

# Legal Update

## US State Orders in Response to the COVID-19 Emergency: Effects on Defense and Other Government Contractors

The table below collects the orders and directives issued by the 50 states (and the District of Columbia) in response to the COVID-19 pandemic. All of the states have begun the process of re-opening their economies and reducing or otherwise modifying the restrictions that had been imposed since the COVID-19 outbreak. This table generally focuses on the restrictions that have been imposed on businesses and organizations providing goods and services to government agencies at all levels of government, i.e., government contractors, and explains how the restrictions have been eased under recent orders.

1. Although common approaches have been taken in many states, the states' rules (which are generally based on a series of orders responding to changing conditions) are different and must be analyzed relative to the work being performed. In most circumstances, contractors that are part of the Defense Industrial Base ("DIB") (including supply chain), or that are providing products/services necessary for the federal/state/local government, are essential businesses and may continue to operate. However, even as essential businesses, they must comply with applicable portions of state and local orders, such as requirements that employees socially distance and that operating businesses allow telework to the maximum extent possible.
2. State and local orders have changed frequently, though many updated orders have not affected the substantive restrictions applicable to contractors. We attempt to update this list when substantive changes occur.
3. Many states define "essential businesses," which are exempted from closure orders, by reference to (or incorporation of) all or parts of the critical infrastructure sectors described by the Department of Homeland Security ("DHS") and the Cybersecurity & Infrastructure Security Agency ("CISA"), included in CISA's initial (3/19/2020) and revised (3/28/2020 and 4/17/2020) [Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response](#). The infrastructure sectors identified by CISA include most government contractors and specifically the DIB, and, in the table below, DHS and CISA materials, including CISA's "Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response," are referenced as the "CISA Guidance."
4. On March 20, 2020, Department of Defense Under Secretary for Acquisition Ellen Lord issued a memorandum to the DIB sector. The memorandum stated that DIB workers "have a special

responsibility to maintain your normal work structure" and identified areas necessary to support weapon systems/software and support of military forces.

5. On May 19, 2020, the CDC issued guidelines on supporting the COVID-19 response and the President’s plan for “Opening America Up Again” ([CDC Activities and Initiatives Supporting the COVID-19 Response and the President’s Plan for Opening America Up Again](#)). The guidance outlines a three-phased approach for reducing community mitigation measures while protecting vulnerable populations, and proposes the use of six “gating” indicators to assess when to move through from one mitigation phase to another. Gating criteria include:
  - (1) Decreases in newly identified COVID-19 cases;
  - (2) Decreases in emergency department (ED) and/or outpatient visits for COVID-like illness (CLI);
  - (3) Decreases in ED and/or outpatient visits for influenza-like illness (ILI);
  - (4) Decreases in percentage of SARS-CoV-2 tests positive;
  - (5) Treat all patients without crisis care; and
  - (6) Robust testing program.

The CDC guidance also suggests best practices for surveillance and contact tracing, as well as specific interim guidance for childcare programs, schools and day camps, restaurants and bars, mass transit, and employers with high-risk employees. Additional reporting about this guidance is available [here](#).

**Arizona, New Mexico and South Dakota are the only states that have not seen developments since we last published this table.**

<b>Alabama</b>	Based on the governor’s state of emergency declaration, the state health officer issued a <a href="#">Stay-at-Home Order</a> (4/3/2020). It excepts leaving the residence to perform work at “essential business operations,” which include federally designated critical infrastructure, citing the CISA Guidance. Also see orders linked <a href="#">here</a> and <a href="#">here</a> . The Stay at Home order is currently expired on 4/30/2020. The <a href="#">Reopening Alabama Responsibly</a> (Phase 1) is available here. The governor issued a “Safer at Home” order on <a href="#">4/28/2020</a> , which it amended on <a href="#">5/8/2020</a> and again on <a href="#">5/21/2020</a> . Under the current revised order, all non-work-related gatherings of any size are permitted as long as participants maintain a consistent six-foot distance between persons from different households. Businesses are required to implement a variety of protective measures for employees and customers. The order also includes various sector-specific guidelines, including for childcare facilities, athletic facilities, swimming pools, and entertainment venues. As an example, athletic facilities are permitted to operate but must prohibit customers from accessing showers, hot tubs, steam rooms, lockers, saunas and other recreational water or spa facilities. Pools may be open subject to the social-distancing rules. All Alabama COVID-19-related orders are available <a href="#">here</a> .
<b>Alaska</b>	The governor’s <a href="#">Health Mandate</a> (3/27/2020, updated 4/7/2020) limits intrastate travel and requires social distancing. The <a href="#">Alaska Essential Services and Critical Workforce Infrastructure Order</a> (3/27/2020) requires cessation of all businesses

	<p>not included in the “essential services and critical infrastructure” list. That list adopts CISA Guidance.</p> <p>On 4/21/2020, the Alaska governor unveiled phase one of the Reopen Alaska Responsibly Plan, a plan for reopening segments of the Alaskan economy. The related order, which became effective on 4/21/2020, allows a number of nonessential businesses to reopen, subject to “following rigorous health and safety standards.” Those standards include limited dine-in services at restaurants, limited in-store shopping at retail stores, limited provision of personal services (e.g., barbers, nail salons, hair salons), and limited in-store operation of nonessential businesses, such as professional business services. The press release and accompanying orders regarding the Reopen Alaska Responsibly Plan are available <a href="#">here</a>. On 5/8/2020, the State transitioned to <a href="#">Phase 2</a> of its transition plan and allowed most businesses to reopen at reduced capacity. On 5/19/2020, the governor announced that the State would transition to <a href="#">Phase 3</a> on 5/22/2020, allowing all businesses to operate at 100% capacity. Houses of worship, libraries and museums, recreational activities, and sports activities may also resume.</p>
<p><b>Arizona</b></p>	<p>Executive Order 2020-18 implements a <a href="#">Stay-at-Home Order</a> (3/30/2020), requiring closure of non-essential businesses. It relies on the description of essential businesses from Executive Order 2020-12, <a href="#">Prohibiting the Closure of Essential Services</a> (3/23/2020). That order makes clear that companies engaged in the “manufacture, distribution and supply chain for critical products and industries” are not restricted under the order, and (among many others) it includes “national defense, communications as well as products used by other Essential Businesses and Operations” in the list of companies excluded from the restriction. Additional Guidance on Essential Services is available <a href="#">here</a>. On 4/29/2020, the governor <a href="#">announced</a> that the stay-at-home order would not end on the original expiration date (4/30/2020) but would be extended through 5/15/2020. In addition, retail businesses currently not operating can begin curbside pick-up (as of 5/4/2020), followed by expanded in-store operations on 5/8/2020, provided specified social distancing and sanitation measures are applied. (See <a href="#">EO 2020-33</a>.) Movie theaters, gyms, personal service businesses, and restaurants remain closed (though the governor <a href="#">stated</a> that he hopes to allow restaurants to begin offering dining-in services later in May).</p> <p>On 5/12/2020, the Arizona governor <a href="#">announced</a> that the stay-at-home order in Arizona would be allowed to expire on 5/15/2020 and would be replaced by new guidance for the next stage of economic recovery. This guidance aligns with gating criteria issued by the CDC and aims to mitigate the risk of COVID-19 resurgence, protect vulnerable populations, and guide the reopening of businesses with enhanced physical distancing and safety measures in place. The governor also issued <a href="#">Executive Order 2020-36</a> (effective 5/16/2020), which lifts the stay-at-home order and replaces it with a policy of “Stay Healthy, Return Smarter, Return Stronger.” Among other things, EO 2020-36 requires all employers to develop and implement policies based on guidance from the CDC, Department of Labor, Occupational Safety and Health Administration (OSHA), and</p>

	<p>the Arizona Department of Health Services (ADHS) to limit and mitigate the spread of COVID-19. Notably, this order expressly supersedes local orders, including local orders that impose stricter restrictions. The state also issued separate guidance documents for swimming pools, gyms, personal services and places of worship, which are available <a href="#">here</a>.</p>
<p><b>Arkansas</b></p>	<p>No statewide stay-at-home order has been issued, though an <a href="#">Executive Order 20-13</a> (4/3/2020) was issued mandating social distancing and the closure of high-traffic retail establishments (bars, clubs, restaurants, gyms, casinos). Essential businesses, including contractors serving governments, have not been the subject of restrictions. Restaurants were <a href="#">allowed to resume dine-in services</a> on 4/29/2020 (limited up to 33% of total seating capacity and other restrictions). The State also issued a variety of Health Directives reopening <a href="#">gyms and fitness centers</a> (4/30/2020); <a href="#">close contact businesses</a> (5/1/2020); <a href="#">large indoor venues</a> (5/4/2020); and <a href="#">large outdoor venues</a> (5/4/2020).</p>
<p><b>California</b></p>	<p>The <a href="#">Stay-at-Home Order</a> (3/19/2020) mandates social distancing and requires closure of non-essential businesses. It adopts/implements CISA Guidance for definitions of businesses that are "essential." The order states: "The federal government has identified 16 critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, economic security, public health or safety, or any combination thereof. I order that <i>Californians working in these 16 critical infrastructure sectors may continue their work because of the importance of these sectors to Californians' health and well-being</i>" (emphasis added). The governor's office also provides this <a href="#">list of essential critical infrastructure workers</a>. The order is effective "until further notice." Notably, on 4/22/2020, the governor <a href="#">announced</a> plans to relieve restrictions on some elective medical procedures. The State issued <a href="#">updated industry guidance</a> on 5/7/2020; <a href="#">dine-in guidance</a> on 5/12/2020. <i>Note:</i> Under the "<a href="#">Western States Pact</a>" (announced 4/13/2020), California, Oregon, and Washington "agreed to work together on a shared approach for reopening our economies – one that identifies clear indicators for communities to restart public life and business." As of 4/27/2020, this pact <a href="#">also includes</a> Nevada and Colorado. On 5/12/2020, California issued <a href="#">Guidance for dine-in restaurant services</a>, which allows outdoor seating but makes clear that indoor seated service is still prohibited. On 5/19/2020, California released <a href="#">Guidance for the Retail Industry</a>, which covers the requirement to develop worksite-specific COVID-19 plans, employee training, individual control members and employee screening, cleaning and disinfecting protocols, etc. Retail remains limited to curbside pickup. On 5/26/2020, California issued <a href="#">Guidance for Hair Salons and Barbershops</a>, with a recommended effective date of no sooner than 6/12/2020. As outlined <a href="#">here</a>, personal services, indoor museums, public pools and playgrounds, nightclubs, concert venues, festivals, and theme parks remain closed. Notably, hotels are limited to essential travel; no lodging for leisure or tourism is permitted.</p> <p>On 5/8/2020, the governor outlined a process under which counties that met</p>

