in essential services; (viii) retail clothing stores; and (ix) professional services not devoted to assisting essential business operations.
Essential businesses included in the following categories are strongly encouraged to remain open: (i) healthcare and public health operations; (ii) essential infrastructure; (iii) food and household products and services; (iv) social services providing the necessities of life; (v) communications and information technology; (vi) energy and automotive; (vii) financial services; (viii) educational institutions; (ix) transportation and logistics; (x) construction and building trades; (xi) housing and living facilities; (xii) professional services; and (xiii) childcare facilities. See the Order dated March 24, 2020 for specific businesses deemed to be included in these categories.

All Essential Government Functions shall continue, including: (i) first responders, including police, firefighting, and emergency medical services, emergency management, 911/311 call center; (ii) law enforcement functions; (iii) services needed to ensure the continuing operation of government agencies and provide for the health, safety and welfare of the public performed by the District of Columbia or federal government of their contractors; (iv) the District of Columbia Courts, and inter-governmental commissions and entities performing such functions, including judicial and elections functions.

Large gatherings of ten or more persons are prohibited anywhere in the District of Columbia. See the Order dated March 24, 2020.

Prohibition does not include: (i) Essential Businesses and groups performing Essential Government Functions; (ii) gatherings of people in multiple, separate enclosed spaces in a single building, so long as ten people are not present in any single space at the same time; (iii) the use of enclosed spaces where ten or more people may be present at different times during the day, so long as ten or more people are not present in the space at the same time; (iv) gatherings on property within the District of Columbia owned by the federal government; (iv) spaces associated with public transit; (v) spaces where ten or more persons may be in transit or waiting for transit such as buses, bus stops, bus terminals, sluglines, or subway cars, and subway stations; and (vi) office space, hotels, or residential buildings (excluding conferences or large gatherings at hotels; hotels and residential buildings may remain open for guests and as residences).

Social Distancing Requirements include: (i) maintaining at least 6 feet of distance from other individuals; (ii) washing hands with soap and water for at least 20 seconds or using hand sanitizer frequently; (iii) covering coughs or sneezes; (iv) regularly cleaning high-touch surfaces; and (v) not shaking hands.

Enforcement Actions: Any individual or entity that knowingly violates this Order shall be subject to all civil, criminal and administrative penalties authorized by law, including sanctions or penalties for violating D.C. Official Code 7-2307, including $1,000 fines, summary suspension or revocation of licensure. See the Order dated March 24, 2020.

Waiver: The Mayor may grant a waiver to a business or nonprofit through the District of Columbia Homeland Security and Emergency Management Agency. See the Order dated March 24, 2020.

West Virginia (Statewide)

Effective March 18, all casinos are closed to the general public and all restaurants and bars may operate on a take-out/delivery basis only. See Executive Order No. 2-20 dated March 18, 2020.
O Effective March 19, all fitness centers and gyms are closed to the public. See Executive Order No. 3-20 dated March 18, 2020.

O Effective March 20, all barbershops, nail salons and hair salons are closed to the general public. See Executive Order No. 6-20 dated March 19, 2020.

O Effective March 24 until terminated, all individuals in the State of West Virginia are under a general stay-at-home order and are directed to stay at home unless performing an essential activity. See Executive Order No. 9-20 dated March 23, 2020.

- Essential activities include obtaining food and medicine, medical care, going to work at Essential Businesses, going to the home of a family member, and engaging in outdoor activity. Id.

O Non-essential business and operations must temporarily cease operations. Id.

O Essential businesses and operations shall continue to operate. Individuals may leave their residence to provide any services or perform any work necessary to operate Essential Businesses and Operations. Id.

- “Essential Businesses and Operations” includes those industries described in the CISA memorandum. Id.

