

CORONAVIRUS INFORMATION & UPDATES

April 27, 2020

New Illinois Stay at Home Order Announced for May

On April 23, 2020, Governor J.B. Pritzker [announced](#) that he will sign a modified stay at home executive order (the “Order”) to go into effect on May 1, 2020 and extend through May 31, 2020. The Order will supersede both the original stay-at-home order, [Executive Order 2020-10](#), and [Executive Order 2020-18](#), which extended the stay at home order through April 30, 2020. The Order will likely strengthen the state’s social distancing requirements while also allowing certain business and recreational activities to resume. The Illinois Department of Public Health will also be issuing guidance for the restart of elective surgeries and other procedures being performed at hospitals and surgery centers for non-life-threatening conditions.

1. [Non-Essential Retail Businesses May Re-Open for Delivery and Pickup](#). The Order will allow non-essential retail businesses and operations to re-open to fulfill orders via delivery or customer pick-up outside of the business.
2. [Expanded Definition of “Essential Businesses”](#). The Order will expand the definition of “Essential Businesses” from health care and public health operations, human services operations, essential infrastructure, essential government functions, and certain businesses such as grocery stores, gas stations, and financial institutions to include greenhouses, garden centers, nurseries, and animal grooming services.
3. [Essential Businesses Must Provide Employees with Masks](#). Essential Businesses and manufacturers will be required to provide face coverings to all employees who are not able to maintain a social distance of six feet, such as in certain offices or on manufacturing assembly lines. The Order will also impose additional social distancing requirements, such as setting occupancy limits for Essential Businesses and requiring manufacturers to stagger shifts and operate only essential production lines.
4. [Individuals Must Wear Masks Where Social Distancing Is Not Possible](#). The Order will require a face covering or mask to be worn when in any public indoor space, such as retail stores or grocery stores, in which individuals cannot maintain a six-foot social distance from one another. This face mask requirement will apply to any individual over two years old that can medically tolerate wearing a mask.
5. [New Elective Procedure Guidance Forthcoming](#). The Order will direct the Illinois Department of Public Health (“IDPH”) to issue guidance to surgery centers and hospitals concerning elective surgeries for non-life-threatening conditions. IDPH’s guidance will include requirements such as proper personal protective equipment, ensuring that enough space remains available for a surge of COVID-19 patients, and testing of elective surgery patients to ensure negative COVID-19 status.
6. [Recreation](#). Finally, the Order will direct the Illinois Department of Natural Resources to begin a phased re-opening of state parks.

The [health care](#) team at Ropes & Gray’s Chicago office will continue to monitor these developments and will update this Alert as soon as more information becomes available.