	<p>specific criteria could move more quickly than other parts of the state through Stage 2 of modifying the Stay-at-Home order. Information regarding county variances is available <a href="#">here</a>.</p>
<p><b>Colorado</b></p>	<p>Colorado's original stay at home order (<a href="#">Executive Order D 2020 017</a>, effective 3/26/2020 through 4/11/2020, and subsequently extended by <a href="#">Executive Order D 2020 024</a> to expire on 4/26/2020) ordered individuals in Colorado to stay at home, subject to limited exceptions including work conducted by critical businesses, and instructed the executive director of the Colorado Department of Public Health and Environment (“CDPHE”) to issue a public health order defining these exempted activities. The applicable <a href="#">CDPHE Order</a> (4<sup>th</sup> Updated, 4/9/2020) does not expressly incorporate CISA Guidance, but specifies that the order’s 12 subcategories of businesses are deemed “critical” due to the pandemic. Among those are “Defense, security, and intelligence-related operations supporting the State of Colorado, local government, the U.S. Government or a contractor for any of the foregoing”; “Aerospace operations”; “Military operations and personnel”; and “Defense suppliers.” The stay-at-home order was allowed to expire on 4/26/2020, but the critical business description continues to apply.</p> <p>On 4/20/2020, the governor issued <a href="#">Executive Order 2020-039</a>, requiring that essential employers provide (and employees wear) nonmedical face coverings. That requirement expires on 5/20/2020. On 4/26/2020, the governor issued <a href="#">Order No. 2020 044</a>, the Safer at Home order, that eased restrictions on individual activities and some noncritical businesses. For instance, noncritical retail may open at 50% capacity, and noncritical commercial businesses may allow up to 50% of their workforce to resume on-site work. The order also includes a series of social distancing requirements. On 5/11/2020, the governor issued an <a href="#">updated timeline</a> for decisionmaking under the Safer at Home phase. On 5/25/2020, the governor <a href="#">issued guidance</a> regarding restaurants, summer camps, and private camping. Notably, on 5/27/2020, restaurants were allowed to open for in-person dining at 50% capacity of the indoor posted occupancy code limit, but not exceeding 50 people, whichever is less (see full restaurant guidance <a href="#">here</a>). Summer day camps and sports camps were allowed to open on 6/1/2020, although overnight camps remain closed. On 5/26/2020, the governor announced that ski resorts can work with local authorities to develop a plan on how to open as safely as possible, and secure local approval. The governor also signed <a href="#">Executive Order D 2020 080</a>, allowing voluntary or elective surgeries and procedures to proceed under certain conditions. <a href="#">Executive Order D 2020 091</a> (effective 6/1/2020), as modified by the <a href="#">Fifth Amended Public Health Order 20-28</a> (effective 6/2/2020), largely carrying forward the restrictions on businesses in place prior to June 1, while allowing increased opportunities for Coloradans to engage in certain outdoor activities, including camping by reservation only, outdoor pools (at 50% capacity), organized recreational youth and adult league sports (no more than 25 players outdoors or 10 players indoors), gyms and recreational centers and indoor pools (no more than 10 persons per room), and outdoor recreational activities (including hunting and fishing and skiing as approved by local jurisdictions). <a href="#">Executive Order D 2020-092</a> (amended face</p>

	<p>coverings order) authorizes all places of public accommodation (e.g., restaurants, cafes, hotels) to deny admission or service and require the removal of any person who fails to wear a face covering.</p> <p>On April 27, Colorado (along with Nevada) announced that it will be <a href="#">joining the Western States Pact</a> (described above, under the entry for California).</p>
<p><b>Connecticut</b></p>	<p>The <a href="#">State’s Guidance on Executive Order 7H</a> (3/20/2020) restricts non-essential businesses and, in defining essential businesses, adopts/implements the CISA Guidance: “For purposes of Executive Order 7H ... ‘essential business’ means: 1. Essential workers in the 16 Critical Infrastructure Sectors, as defined by the federal Department of Homeland Security unless otherwise addressed in a prior or future executive order pertaining to the existing declared public health and civil preparedness emergency. . . . 12. [D]efense and national security-related business and operations supporting the U.S. Government or a contractor to the US government.” Subsequent <a href="#">Executive Orders are collected here</a>. Pursuant to <a href="#">EO 7V</a>, additional “<a href="#">Safe Workplace Rules for Essential Employers</a>” were issued by the Department of Economic and Community Development (4/7/2020), mandating a long list of social distancing measures that must be implemented by essential businesses. EOs 7H and 7V are effective through 5/20/2020. On 5/18/2020, the governor issued <a href="#">EO 7PP</a>, which provided that the state will transition to Phase 1 of its reopening on 5/20/2020. Among other things, the order permits offices and stores to open at 50% capacity, and restaurants to offer outdoor dining. The order extends prohibitions on large gatherings and restrictions on off-track betting, indoor fitness, and movie theaters through 6/20/2020. Rules for businesses opening as part of Phase 1 (which vary depending on the industry) are available <a href="#">here</a>. Phase 2 of the reopening is scheduled to begin on 6/17/2020, and will include indoor dining, gyms, hotels and motels, movie theaters, museums and aquariums, nail and tattoo salons and amusement parks. The latest version of Connecticut’s reopening plan (the Reopen Connecticut Report, issued 5/26/2020) is available <a href="#">here</a>.</p> <p><i>Note:</i> Massachusetts, New York, New Jersey, Connecticut, Pennsylvania, Delaware and Rhode Island <a href="#">have formed a Multi-State Council</a> to coordinate the gradual lifting of their statewide stay-at-home orders to ensure uniformity.</p>
<p><b>Delaware</b></p>	<p>The <a href="#">Shelter in Place of Residence Order</a> (3/24/2020) notes that essential services and activities are excepted under terms of a previous order. The earlier “<a href="#">State of Emergency Order, Modification Four</a>” (3/22/2020) defined “essential businesses” as including the “Defense Industrial Base” and all supporting workers (without reference to CISA Guidance). On 5/8/2020, the Delaware governor <a href="#">announced</a> the extension of the stay at home order from 5/15/2020 to 5/31/2020, and explained that Phase 1 of the state’s reopening would begin on 6/1/2020. In the meantime, the State has taken several interim measures: beginning on 5/8/2020, the state allowed small business retailers to engage in sales for curbside pickup, jewelry stores to do business by appointment only, and hair care services to offer appointments to essential workers (see FAQs <a href="#">here</a>). On 5/20/2020, the state <a href="#">allowed</a> all retail stores to operate by appointment. When the state transitions to</p>

	<p><a href="#">Phase 1</a> on 6/1/2020, businesses like restaurants, exercise facilities, and retail stores will be allowed to open at 30% capacity, subject to a variety of social distance and cleaning requirements. On 6/2/2020, the governor <a href="#">announced</a> that Phase 2 of Delaware’s economic reopening will begin on 6/15/2020. Under Phase 2, retail and restaurants will be permitted to operate at 60% capacity, and childcare will be open for all Delaware families (not just those with essential workers). The Phase 2 guidelines are available in full <a href="#">here</a>.</p> <p>(Note: Delaware is part of the “<a href="#">Multi-State Council</a>,” which is addressed with respect to Connecticut above.)</p>
<p><b>District of Columbia</b></p>	<p>The mayor’s revised Stay-at-Home Order (3/30/2020) restricts non-essential businesses (and individual behavior); to define essential businesses (which are excepted), the order incorporates, applies, and is based on the CISA Guidance, which includes the DIB sector and most government contractors. The <a href="#">Mayor’s Order No. 2020-063</a> (4/15/2020) imposes additional restrictions on personal conduct/movement (e.g., masks must be worn in taxis and are recommended on public transportation) but does not impose additional restrictions on contractors; the order also extends the applicability of previously applicable restrictions through 5/15/2020. On 5/14/2020, the mayor extended the District’s stay-at-home restrictions through 6/8/2020, as reflected in <a href="#">Mayor’s Order 2020-066</a> (issued 5/13/2020). On 5/21/2020, the ReOpen DC Advisory Group issued a four-phase reopening plan (<a href="#">ReOpen DC plan</a>), which is one of the more restrictive reopening plans in the country. Notably, schools and day care facilities will be limited to 10 children per room; bars, restaurants, and offices will be limited to 50% capacity; and retail stores will be limited to 75% capacity until the District transitions to Phase 4. Under this plan, the District will not proceed to the final stage (Phase 4) until an effective vaccine or effective cure is available or until the virus has been entirely eradicated. On 5/27/2020, the DC mayor <a href="#">announced</a> that the District had achieved a key benchmark for reopening—a 14-day decline in community spread—would transition to Phase 1 reopening on 5/29/2020 (see also DC situational update, <a href="#">here</a>). The mayor also announced the lifting of the stay-at-home order, effective 5/29/2020.</p>
<p><b>Florida</b></p>	<p><a href="#">Executive Order 20-91</a>, “Safer at Home” (4/1/2020), urges social distancing, encourages individuals to work from home, and states that “all persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities.” It states that obtaining or providing “essential services” is not restricted and excepts from the restrictions workers providing critical infrastructure as described in the CISA Guidance (and any subsequent lists published). <a href="#">Executive Order 20-92</a> makes clear that EO 20-91 “shall supersede” any conflicting local order issued in response to COVID-19. The order is effective through 4/30/2020. On 4/21/2020, the governor <a href="#">stated</a> that Florida had successfully flattened the curve and that a task force was examining the best approaches to reopening the state’s economy. On 4/29/2020, the governor issued <a href="#">EO 20-112</a>, which (i) extends the current stay-at-home order (20-91, as modified) through 5/4/2020; (ii)</p>