- In addition, Essential Businesses and Operations include healthcare, public health operations, and health insurance companies, grocery stores and pharmacies, food, beverage and agriculture, essential governmental functions, human services organizations and childcare facilities and providers, essential infrastructure, coal mining and coal-fired electric generation facilities, manufacture, distribution and supply chain for critical products and industries, transportation and travel-related businesses and gas stations, financial and insurance institutions, hardware and supply stores, critical trades, mail, post, shipping, logistics, delivery and pick-up services, religious entities, educational institutions, laundry services, and funeral services. Id.

O All public and private gatherings of more than ten people are prohibited. Id.

O When people need to leave their places of residence, they should at all times and as much as reasonably possible properly socially distance themselves from others. Id.

O This Order may be enforced by State and local law enforcement and by state and local regulatory and/or licensing bodies to the extent possible under West Virginia law. Id.

O Effective March 31, 2020, all state park campgrounds are closed, and all individuals travelling from areas with substantial community spread of COVID-19, including LA, NY, NJ, CT, Italy and China are required to isolate for a period of 14 days upon entry to West Virginia. See Executive Order No. 14-20 dated March 30, 2020.
All Essential Business and Operations in the following counties shall order their employees, to the maximum extent possible, to work remotely:

- April 5: Harrison County, Kanawha County, and Monongalia County. See Executive Order No. 21-20 dated April 4, 2020.
- April 9: Marion County. See Executive Order No. 22-20 dated April 8, 2020.
- April 11: Cabell County, Ohio County, Wayne County and Wood County. See Executive Order No. 24-20 dated April 10, 2020.
- April 14: Jackson County. See Executive Order No. 25-20 dated April 13, 2020.

Wisconsin (Statewide)

- Effective March 25 at 8:00 a.m., and through Tuesday, May 26, all Wisconsin residents must stay at home. Emergency Order #12 Safer at Home Order, dated March 24, 2020; Emergency Order #28 Safer at Home Order, dated April 16, 2020. Residents may leave their homes for Essential Activities, to conduct Essential Businesses and Operations, to perform Minimum Basic Operations at non-essential businesses, and for Essential Travel.

- Essential Activities permitted outside the home. Residents are permitted to leave their homes in order to obtain necessary supplies such as medicine and food, seek medical services, take walks outside, and to care for others. Beginning April 24, restricted use of golf courses and parks is also permitted.

- Essential Businesses and Operations are permitted, provided that technology is used “to the greatest extent possible” to avoid meeting in person. Essential Businesses and Operations include businesses or workers on the CISA list (see Section I, above), Healthcare and Public Health Operations, Human Services Operations, Essential Infrastructure, Essential Government Functions, and the categories listed below.

- Individuals may leave home to work for Healthcare and Public Health Operations, which include: (i) hospitals, medical facilities, clinics, ambulatory surgery centers for response to urgent health issues or related COVID-19 activities, dental offices, pharmacies, obstetricians, gynecologists, and midwife practices, eye care centers (including those that sell glasses and contacts), home health agencies and providers, hospices, mental health, substance abuse and drug treatment providers, and other healthcare facilities and suppliers and providers of related or ancillary healthcare services; (ii) 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, and cleaning supplies; (iii) public health entities, including those that analyze, and communicate public health information; (iv) pharmaceutical, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); (v) healthcare information technology companies; (vi) organizations collecting blood, platelets,
plasma, and other necessary materials; (vii) entities that transport and dispose of medical materials and remains; (viii) personal care agencies; (ix) allied health providers; (x) acupuncturists, massage therapists, and chiropractors; and (xi) adult family homes.

- **Essential Infrastructure**, which includes: (i) food production, distribution, storage, and sales; (ii) construction (including construction required for this public health emergency, such as hospitals, long-term care and assisted living, public works, schools, construction needed for Essential Business and Operations or Essential Governmental Functions, and housing construction, except optional or aesthetic construction should be avoided); (iii) building management and maintenance; (iv) airport operations; (v) operation and maintenance of utilities; (vi) Wisconsin Home Energy Assistance, Low Income Home Energy Assistance Program, and Public Benefits Energy Assistance Program offices, customer service centers, and public intake centers; (vii) distribution centers; (viii) oil and biofuel refining; (ix) transportation and ports; (x) cybersecurity operations; (xi) flood control; (xii) waste removal; and (xiii) internet, video, and telecommunications systems.