	<p>maintains limitations on movement; (iii) allows Phase I reopening of certain, non-“hot spot” areas (without pre-empting local orders imposing additional restrictions); and (iv) requires that some higher-risk personal services businesses remain closed (bars, nightclubs, gyms) while allowing others to re-open if restrictions are followed. On 5/9/2020, the governor issued <a href="#">Executive Order 20-123</a> (effective 5/18/2020), which permits the operation of indoor dining at restaurants, indoor retail shopping, the reopening of museums and libraries, and indoor gyms and fitness centers—all subject to a 50% occupancy limit. The order also allows amusement parks to apply for a permit to reopen (with the endorsement of the local governing authorities). The order brings all Florida counties under Phase 1. On 5/26/2020, the governor issued <a href="#">Executive Order 20-131</a>, allowing youth summer and recreational camps and organized youth activities (including youth sports teams and leagues, youth clubs and programs, and childcare) to operate (effective immediately). On 6/3/2020, the governor issued <a href="#">Executive Order 20-139</a>, which transitions the state to Phase 2 (effective 6/5/2020). Under Phase 2, bars, movie theaters, bowling alleys, and concert venues may open at 50% capacity (outdoor seating unlimited). Restaurants may now allow bar-top seating. Gyms and retail businesses may operate at 100% capacity. Tattoo shops and tanning and massage parlors may now open, subject to Department of Health safety guidelines. Organized other activities, including sports teams youth clubs, and childcare, may operate. Nightclubs remain closed, and visits to nursing homes and long-term care remain prohibited. See FAQs <a href="#">here</a> and guidance for specific industry sectors <a href="#">here</a>.</p>
<p><b>Georgia</b></p>	<p><a href="#">Executive Order No. 04.02.20.01</a> (4/3/2020) directs all residents to “shelter in place” except for “necessary travel,” which includes to/from work at businesses involved with critical infrastructure, such as many government contractors. Georgia’s order indicates that critical infrastructure businesses should “implement measures which mitigate the exposure and spread of COVID-19 among its workforce”—and notes that “such measures <b>may include</b>, but shall not be limited to . . . screening and evaluating workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath” (emphasis added). The order also incorporates the CISA Guidance and states that “[t]he operation of Critical Infrastructure shall not be impeded by county, municipal, or local ordinance.” <a href="#">Executive Order No. 04.08.20.02</a> (4/8/2020) extended the expiration of Georgia’s shelter-in-place order to 4/30/2020. <a href="#">Executive Order No. 04.20.20.01</a> (4/20/2020) provides “flexibility” for certain businesses that had previously been ordered to be closed or to reduce operations, allowing retail activities (gyms, fitness centers, bowling alleys, etc.) to re-open to the extent they “implement measures which mitigate the exposure and spread of COVID-19.” Those measures include (among many others) (i) screening and evaluating employees who exhibit signs of illness, including (among others) a fever of over 100.4 degrees Fahrenheit, cough, or shortness of breath; (ii) providing PPE; (iii) prohibiting gatherings; and (iv) increasing physical space between workers. These modified restrictions will terminate with the state of emergency, which is scheduled to end on 6/12/2020. <a href="#">Executive Order 05.12.20.02</a> (5/12/2020) provides</p>

	<p>additional guidance for restaurants and other industry sectors. <a href="#">Executive Order No. 05.21.20.01</a> allows overnight summer camps to begin operating on 5/31/2020, provided that all camp workers and camp employees test negative for COVID-19 prior to attending or working at the camp. <a href="#">Executive Order 5.28.20.02</a> increases limits to gatherings of 25 people and introduces a number of updated guidelines for various industry sectors (e.g., retail, restaurants, personal services, cinemas, amusement parks, etc.). On 6/11/2020, the governor issued <a href="#">Executive Order</a> (Empowering a Healthy Georgia), which allows larger gatherings (of up to 50 people), lifts the stay at home order for residents over 65 (unless “medically fragile”), and further opens Georgia’s economy. The order lifts occupancy limits for indoor dining and allows restaurants to offer salad bars and buffets. Bars may now have 50 patrons or 35% of total listed fire capacity, whichever is greater. Amusement rides, carnivals, water parks, and circuses can also open to the public on 6/12/2020, and movie theaters now have no maximum on the total number of patrons in a theater allowed at one time. Live performance venues can reopen on 7/1/2020. Conventions may occur if they meet a detailed list of (21) requirements.</p>
<p><b>Hawaii</b></p>	<p>The <a href="#">Third Supplemental Proclamation</a> implements a stay-at-home order (3/23/2020). People are required to stay home except “to maintain continuity of operations of the federal critical infrastructure sectors, as identified [in the CISA Memo] and as further designated below or by the Director of the Hawaii Emergency Management Agency.” The order is effective through 4/30/2020. On 4/25/2020, the governor issued the <a href="#">Sixth Supplemental Proclamation</a> (effective 4/26/2020) extending the duration of the stay-at-home restrictions through 5/31/2020. On 5/5/2020, the governor issued the <a href="#">Seventh Supplemental Proclamation</a>, authorizing the first group of businesses to begin reopening beginning on 5/7/2020, subject to various restrictions. These include agriculture, auto dealerships, car washes, <a href="#">childcare</a> services, pet grooming services, observatories and support facilities, retail and repair services, and shopping malls. (Note: stricter local orders apply in Honolulu and Maui.) On 5/18/2020, the governor issued the <a href="#">Eighth Supplemental Proclamation</a>, extending the 14-day mandatory quarantine for travelers arriving in the State, including inter-island travelers, through June 30. The governor also <a href="#">unveiled a reopening plan</a> that will allow “medium-risk businesses” to begin reopening in June. On 6/10/2020, the governor of Hawaii issued a <a href="#">Ninth Supplemental Proclamation</a>, which extends the state’s COVID-19 emergency period through 7/31/2020. Notably, the order specifies that the State’s 14-day quarantine order for inter-island travel ends on 6/16/2020. The order requires temperature checks prior to boarding. However, the quarantine order for those entering Hawaii from out-of-state is extended through 7/31/2020.</p>
<p><b>Idaho</b></p>	<p>A <a href="#">State of Emergency Proclamation</a> and a statewide Order to Self-Isolate were issued on 3/25/2020, with an amended order (from the Department of Health and Welfare) on 4/15/2020. The order’s restrictions on business activities exempt essential businesses, which are defined by reference to the CISA Guidance. The Order to Self-Isolate is effective through 4/30/2020 or until it is extended,</p>

	<p>superseded, or rescinded. On 4/23/2020, the governor <a href="#">announced</a> that the state will reopen over the course of four phases (detailed <a href="#">here</a>). Under Phase 1 (beginning on 5/1/2020), most retail stores and houses of worship could reopen, as long as they follow strict social-distancing rules. In Phase 2, which will possibly begin on 5/16/2020, restaurants, gyms and hair salons could reopen with approved social-distancing plans. Under the State’s <a href="#">updated Stay Health Order</a> (issued 5/14/2020), all businesses are permitted to open (subject to certain restrictions), with the exceptions of bars and night clubs and large venues (e.g., movie theatres, concert venues, sporting venues, public pools), which are required to remain closed except to perform minimum basic operations. Updated guidance on large gatherings is available <a href="#">here</a>. In the meantime, <a href="#">on 5/28/2020</a>, Idaho transitioned to Stage 3. Bars and movie theaters may reopen, and gatherings may now consist of more than 10 people, but not more than 50. Non-essential travel to locations that allow it may resume, and those traveling through Idaho no longer have to quarantine for 14 days. Nightclubs and large sporting venues remain closed until the State enters Stage 4. On 6/11/2020, the governor <a href="#">announced</a> that the state “narrowly meets the criteria” to enter the fourth and final stage of the State’s Rebound Plan, and would do so on 6/13/2020. Under Phase 4, “100 percent of businesses will be able to open their doors,” including nightclubs and large sporting venues, although certain “precautionary requirements” remain in place. Additionally, “[e]mployers can resume unrestricted staffing of worksite,” but are urged “to practice physical distancing, personal protections and sanitation for protection of workers,” and to continue to telework when feasible.</p>
<p><b>Illinois</b></p>	<p><a href="#">Executive Order 20-10, Stay at Home</a> (3/20/2020) states that all non-essential businesses must cease operations but excepts series of essential businesses from restrictions. In a footnote, the order makes clear that “the definition of Essential Businesses and Operations in this Order is meant to encompass the workers identified in” the CISA Guidance. <a href="#">Executive Order 20-22</a> extended the effective date of applicable restrictions through 5/1/2020. On 4/23/2020, the governor <a href="#">announced</a> a modified executive order, which eases some restrictions but extends the remaining ones through 5/30/2020. The <a href="#">amended order</a> introduces a new face-covering requirement; it also eases some restrictions on retail businesses, e.g., it reclassifies greenhouses, garden centers, and nurseries as essential and allows them to open, and it permits non-essential retail businesses to re-open to fulfill curbside pickup or delivery orders. On 4/27/2020, a county circuit judge <a href="#">enjoined the enforcement of the amended order</a> against a specific plaintiff, though it is unclear what effect this litigation will have on other people within the state. A small number of counties have opposed the state’s failure to begin the reopening process, although these efforts have <a href="#">mostly fizzled out</a>. That said, anti-shutdown protests <a href="#">continue</a>, and the Department of Justice has <a href="#">filed a statement of interest</a> in the support of a lawsuit challenging the governor’s stay at home order.</p>

	<p>(Note: On 4/16/2020, governors of seven Midwestern states—Illinois, Indiana, Kentucky, Michigan, Minnesota, Ohio, and Wisconsin—<a href="#">announced their agreement</a> to “coordinate on reopening their state economies amid the coronavirus pandemic.”)</p>
<p><b>Indiana</b></p>	<p><a href="#">Executive Order No. 20-18</a> (4/6/2020) continues the earlier Directive for Hoosiers to Stay at Home. All non-essential business/activities must cease operations; the definition of “essential business” includes all workers and industries included in the CISA Guidance. <a href="#">Executive Order No. 20-22</a> extends the effective date of applicable restrictions through 5/1/2020. At this time, it is unclear whether the restrictions in this order will be extended beyond that date. That said, several municipalities have extended their own orders beyond this date; for instance, on 4/30/2020, the <a href="#">city of Indianapolis extended its order</a> through 5/15/2020.</p> <p><a href="#">Executive Order 20-26</a> (issued 5/1/2020) encompasses directives for Stages 1 &amp; 2 of the state’s <a href="#">five-stage reopening plan</a> based on a county-by-county assessment. In brief, on 5/4/2020, all counties except Cass, Lake and Marion transitioned to Stage 2, allowing manufacturers and retail businesses to reopen (subject to certain restrictions, including occupancy limitations). The order permitted Lake and Marion counties to transition to Stage 2 on 5/11/2020. Restaurants in all counties in Stage 2 were permitted to reopen on 5/11/2020 (subject to a 50% capacity limit). Cass County will transition to Stage 2 on 5/18/2020. At a <a href="#">5/4/2020 press event</a>, the governor stated he hopes to transition the state to Stage 3 on 5/24/2020, to Stage 4 on 6/14/2020, and to Stage 5 on 7/4/2020. On 6/5/2020, the Department of Health issued <a href="#">guidelines</a> regarding the reopening of schools. On 6/11/2020, the governor issued <a href="#">Executive Order 20-32</a>, transitioning the State to Stage 4. Stage 4 allows gatherings of up to 250 people, operation of restaurants at 75% capacity and bars at 50% capacity, and movie theaters and bowling alleys at 50% capacity. Playgrounds may reopen immediately. Charity gaming and casinos may open to the public on 6/15/2020.</p> <p>(Note: Indiana is one of the Midwestern states with governors who have agreed to coordinate the reopening of their economies, as addressed with respect to Illinois above.)</p>
<p><b>Iowa</b></p>	<p>Although Iowa did not formally issue a stay-at-home order, the governor issued a number of piecemeal proclamations prohibiting public gatherings, closing schools, and restricting many business activities. Since late April, most of these restrictions have been relaxed or eliminated. A <a href="#">Proclamation</a> dated 4/27/2020 loosened social distancing measures in 88 counties and allowed restaurants, fitness centers, malls, libraries, race tracks, and certain other retail establishments to reopen in a limited fashion with public health measures in place. In addition, the proclamation lifted the restriction on religious and spiritual gatherings as long as churches and other gathering hosts implement reasonable public health measures. A <a href="#">Proclamation</a> dated 5/6/2020 allowed dental service providers, campgrounds, drive-in movie theaters, tanning facilities, and medical spas to resume operations, subject to certain restrictions. A 5/13/2020 <a href="#">Proclamation</a> allowed restaurants, fitness centers, malls and other retail stores, salons and</p>

	<p>barbershops, medical spas, tanning facilities, massage therapists, tattoo parlors, and libraries to reopen (limited to 50% of normal operating capacity). And a 5/20/2020 <a href="#">Proclamation</a> allowed movie theaters to reopen at 50% capacity. Among other things, it also allowed museums, aquariums, zoos, swimming pools (subject to certain restrictions). On 6/10/2020, the governor issued a new <a href="#">Proclamation</a>. Effective 6/12/2020, the 50% capacity restrictions on many public-facing businesses (e.g., restaurants, fitness centers, etc.) are lifted, although these businesses are required to maintain certain social distancing measures. Additionally, swimming pools and senior centers may reopen as well so long as they follow recommended health measures.</p>
<p><b>Kansas</b></p>	<p><a href="#">Executive Order No. 20-16</a> establishes a statewide “stay home” order in conjunction with the Kansas Essential Function Framework for COVID-19 response efforts. The order directs all Kansans to stay at their residences unless performing an essential activity, which includes (among other things) “[p]erforming, or going to or from work at a business or organization to perform, an essential function.” This includes “Maintain[ing] Supply Chains for Essential Functions and Critical Infrastructure (as defined by DHS),” i.e., the CISA Guidance, and “Provid[ing] Material and Operational Support to Defense.” Pursuant to <a href="#">Executive Order No. 20-16 (4/16/2020)</a>, the stay home order will be effective through 5/3/2020. The order was not extended. In its place, the governor introduced a <a href="#">three-phase plan</a> for reopening the state economy. The first phase reopened childcare facilities and libraries but limited public gatherings to 10 people. On 5/19/2020, the governor <a href="#">announced</a> the state would transition to a “Modified Phase 2” on 5/22/2020, allowing (among other things): mass gatherings up to 15 people (rather than 10); the opening of all businesses except bars, nightclubs, and swimming pools; the opening of arcades, trampoline parks, theaters, museums, bowling alleys and other leisure spaces; the opening of organized sports tournaments and practices (subject to certain regulations); and the opening of in-person group exercise classes (with groups of no more than 15 at a time).</p>
<p><b>Kentucky</b></p>	<p>The <a href="#">Executive Order Closing Businesses Not Necessary to Protect or Sustain Life (3/25/2020)</a> lists life-sustaining businesses that may remain open, and the “CISA List” (referencing the Guidance) is included. The order is in effect throughout the emergency (and until rescinded). (<i>Note: Kentucky is one of the Midwestern states with governors who have agreed to coordinate the reopening of their economies, as addressed with respect to Illinois above.</i>)</p> <p><a href="#">Executive Order 2020-323</a> (issued 5/8/2020; effective 5/11/2020) permits manufacturing, construction, vehicle and vessel dealerships, professional services (at 50% of pre-outbreak capacity), horse racing (without spectators), and pet grooming and boarding to begin reopening on 5/11/2020, subject to certain restrictions. Among other things, all businesses are required to follow the <a href="#">10 rules of staying healthy at work</a>, as well as <a href="#">industry-specific guidance</a>. More details about the order and links to additional guidance documents are available <a href="#">here</a>. The governor <a href="#">anticipates</a> that retail will be permitted to open on 5/20/2020,</p>

	<p>movie theaters and fitness centers on 6/1/2020, and child care on 6/15/2020. In the meantime, the governor issued additional orders allowing restaurants to open at 33% capacity and for outdoor seating (<a href="#">5/22/2020</a>); allowing barbershops/cosmetologists/hair salons to reopen at 33% capacity and subject to various requirements (<a href="#">on 5/22/2020</a>); allowing auctions, racing venues, aquatic centers, bowling alleys, fishing tournaments, fitness centers, and movie theaters to reopen subject to 33% indoor capacity limits where applicable (on <a href="#">6/1/2020</a>), allowing educational and cultural activities (e.g., aquariums and libraries) to reopen (on <a href="#">6/8/2020</a>), allowing some childcare programs and day camps to open (on <a href="#">6/15/2020</a>), and allowing bars to reopen and gatherings of fewer than 50 people (on <a href="#">6/29/2020</a>).</p>
<p><b>Louisiana</b></p>	<p>The governor’s <a href="#">Stay-at-Home order</a> (3/22/2020) excepts “essential worker functions” from restrictions and references “guidance provided by [DHS – CISA] on what workers are essential” (and cites CISA’s initial guidance). Louisiana <a href="#">Proclamation 41 JBE 2020</a> extends the stay-at-home order until 4/30/2020. On 4/27/2020, the governor issued a <a href="#">press release</a> announcing an extension of the order—with some modifications—through 5/15/2020. For instance, beginning on 5/1/2020, non-essential retail businesses were able to open with fewer than 10 people total inside, and restaurants will be allowed to offer outdoor dining (see 5/1/2020 FAQs <a href="#">here</a>). On 5/15/2020, the State transitioned to Phase 1 (pursuant to <a href="#">Procl. No. 58 JBE 2020</a>), which allowed the following businesses to reopen, subject to 25% occupancy limits and various sanitation and physical distancing requirements: gyms and fitness centers, barbershops and hair and nail salons, casinos and video poker, theaters, racetracks (not open to spectators), museums and zoos and aquariums (no tactile exhibits), and bars and breweries with LDH food permits. Under this order, the following businesses remained closed: massage establishments and spas, tattoo parlors, carnivals, amusement parks, water parks, trampoline parks, arcades, fairs, bars and breweries without LDH food permits, pool halls, contact sports, children’s play centers, playgrounds, theme parks, adult entertainment venues, and other similar businesses. On 6/1/2020, the governor <a href="#">announced</a> that the State would transition to Phase 2 on 6/5/2020). Under Phase 2 (which is implemented under <a href="#">Proclamation 74-JB-2020</a>), churches, places of worship and a number of additional business sectors may operate at 50% capacity with social distancing, masks for public-facing employees and increased sanitation. Businesses that may open at 50% occupancy include: restaurants, cafes and coffee shops; shopping malls (including food courts, following restaurant guidance); gyms and fitness centers; barber and beauty shops and nail salons; movie theaters; racetracks (not open to spectators); museums (including children’s museums), zoos, aquariums (no tactile exhibits); bars and breweries with LDH food permits; massage establishments, spas, and tattoo establishments (under strict guidance from LDH), esthetician services (under strict guidance from the Cosmetology Board); pool halls, bowling alleys and skating rinks (children must be accompanied by an adult); event centers and wedding venues; outdoor playgrounds and play centers (children must be accompanied by an adult). Casinos and video poker establishments may open at</p>