- Other essential businesses include: (i) stores that sell groceries and medicine; (ii) media; (iii) restaurants and bars, only via delivery and takeout; (iv) child care (prioritizing care for health care workers first and other specified essential functions second); (v) charitable and social services organizations; (vi) weddings, funerals, and religious entities; (vii) businesses necessary for transportation; (viii) financial institutions (ix) hardware stores; (x) trade and laundry services; (xi) supplies to work from home; (xii) professional services, such as legal, accounting, insurance, and real estate; (xiii) manufacture and supply chain of critical products; (xiv) critical labor union functions; (xv) hotels and motels, subject to restaurant/bars limitation, closure of gyms/pools, and ensuring social distancing in common areas; and (xvii) higher education institutions (for purposes of facilitating distance learning or essential functions).

- **Waiver.** Businesses may contact Wisconsin Economic Development Corporation to seek waiver.

  - **Reduced occupancy.** Effective April 24 through May 26, the occupancy of retail stores has been limited as follows:
    - For essential businesses that are stores of less than 50,000 square feet, the number of people in the store (including employees) must be limited to 25% of the total occupancy limits established by the local municipality.
    - For stores of greater than 50,000 square feet, the number of customers in the store at one time must be limited to 4 people per 1,000 square feet (excluding employees). These larger stores are also required to offer at least 2 hours per week of dedicated shopping time for people over 60, pregnant women, and those with chronic conditions.

  - **All businesses and operations not deemed essential must cease all activities within the state except Minimum Basic Operations,** defined as the minimum necessary activities required to maintain the value of inventory, preserve the condition of the business’s physical plant and equipment, ensure security, process payroll and employee benefits, and facilitate employees being able to work remotely. Beginning April 24, Minimum Basic Operations also include limited curb-side pick-up as described in Emergency Order #28.
All travel is prohibited, except for Essential Travel and Essential Activities. Narrow exceptions are outlined in the Order.

Social Distancing Requirements must be followed while outside the home, include maintaining at least 6-feet from other individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes, regularly cleaning high-touch surfaces, and not shaking hands.

Enforcement. This Order is enforceable by any local law enforcement official, including county sheriffs. Violation or obstruction of this Order is punishable by up to 30 days imprisonment, or up to $250 fine, or both. Wis. Stat. § 252.25.

Social distancing in migrant labor camps. On April 14, the Governor issued an order requiring particular social distancing practices in migrant labor camps involved in food production and processing and farming. It is effective immediately and through June 13. Emergency Order 25, dated April 14, 2020.

- Employers must ensure employees stay at least six feet from others whenever possible. This includes travel to and from work sites and employee residences, and sleeping arrangements in dormitory housing. Employers should make all reasonable efforts to make sanitized face coverings available to employees. Employers must disinfect all high-touch areas within common areas and facilities daily, and must provide hand-washing stations or hand sanitizer in all cooking and eating facilities, sleeping facilities, and in the field or other farming operation centers.

- An employee who exhibits COVID-19 symptoms, as defined in CDC guidance, must immediately be assigned to a separate living space if possible, and must be transported to and from work and residence separately from other workers.

- If a camp operator is made aware that an employee has a confirmed case of COVID-19, they must notify the local health department.

- This order, along with CDC hand hygiene signs, must be posted at all camps in English, and any other language that employees speak.

- Enforcement. Local sheriffs are authorized to enforce this order. Violation is punishable by up to 30 days imprisonment, up to a $500 fine, or both.

School closure. All public and private K-12 schools will be closed for the remainder of the 2019-2020 school year. Emergency Order #28 Safer at Home Order, dated April 16, 2020.