	<p>50% occupancy, but limited to 75% of their gaming positions, with spacing to allow for social distancing and with enhanced sanitation. Bars and breweries that do not have LDH food permits will be able to open with strict social distancing requirements and patrons seated at 25% occupancy.</p>
<p><b>Maine</b></p>	<p><a href="#">Executive Order 19 FY 19/20 re Essential Businesses and Operations</a> (3/24/202) states that essential businesses shall continue operations (with social distancing). Its definition of “essential businesses and operations” includes those “[i]dentified by [the DHS &amp; CISA] Memorandum” providing guidance on “Identification of Essential Critical Infrastructure Workers.” The order is effective until 4/30/2020. On 4/29/2020, the governor issued an <a href="#">Order to Stay Safer at Home</a>, which eased some of the previous restrictions while extending the remaining ones through 5/31/2020. Under the new order, Stage 1 of the state’s reopening plan begins on 5/1/2020, and as described in a <a href="#">press release</a>, “allows for the limited expansion of certain business, religious, and quality of life activities, with appropriate safety precautions.” These include (i) the provision of non-essential medical services and procedures; (ii) personal services, including barber shops, hair salons, and pet grooming; (iii) drive-in, stay-in-your vehicle religious services; (iv) drive-in movies; (v) outdoor recreation; and (vi) use of state parks and trails, with the exception of coastal state parks. The reopening of restaurants, fitness centers, and in-store shopping at non-essential retail stores will not occur until Stage 2, which is expected to begin 6/01/2020. On 5/8/2020, the governor introduced a <a href="#">Rural Reopening Plan</a> for the counties of Aroostook, Piscataquis, Washington, Hancock, Somerset, Franklin, Oxford, Kennebec, Waldo, Knox, Lincoln, and Sagadahoc. Subject to certain restrictions (e.g., one customer in store at a time), retail stores were permitted to open on 5/11/2020, and restaurants were allowed to reopen on 5/18/2020. Also on 5/14/2020, Maine lodging providers were <a href="#">permitted to accept reservations</a> with an arrival date of 6/1/2020, although the 14-day quarantine for out-of-staters continues to apply. On 5/19/2020, the governor <a href="#">announced</a> that the full reopening of gyms and fitness centers and nail salons, originally scheduled for June 1 (Stage 2), would be delayed until further notice. On 5/27/2020, the governor confirmed that the State would transition to Stage 2 on 6/1/2020 (see also <a href="#">Executive Order 55 FY 19/20</a>). Restaurants and indoor shopping are allowed to resume, although not in all counties. On 6/4/2020, the governor <a href="#">announced</a> additional business reopenings under the governor’s rural reopening plan. Under the update, in 13 counties, tasting rooms and bars may open for outside service and gyms and fitness centers, nail salons, and tattoo and piercing parlors may open with added health and safety precautions beginning on Friday, June 12. These establishments may reopen everywhere in all counties except for York, Cumberland, and Androscoggin Counties. On 6/8/2020, the governor <a href="#">announced</a> an alterantive to the state’s 14-day quarantine requirement for people entering Maine. The plan rests on three cornerstones: 1) having visitors certify that they have received a recent negative COVID-19 test to stay in lodging establishments, such as hotels, as an alternative to quarantine; 2) increasing symptom checks at places where visitors tend to go; and 3) supporting community promotion of COVID-19 prevention best practices and public health</p>

	<p>education. On 6/12/2020, the governor <a href="#">moved up the start date for lodging establishments</a> to serve out-of-state visitors to 6/26/2020 rather than 7/1/2020.</p>
<p><b>Maryland</b></p>	<p><a href="#">Executive Order 20-03-30-01 Prohibiting Non-Essential Business</a> (3/30/2020) restricts non-essential business activities and expressly exempts business/activities not part of the critical infrastructure sectors identified by DHS and described in the CISA Guidance. The order is effective until cancelled. On 5/6/2020, the governor <a href="#">announced</a> that if current downward trends in admissions to hospitals and intensive care units continue, Maryland will be able to transition to Stage 1 of its <a href="#">three-step COVID-19 recovery plan</a> during the week of May 11-17 (see press release <a href="#">here</a> and media coverage regarding potential reopening <a href="#">here</a>). He also announced that hospitals and other health care providers can resume elective procedures immediately, under new guidelines being issued by the Maryland Department of Health (see amended directive <a href="#">here</a>). Additionally, he <a href="#">announced</a> the <a href="#">expansion of permissible outdoor recreation</a> activities in regard to beaches, boating, camping, fishing, horseback riding, hunting, and off-road vehicles. These changes are all effective now. An updated stay-at-home order (issued 5/6/2020) is available <a href="#">here</a>.</p> <p>On 5/13/2020, the Maryland governor announced that the state will transition to Stage 1 of Maryland's <a href="#">three-step COVID-19 recovery plan</a> on 5/15/2020. A press release and a summary of the changes is available <a href="#">here</a>. On 5/12/2020, Maryland's governor <a href="#">announced</a> that the Washington suburbs would be allowed to opt out of the planned gradual reopening. And in a <a href="#">press release</a> describing Maryland's latest order (<a href="#">No. 20-05-13-01</a>, issued 5/13/2020 and effective 5/15/2020), the governor explained that he was providing "a flexible and community-based approach which empowers county leaders to make decisions regarding the timing of Stage One reopening in their individual jurisdictions." On 5/26/2020, Howard County and Charles County <a href="#">announced</a> that all retailers, barbershops and hair salons may open on 5/29/2020 at 50% occupancy.</p> <p>On 5/27/2020, the governor <a href="#">announced</a> the resumption of additional activities under Phase 1 of Maryland's Roadmap to Recovery, including the resumption of outdoor dining and outdoor activities such as youth sports and youth day camps, and the reopening of outdoor pools and drive-in movie theaters. On 6/3/2020, the governor announced that Phase 2 would begin on 6/5/2020 (as implemented under <a href="#">Order 20-06-03-01</a>). Religious facilities, retail establishments, and personal service providers may operate at 50% capacity. Fitness centers, theaters, enclosed malls, and recreational establishments remain closed to the general public. On 6/10/2020, the governor issued <a href="#">Executive Order 20-06-10-01</a>, which updates Maryland's Stay at Home Order to clarify that the following venues may open to the public on 6/12/2020: outdoor amusement parks, go-kart tracks, and miniature golf establishments. Additionally, effective 6/19/2020, the following may open to the public: indoor shopping malls, indoor recreational establishments (such as bingo halls, bowling alleys, pool halls, and roller and ice skating rinks), fitness centers and health clubs, and casinos and racetracks and gambling facilities.</p> <p>In the meantime, some local authorities are retaining stricter restrictions. For</p>

	<p>instance, under the <a href="#">6/1/2020 Montgomery County order</a>, religious services may only be provided on a drive-in or remote basis, retail establishments are limited to curbside pickup, and personal services are effectively limited to one customer in the premises at a time.</p>
<p><b>Massachusetts</b></p>	<p>In follow up to the <a href="#">Updated Order to Cease All Non-Essential Business</a>, the state published a separate <a href="#">list of excepted "Essential Services."</a> The state does not cite CISA Guidance but includes a broad definition of the "Defense Industrial Base" that includes/excepts most, if not all, workers in that sector.</p> <p>On 5/11/2020, the governor <a href="#">announced</a> "a four-phase approach to reopening the Massachusetts economy," and stated that given current progress, he hopes to begin reopening the state on 5/18/2020. Under the plan (explained <a href="#">here</a>), Phase 1 will be to "Start" with limited industries resuming operations with severe restrictions; Phase 2 will involve "Cautious" additional industries resuming operations with restrictions and capacity limits; Phase 3 will be "Vigilant" and will involve additional industries initiating operations under specific guidance; and Phase 4 will be the "New Normal," and will occur when development of vaccine and/or therapy enables resumption of new normal activities. The governor elaborated that Phase 1 will include businesses that have little direct contact with customers. On 5/18/2020, the governor issued an <a href="#">Order</a> implementing a Phased Reopening. Under Phase 1, a number of businesses may reopen (subject to certain restrictions), either on 5/18/2020 or on 5/25/2020, depending on the industry and the location. A detailed table with sector-by-sector opening dates and guidance is available <a href="#">here</a>. On 5/18/2020, the governor issued a separate <a href="#">Safer-at-Home Advisory</a>, recommending residents (particularly those over 65 or with underlying health conditions) to avoid certain activities. On 6/6/2020, the governor <a href="#">announced</a> that Phase 2 would begin on 6/8/2020. Under Phase 2, the following businesses may reopen (subject to certain restrictions): retail, with occupancy limits; childcare facilities and day camps, with <a href="#">detailed guidance</a>; restaurants, outdoor table service only; hotels and other lodgings, no events, functions or meetings; warehouses and distribution centers; personal services without close physical contact, such as home cleaning, photography, window washing, career coaching and education tutoring; post-secondary, higher education, vocational-tech and occupation schools for the purpose of completing graduation requirements; youth and adult amateur sports, with detailed guidance; outdoor recreation facilities; professional sports practices, no games or public admissions; non-athletic youth instructional classes in arts, education or life skills and in groups of less than 10; driving and flight schools; outdoor historical spaces, no functions, gatherings or guided tours; and funeral homes, with occupancy limits. The following businesses will be eligible reopen in step two of Phase 2, subject to restrictions and at a later date to be determined: indoor table service at restaurants; close-contact personal services; and personal training.</p> <p>(Note: Massachusetts is part of the <a href="#">"Multi-State Council,"</a> which is addressed with respect to Connecticut above.)</p>

<p><b>Michigan</b></p>	<p><a href="#">Executive Order 2020-21 Suspending Activities Not Necessary to Sustain/Protect Life</a> (3/24/2020) expressly excepts businesses included in CISA Guidance from restrictions on business activities. Superseding that stay-at-home order, <a href="#">EO 2020-42</a> (effective 4/9/2020) continues to rely on the CISA Guidance but also imposes additional restrictions on essential businesses that continue operating. Among other things, businesses continuing to operate must (i) develop a COVID-19 preparedness and response plan consistent with specified guidance, (ii) restrict on-site workers to those performing essential functions, (iii) require on-site social distancing to the extent possible, (iv) regularly disinfect the work site and introduce disinfection protocols, (v) “[adopt] policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person with a confirmed diagnosis of COVID-19,” and (vi) adhere to any “other social distancing practices and mitigation measures recommended by the CDC.” EO 20-42 is effective through 4/30/2020.</p> <p>On 4/24/2020, the governor issued <a href="#">EO 2020-59</a>, which eases several restrictions while extending the state's shutdown until 5/15/2020. In addition to exempting essential critical infrastructure workers, the order includes a new exception for “Resumed Activities” by other workers. Subject to a series of social distancing and hygiene related restrictions, the resumed activities include (1) processing or fulfilling remote orders for goods for delivery or for curbside pickup; (2) performing bicycle maintenance or repair; (3) working in garden stores/nurseries, performing landscaping/lawn care or pest control, subject to certain “enhanced social-distancing rules” described elsewhere in the order; (4) maintaining the safety and sanitation of grounds of outdoor recreation; and (5) moving or storage, subject to enhanced social-distancing rules.</p> <p>On 4/30/2020, the governor <a href="#">unilaterally extended</a> Michigan’s State of Emergency through 5/28/2020, after the state legislature refused to pass a bill authorizing an extension. On 5/6/2020, members of the legislature <a href="#">filed a lawsuit</a> challenging the constitutionality of the governor’s extension. That litigation is ongoing.</p> <p>On 5/7/2020, the governor issued <a href="#">EO 2020-77</a>, which modified the restrictions under previous orders and extended the duration of applicable restrictions through 5/28/2020. In addition to the five “Resumed Activities” permitted under EO 2020-59 (and subject to the same social distancing and hygiene-related restrictions), EO 2020-77 permits workers in the following areas to resume these activities: (6) manufacturing in the construction industry, including building trades (plumbers, electricians, HVAC technicians, and similar workers); (7) the real-estate industry, including agents, appraisers, brokers, inspectors, surveyors, and registers of deeds; (8) manufacturing goods that support workplace modification to forestall the spread of COVID-19 infections; (9) training, credentialing, and licensing of first responders; (10) start-up activities at manufacturing facilities; and (11) effective May 11, 2020, all other manufacturing activities. Despite the governor’s easing of previous restrictions, some <a href="#">protests</a> and local resistance continues.</p> <p><a href="#">Executive Order 2020-96</a> (5/21/2020) adds laboratory research to the list of</p>
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	<p>“Resumed Activities.” Additionally, effective 5/22/2020, the following “Resumed Activities” were permitted, but only in Regions 6 and 8 and subject to occupancy limits and other restrictions: retail, office work that cannot be easily performed remotely, and restaurants and bars. The Order also adds additional Resumed Activities that apply to the State (e.g., retail by appointment only), beginning on 5/26/2020. The State’s Reopening Preparedness Requirements are detailed separately in <a href="#">Executive Order 2020-97</a> (5/21/2020). Michigan’s stay-at-home order was lifted on 6/1/2020. Also on 6/1/2020, <a href="#">Executive Order 2020-110</a> allows the following to reopen on 6/8/2020: restaurants and outdoor swimming pools at 50% capacity, day camps for children, and outdoor gatherings not exceeding 100 people. Indoor theaters and cinemas and other entertainment facilities, gyms and fitness centers, sports facilities, and non-essential personal care services remain closed. <a href="#">Executive Order 2020-115</a> allows the following to reopen statewide on 6/15/2020: personal care facilities, indoor gatherings not exceeding 50 and outdoor gatherings not exceeding 250, and indoor swimming pools at 25% capacity (outdoor pools remain at 50% capacity). On 6/12/2020, the governor issued <a href="#">Executive Order 2020-120</a>, which allows overnight camps to resume operations on 6/15/2020. The Order also lifts the current suspension of school sports activities and other in-person extracurricular school activities.</p> <p>(Note: Michigan is one of the Midwestern states with governors who have agreed to coordinate the reopening of their economies, as addressed with respect to Illinois above.)</p>
<p><b>Minnesota</b></p>	<p><a href="#">Emergency Executive Order 20-20 Directing Minnesotans to Stay at Home</a> (3/25/2020) expressly incorporates and attaches the CISA Guidance regarding infrastructure sectors excepted from restrictions. <a href="#">Emergency Executive Order 20-33</a> extends the stay-at-home order until the state of emergency is terminated, and it enlarges the list of essential businesses. On 4/8/2020, the duration of the order was extended to 5/3/2020 (<a href="#">EO 20-33</a>), and on 4/30/2020, most of the order’s provisions were extended through 5/18/2020 (see 4/30/2020 press release <a href="#">here</a>).</p> <p>Minnesota has gradually rolled back a number of restrictions. <a href="#">Executive Order 20-40</a> (4/23/2020) introduces a new category of businesses that are allowed to return to operation, subject to certain restrictions: “Non-Critical Exempt Businesses.” At the time, these included industrial and manufacturing and office-based businesses. <a href="#">Executive Order 20-48</a> (4/30/2020) adds retail businesses to the list of Non-Critical Exempt Businesses.</p> <p>On 5/13/2020, the governor issued <a href="#">Executive Order 20-56</a>, which allows more businesses to reopen on 5/18/2020. Specifically, the order allows Non-Critical Businesses on which closure orders have not previously been eased to reopen, with the exception of businesses that involve communal facilities or require close physical contact, such as salons, barber shops, gyms, and fitness studios. Additionally, restaurants and other places of public accommodation as identified in EO 20-04 (most recently amended by EO 20-18) remain closed through</p>

	<p>5/31/2020 (other than for curbside pickup or delivery). EO-20-56 will remain in effect through 5/31/2020. Additionally, the governor issued <a href="#">Executive Order 20-53</a>, extending the State of Emergency through 6/12/2020. On 5/20/2020, the governor <a href="#">announced</a> that on 6/1/2020, restaurants would be allowed to offer outdoor dining and that salons and barbershops would be allowed to offer services (subject to occupancy limit of 25%). <a href="#">Minnesota Executive Order 20-74</a> allows places of public occupancy, including restaurants, bars, barbershop and salons, public pools, gyms, and entertainment venues, to open at 50% capacity; the Order also allows higher education institutions to resume in-person classes.</p> <p>In order for workers to return to the worksite at Non-Critical Exempt Businesses, senior management must establish and implement a COVID-19 Preparedness Plan. In addition, they must sign and certify the plan and affirm their commitment to implement and follow the plan (which includes providing workers with compliance training). A copy of a template for such a plan is available <a href="#">here</a>.</p> <p>(Note: Minnesota is one of the Midwestern states with governors who have agreed to coordinate the reopening of their economies, as addressed with respect to Illinois above.)</p>
<p><b>Mississippi</b></p>	<p><a href="#">Executive Order No. 1466</a> (4/3/2020) orders all residents to shelter in place except for a permitted purpose and orders all non-essential businesses (as defined in <a href="#">EO 1463</a>). EO 1463 incorporates the initial CISA Guidance. <a href="#">EO 1473</a> (4/17/2020) reduced some restrictions applicable to businesses making certain retail sales, increased allowable essential and recreational activities (e.g., allows boating and use of beaches), and otherwise extends effective date of order through 4/27/2020.</p> <p>On 4/24/2020, the governor announced that the state’s shelter-in-place order would be allowed to expire as scheduled but would be replaced by a “safer-in-place” order, <a href="#">Executive Order No. 1477</a> (effective 4/27 through 5/11/2020). Under the safer-at-home order, retail stores are allowed to open but must limit entrance into their stores to no more than 50% of capacity. Elective medical procedures are now allowed. However, under the order the following remain closed: places of amusement or entertainment such as casinos, theaters, bars and museums and personal service businesses such as hair salons, gyms, spas and tattoo parlors. Additionally, restaurants and bars remain limited to delivery and curbside pickup, and nonessential gatherings of 10 or more people remain banned. On 5/27/2020, the governor announced that Mississippi was in the final stage of reopening its economy. All businesses were permitted to open on 6/1/2020. <a href="#">Executive Order No. 1491</a> includes various regulations and restrictions on individual business sectors. Pursuant to <a href="#">Executive Order No. 1492</a>, the State transitioned from “Safer at Home” to “Safe Return” on 6/1/2020. The Order relaxes restrictions on group gatherings and travel, but retains stricter “Safer at Home” guidelines for vulnerable individuals. On 6/10/2020, the governor issued <a href="#">Executive Order 1496</a>, extending the Safe Return order through 6/29/2020. The Order allows restaurants and bars to stay open past 10 p.m. (although it retains existing 50% capacity restrictions), allows conference centers to host events (maximum capacity of 25%</p>

	<p>for receptions and 50% for seated dinners), and allows events at outdoor and indoor arenas to hold events (subject to a capacity limit of 25%).</p>
<p><b>Missouri</b></p>	<p>The Missouri Department of Health &amp; Senior Services <a href="#">Health Director’s Order</a> (4/3/2020) states that “individuals currently residing within the state of Missouri shall avoid leaving their homes or places of residence.” The order does not close any businesses but imposes social distancing requirements on businesses (e.g., fewer than 10 people are allowed on site, non-family members must be at least six feet apart). FAQs regarding the stay-at-home order are available <a href="#">here</a>.</p> <p>Following an <a href="#">extension</a> issued 4/16/2020, the order is effective through 5/3/2020. On 4/24/2020, the governor extended the state’s emergency declaration through 6/15/2020, but clarified that the state’s stay-at-home restrictions would not be extended past 5/3/2020. The governor stated that nonessential businesses, including barber shops and gyms, would be allowed to open on May 4. However, local orders with longer-running restrictions (e.g., those in Kansas City and St. Louis) will remain in place. Media coverage regarding the extension of the state of emergency and the governor’s comments about the reopening of the state on 5/4/2020 is available <a href="#">here</a>. Phase 1 Guidelines and FAQs are available <a href="#">here</a>. On 5/28/2020, the governor announced the extension of Phase 1, which was set to expire on 6/1/2020, until 6/15/2020 (see Public Health Order, <a href="#">here</a>). Under Phase 1, retail facilities remain subject to capacity limits of 25% (if smaller than 10,000 ft<sup>2</sup>) or 10% (if the square footage is 10,000 ft<sup>2</sup> or more). Restaurants may offer dining-in services, provided that the limitations on social distancing and other precautionary public health measure are adhered to. On 6/11/2020, the governor issued <a href="#">Executive Order 20-12</a>, which transitions the State to Phase 2.</p>
<p><b>Montana</b></p>	<p>The <a href="#">Stay-at-Home Directive Implementing the State of Emergency Order</a> (3/26/2020) references among the “Essential Businesses and Operations” exempted from its restrictions the sectors described in the 3/19/2020 CISA Memo and says “the definition of Essential Businesses and Operations in this Order is meant to encompass the workers identified in that Memorandum.” By an order dated 4/7/2020, the governor <a href="#">directed</a> that the duration of the stay-at-home order be extended through 4/26/2020.</p> <p>On 4/22/2020, the governor <a href="#">directed</a> that the state’s stay-at-home order would be allowed to expire on 4/27/2020, and provided for a phased re-opening of the state. Churches and certain nonessential businesses (e.g., retail establishments) were allowed to reopen on 4/27/2020. Movie theaters and gyms remain closed. Restaurants and bars will be allowed to reopen on 5/4/2020, subject to restrictions (e.g., no more than 6 people sitting together). Notably, schools will be allowed to reopen on 5/7/2020, though the decision to reopen will be left to local school districts. On 6/11/2020, the governor issued a <a href="#">Directive</a> that details the conditions required to transition to Phase 2 (effective 6/16/2020). Under Phase 2, there is no statewide health order, and all statewide restrictions are lifted, although local officials retain authority to retain or impose restrictions.</p>