- Phase One: 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; child care settings resuming full operation.
- Phase Two: 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; postsecondary education institutions may resume operation.
- Phase Three: All business activity and gatherings resume with minimal protective measures for the general public.
- In order to move through the above phases, Wisconsin must demonstrate progress in the following areas: Every Wisconsin resident with COVID-19 symptoms has access to a lab test. Ultimate goal of 85,000 tests/week or 12,000 tests/day; “increase contact tracing by up to 1,000 people;” track the spread of COVID-19 and report on the Wisconsin Gating Criteria and other related metrics; procure PPE; and assess the need for and readiness to support surge capacity in the Wisconsin health care system.
- In order to move through the above phases, Wisconsin must meet the following criteria: Downward trajectory of both (1) influenza-like illnesses and (2) COVID-19-like syndromic cases reported within a 14-day period; downward trajectory of positive COVID-19 tests as a percent of total tests within a 14-day period; treatment of all patients without crisis care; robust testing programs in place for at-risk healthcare workers; decreasing numbers of infected healthcare workers.

LII. Wyoming (Statewide)

- Effective through April 30, 2020, the following places of public accommodation are closed: restaurants, bars and other places of public accommodation offering food or beverages (including alcoholic beverages) for on-premises consumption; cigar bars; gymnasiums; and movie and performance theaters, opera houses, concert halls and music halls. Second Continuation of Statewide Public Health Order Closing Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 Schools, Colleges, Universities and Trade Schools Statewide dated April 3, 2020.

- Places of public accommodation are encouraged to offer food and beverages using delivery, window service or drive-through service. Online and telephonic credit card transactions are strongly encouraged. 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 five members of the public at one time for the purpose of picking up their orders, so long as those individuals are at least six feet apart from one another while on premises. Id.

- Places of public accommodation that offer food and beverage for off-premises consumption, including grocery stores, retail stores, convenience stores, pharmacies, drug stores, food pantries, hotel room service, health care facilities, crisis shelters, airport concessionaires and any emergency facilities are not subject to these restrictions. Id.

- Effective through April 30, 2020, child care centers and home daycares are ordered closed, except for those that provide for children of essential personnel (including healthcare providers, criminal justice personnel, first responders, active duty military, grocery workers, supply chain and delivery workers,
public works and sanitation crews, foster families with children through grade 8, medical devices manufacturers and fuel distribution workers). *Id.*

- All K-12 schools, colleges, universities and trade schools shall not hold in-person classes until no sooner than May 1, 2020. *Id.*

- Effective through April 30, 2020, all gatherings of **ten or more people** are prohibited. **Second Continuation of Statewide Public Health Order #2: Forbidding Gatherings of Ten (10) People or More dated April 3, 2020.**

  - **Exemptions:** (i) Hotels and motels for lodging purposes, (ii) livestock auctions, (iii) groups of workers being transported to a location for their jobs, (iv) government business, military and National Guard facilities, law enforcement, jails, secure treatment centers and correctional facilities, (v) state and local government facilities, (vi) relief facilities, including food pantries and shelter facilities, (vii) residential buildings, (viii) grocery stores, markets, convenience stores, pharmacies and drug stores, (ix) truck stops, gas stations and auto-repair facilities, (x) retail or business establishments, where **more than ten people may be present but are generally not within six feet of one another**, (xi) healthcare facilities, (xii) alcohol and drug treatment centers and (xiii) long-term care and assisted living facilities that are complying with guidance and directives from the CDC, the Wyoming Department of Health and appropriate licensing and regulatory agencies. *Id.*

- **Enforcement Actions:** Any person or legal entity that violates the Order shall be subject to criminal prosecution under Wyo. Stat. Ann. §§ 35-1-105 and -106. The penalty for violations is a misdemeanor punishable by a fine of not more than $1,000, imprisonment for not more than one year or both. *Id.*

Send questions to PHOrdersTeam@ropesgray.com.