<p><b>Nebraska</b></p>	<p>A statewide <a href="#">“21 Days to Stay Home and Stay Healthy” Proclamation</a> requests that Nebraskans conduct social distancing practices, limit gatherings, and minimize shopping (among other things) but does not restrict businesses’ operations. The governor also issued Directed Health Measures (“DHMs”) restricting a number of business activities <a href="#">on April 3</a> (e.g., including prohibitions on public gatherings, medical and dental elective procedures, closure of dining areas of restaurants and bars) and on <a href="#">April 9</a> (e.g., closing beauty/nail salons, barber shops, massage therapists, tattoo parlors, indoor theaters, all organized sports), with expirations that vary between 5/4/2020 and 5/31/2020, depending on the measure and on the county. The governor has gradually relaxed these DHMs on a region-by-region basis. See 4/29/2020 <a href="#">announcement</a>, 5/9/2020 <a href="#">announcement</a>, and 5/11/2020 <a href="#">announcement</a>. On 5/21/2020, the governor <a href="#">announced</a> that beginning on 6/1/2020, new Phase 1 DHMs that apply in certain counties (Hall, Hamilton, Merrick, and Dakota) and that less restrictive Phase 2 DHMs will apply in the rest of the State. Guidance regarding Phase 2 is available <a href="#">here</a>.</p>
<p><b>Nevada</b></p>	<p>The governor’s <a href="#">Declaration of Emergency for COVID-19 Directive 003</a> (3/20/2020), which <a href="#">updates</a> the governor’s “Essential Business” implementing regulation (<a href="#">linked here</a>), does not include the Defense Industrial Sector or defense/security industry (though does include IT functions). The updated implementing regulations include various risk mitigation, hygiene, and social distancing protocols that essential businesses must adopt. On 4/1/2020, the governor issued <a href="#">Directive 010 (“Stay at Home Order”)</a>, extending the duration of Directive 003’s restrictions through 4/30/2020. On 4/29/2020, the governor issued <a href="#">Directive 016</a>, extending the stay-at-home restrictions through 5/15/2020. Guidance for this directive is available <a href="#">here</a>.</p> <p>On 5/7/2020, the governor <a href="#">announced</a> that, in light of continued declines in positive COVID-19 test results and hospitalizations, <a href="#">Phase 1</a> of the state’s reopening plan would commence on 5/9/2020, one week ahead of schedule. Among other things, restaurants, retail stores, and salons will be permitted to operate at 50% capacity. Employees will be required to wear face coverings, and customers will be “strongly encouraged” to do so, as well. Casinos, bars, nightclubs, gyms, and most high-capacity sports facilities will remain closed during Phase 1 of the state’s reopening plan; gatherings of more than 10 people also remain prohibited. Non-essential travel also remains prohibited. On 5/29/2020 (effective immediately), the governor issued a <a href="#">directive</a> and <a href="#">guidance</a> for Phase 2, which permits the reopening of bars, gyms, museums, theaters, additional personal services, swimming facilities and water parks, and other businesses—subject to 50% capacity limits. Restaurants are now allowed to serve food within bar areas, but buffets remain closed. Indoor gatherings of up to 50 are permitted. Nightclubs, day clubs, brothels and adult entertainment facilities remain closed. Trade schools and technical schools may hold in-person classes, subject to 50% occupancy restrictions.</p> <p>On 4/27/2020, Nevada announced that it was <a href="#">joining the Western States Pact</a> (described above, under the entry for California).</p>

<p><b>New Hampshire</b></p>	<p><a href="#">Closure of Non-Essential Businesses &amp; Stay at Home Order No. 2020-04</a> (3/26/2020) closes businesses other than those listed in <a href="#">Exhibit A, which lists categories of Essential Businesses</a> and includes an expansive description of Defense Industrial Base: “Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers.” On 5/1/2020, the governor issued Emergency <a href="#">Order #40 – Stay at Home 2.0</a>, generally extending the State’s stay-at-home and business restrictions through 5/31/2020, while allowing the following to gradually return to business. As detailed in the accompanying exhibits (see <a href="#">here</a>), state parks reopened on 5/1/2020; hospitals began non-emergency procedures on 5/4/2020; retail stores reopened at 50% capacity on 5/11/2020; barbershops and salons and golf courses reopened on 5/11/2020; and restaurants began to offer limited outdoor table service on 5/18/2020. All these gradual reopening measures are subject to a variety of restrictions. The State has issued <a href="#">universal guidelines</a> for all State employers and employees, as well as industry-specific guidelines.</p>
<p><b>New Jersey</b></p>	<p><a href="#">Executive Order No. 107</a> only orders the closure of “non-essential <b>retail</b> stores” (emphasis added). The order does not apply to manufacturing, non-retail businesses. It applies statewide. It does not incorporate or reference the CISA Guidance. FAQs are available <a href="#">here</a>. The order is effective until it is revoked or extended or superseded. On 4/27/2020, the governor issued a roadmap for reopening the state (“<a href="#">The Road Back</a>”), which adopts a three-stage approach (Maximum Restrictions, followed by Stage 1, Stage 2, and Stage 3). Stage 1 is largely limited to non-essential construction and retail (curbside pickup only) and drive-in events; Stage 2 includes expanded retail, restaurants with outdoor dining (and possibly indoor dining), limited personal care services, museums, and libraries—all under significantly reduced capacities.</p> <p>On 5/13/2020, the governor issued <a href="#">Executive Order No. 142</a>, implementing Stage 1 (and superseding any conflicting local orders). On 5/16/2020, the governor issued <a href="#">Executive Order No. 146</a>, reopening charter fishing and watercraft rentals. On 5/18/2020, the governor issued <a href="#">Executive Order No. 147</a>, allowing certain outdoor recreational businesses (e.g., golf, horseback riding, tennis clubs) and community gardens to open, subject to social distancing requirements. <a href="#">Executive Order No. 148</a> (5/22/2020) eases the limit on outdoor gatherings from 10 to 25 people and allowing recreational campgrounds to reopen with social distancing measures in place. The limit on indoor gatherings remains at 10 people. <a href="#">Executive Order No. 149</a> (5/29/2020) allows childcare centers to reopen on 6/15/2020, non-contact organize sports on 6/22/2020, and youth day camps on 7/6/2020. On 6/1/2020, the governor <a href="#">announced</a> that the State would enter Stage 2 on 6/15/2020, which covers the phased reopening addressed in EO No. 149. On 6/9/2020, the governor issued Executive <a href="#">Order 152</a> (effective immediately), which eases restrictions on gatherings. No indoor gatherings may take place unless limited to 25% capacity and attendees wear face coverings when feasible (among</p>

	<p>other restrictions). No outdoor gathering may take place unless the number of individuals is limited to 100 persons and individuals wear face coverings when possible (among other restrictions). <a href="#">Executive Order 153</a> (6/9/2020) covers a variety of outdoor recreational businesses and activities. Among other things, effective 6/22/2020, outdoor swimming pools may open. Additionally, the order allows recreational and outdoor businesses to reopen their outdoor spaces, provided they comply with various restrictions. However, tougher existing restrictions continue to apply to events “that involv[e] individuals who are there at a specific time and for a common reason, such as a movie, a concert, a sporting event, or a trip on a chartered vessel.” On 6/13/2020, the government issued <a href="#">Executive Order 154</a> (and an accompanying <a href="#">Administrative Order</a> and <a href="#">Health Directive</a>), which permits personal care businesses to reopen on 6/22/2020, subject to various restrictions.</p> <p>(Note: New Jersey is part of the <a href="#">“Multi-State Council,”</a> which is addressed with respect to Connecticut above.)</p>
<p><b>New Mexico</b></p>	<p>The <a href="#">Public Health Emergency Order Closing Non-Essential Businesses, Providing Additional Restrictions</a> (3/23/2020) does not expressly include defense activities in infrastructure operations that are excepted from the restrictions, but it has a separate section excepting “[l]aboratories and defense and national security-related operations supporting the United States government or a contractor to the United States government.” A subsequent <a href="#">Public Health Order</a> (4/6/2020) imposes a series of restrictions on different types of retail, essential retail, and temporary housing operations in the state but does not further restrict industrial or infrastructure-related businesses generally deemed essential. The Public Health Order also extends the duration of the stay-at-home order until at least 4/30/2020. On 4/22/2020, the governor announced the extension of these restrictions through 5/15/2020. Media coverage about this extension is available <a href="#">here</a>, and a copy of the latest Public Health Emergency Order is available <a href="#">here</a>. On 5/28/2020, the governor <a href="#">announced</a> the reopening of indoor malls, gyms, salons, hotels, dine-in services at restaurants – all at 50% capacity limits. The governor also announced the opening of drive-in theaters, swimming pools (limited to lap swimming and private lessons) hotels (subject to 50% capacity limits). The governor also announced that the 14-day quarantine order for airport arrivals will be amended to permit certain business travel under COVID-Safe Practices. These changes are all reflected in <a href="#">Executive Order 2020-037</a> (effective 6/1/2020). Notably, the order also exempts business travelers from the 14-day quarantine requirement, which otherwise remains in effect for travel undertaken for personal reasons.</p>
<p><b>New York</b></p>	<p><a href="#">Executive Order 202.6</a> imposes stay-at-home restrictions—and expressly supersedes any local or county order. Guidance to 202.6 is available <a href="#">here</a>. The NY guidance does not incorporate the CISA Guidance. Instead, the NY Guidance lists a number of categories of “essential business.” The list includes “defense,” which is defined as “defense and national security-related operations supporting the U.S. Government or a contractor to the US government.” <a href="#">Executive Orders 202.13</a></p>

and 202.14 extended the duration of the NY stay-at-home order through 4/29/2020, and on 4/16/2020, the governor [announced](#) the extension of these restrictions through at least 5/15/2020.

On 5/4/2020, New York published a plan ("[NY Forward](#)") to reopen the state in four phases, based on progress along 7 metrics (i.e., declines in total hospitalizations, deaths, new hospitalizations, improvements in hospital bed and ICU bed capacity, and improvements in diagnostic testing and contact tracing capacity).

- Phase 1 includes construction; manufacturing & wholesale supply chain; retail (curbside pickup / drop-off / in-store pickup); and agriculture, forestry & fishing.
- Phase 2 includes professional services; finance & insurance; retail; administrative support; and real estate, rental, and leasing.
- Phase 3 includes restaurants and food services.
- Phase 4 includes arts; entertainment and recreation; and education.

On 5/15/2020, [five of the state's 11 regions were allowed to transition to Phase 1](#), having met the seven metrics required to begin Phase 1: Finger Lakes, Southern Tier, Mohawk Valley, North Country, and Central NY. In the meantime, NYS on Pause restrictions were [extended until 5/28/2020](#) for all remaining regions. On 5/18/2020, Western New York region also [transitioned](#) to Phase 1. On 5/19/2020, the Capital Region also [transitioned](#) to Phase 1. On [6/8/2020](#), New York City was the final region to transition to Phase 1. As of 6/9/2020, [nine of New York's 11 regions have transitioned to Phase 2](#): the Finger Lakes, including Rochester; the Southern Tier, which borders Pennsylvania; the Mohawk Valley, west of Albany; the North Country, which includes the Adirondack Mountains; Central New York, which includes Syracuse; the western region, including Buffalo; the Albany area; the Mid-Hudson region, which includes Westchester County; and Long Island.

Under [Executive Order 202.35](#) (effective 5/29/2020), reductions and restrictions on the in-person workforce at non-essential businesses or other entities no longer apply to the following Phase 2 industries: professional services, administrative support, information technology; real estate services, building and property management, leasing, rental, and sales services; retail in-store shopping, rental, repair, and cleaning; barbershops and hair salon (limited services); and motor vehicle leasing, rental, and sales. On 5/29/2020, the governor [announced](#) that New York City had been cleared to enter Phase 1 on 6/8/2020. [Executive Order 202.36](#) (6/2/2020), allows personal care services to reopen (subject to restrictions) under Phase 2. On 6/2/2020, the governor [announced](#) that the Capital and Western Regions would be permitted to proceed to Phase 2 on 6/3/2020. On 6/9/2020, the governor [announced](#) that the Mid-Hudson Valley was cleared to enter Phase 2, effective immediately. On 6/11/2020, the governor [announced](#) that the following five regions could enter Phase 3 on 6/12/2020: Central New York, Finger Lakes, Mohawk Valley, North Country and Southern Tier.

(Note: New York is part of the "[Multi-State Council](#)," which is addressed with

	respect to Connecticut above.)
<b>North Carolina</b>	<p><a href="#">Executive Order No. 121</a> (3/27/2020) orders individuals in North Carolina not to leave their residences except for “essential activities,” which include “essential business operations.” The order’s definition of essential business incorporates/applies to “[b]usinesses operating in CISA Identified sectors . . . as outlined in the CISA guidance or any subsequent guidance issued by [DHS].” Note also that the order expressly allows localities/counties to enact orders that are stricter than the statewide order (“nothing herein is intended to limit or prohibit counties and cities in North Carolina from enacting ordinances and issuing state of emergency declarations which impose greater restrictions or prohibitions to the extent authorized under North Carolina law”). FAQs are available <a href="#">here</a>. The order was originally set to expire on 4/29/2020. However, on 4/23/2020, the governor issued <a href="#">Executive Order No. 135</a>, extending the state’s stay-at-home restrictions through 5/8/2020. In the accompanying <a href="#">press release</a>, the governor explained that restrictions “will be lifted in three phases once the data show that key metrics are headed in the right direction.” These modifications are reflected in <a href="#">Executive Order No. 138</a> (issued 5/5/2020, effective 5/8/2020), which formalizes the state’s transition to Phase I of the its <a href="#">three-phase plan</a> to reopen the economy. Notably, this order eliminates the distinction between “essential” and “non-essential” businesses but allows “[a]ll businesses that are not closed under Section 5 [to] operate” (subject to certain “requirements” and “recommendations”). These include “recommendations” that a ply to all businesses (principally with respect to following social distancing and hygiene protocols), various “requirements specific to retail businesses” (mainly social distancing and 50% occupancy requirements), and “additional recommendations specific to retail businesses.” Restaurant operations will continue to be limited to take-out, curbside, and delivery services. Personal grooming services and entertainment facilities (without a retail or dining component) remain closed. Gatherings of more than 10 people continue to be prohibited, with limited exceptions (e.g., funerals, which are subject to a limit of 50 attendees). Notably, EO No. 138 specifies that its restrictions “are minimum requirements, and local governments can impose greater restrictions,” though local orders “cannot set different retail requirements.” On 5/20/2020, the governor issued <a href="#">Executive Order No. 141</a>, which transitioned the State to Phase 2 (until 6/26/2020, unless the Order is changed or cancelled). Effective 5/22/2020, the order lifted the Stay-at-Home order and transitioned the state to a Safer-at-Home recommendation. The Order permits the following, subject to certain restrictions: on-premise dining at restaurants, child-care services for non-essential employees, overnight camps, personal care services, indoor and outdoor pools, gatherings of up to 25 outdoors, and sporting and entertainment broadcasts (subject to occupancy limits of 10 indoors and 25 outdoors). Bars, nightclubs, movie theaters, indoor recreation and entertainment facilities, gyms, and indoor sports facilities all remain closed.</p>
<b>North Dakota</b>	The governor has (i) <a href="#">called on</a> North Dakotans to take the coronavirus crisis seriously and to implement social distancing and to stay at home; (ii) issued

	<p><a href="#">orders</a> to facilitate local responses; and (iii) <a href="#">ordered</a> people who have tested positive for COVID-19 (and those living with such persons) to self-quarantine. But the state has not issued an order restricting the operations of contractors that are part of the nation’s critical infrastructure, as described by CISA or other states.</p> <p>On 3/27/2020, the governor issued an <a href="#">order</a> closing a number of businesses, including table seating and restaurants and bars, all recreational facilities, athletic facilities, and personal care services. This order was subsequently extended through 4/15/2020 and then <a href="#">through 4/30/2020</a>. Beginning on 5/1/2020, most of these businesses were <a href="#">allowed to reopen</a> (subject to various restrictions), although recreational and sports arenas and music and entertainment venues remained closed. On 5/15/2020, <a href="#">all remaining businesses were permitted to reopen</a> (subject to various restrictions), and graduation ceremonies were permitted to occur (subject to restrictions). Businesses that reopen are encouraged to apply the ND Smart Restart protocols, which are available <a href="#">here</a>. On 5/29/2020, the governor <a href="#">announced</a> that the state was transitioning from Phase Yellow (“moderate risk”) to Phase Green (“low-risk”). With this transition, capacity limits for bars and restaurants increase from 50% to 75%; capacities for movie theaters increase from 20% to 60%; and fitness centers may now hold classes.</p>
Ohio	<p>An updated <a href="#">Statewide Order</a> (4/2/2020) restricts all non-essential business but makes clear that “Essential Business and Operations” includes the “CISA List” (and incorporates the CISA Guidance). The Ohio order was initially effective through 5/1/2020. On 4/30/2020, the director of the Ohio Department of Health issued a <a href="#">“Stay Safe Ohio” order</a>, which expires on 5/29/2020. The Stay Safe order begins a phased reopening of the state economy by (among other things) (i) allowing medical providers and dentists to resume non-essential procedures and services on 5/1/2020, subject to certain requirements; (ii) permitting manufacturing, distribution, and construction businesses that were previously closed to reopen on 5/4/2020, subject to certain sector-specific requirements; and (iii) allowing non-essential retail businesses to reopen on 5/12/2020, subject to certain restrictions. For now, schools, restaurants and bars, personal-care service businesses (such as salons and barbers), and gyms and recreation centers remain closed. On 5/22/2020, the governor issued orders allowing <a href="#">gyms and dance studios</a> to reopen (no occupancy limits) and <a href="#">non-contact sporting activities</a> to resume. On 5/29/2020, the governor issued an <a href="#">order</a> extending the ban on gatherings of 10 or more through 7/1/2020. The bar includes numerous exceptions, including for religious services, free-speech demonstrations, funerals, and weddings. On 6/4/2020, the governor <a href="#">announced</a> the immediate reopening of day camps and residential camps, and that the following entertainment venues reopen on 6/10/2020 (subject to restrictions): aquariums, art galleries, country clubs, ice skating rinks, indoor family entertainment centers, indoor sports facilities, laser tag facilities, movie theaters (indoor), museums, playgrounds (outdoor), public recreation centers, roller skating rinks, social clubs, trampoline parks, and zoos. On 6/5/2020, the governor <a href="#">announced</a> that casinos, racinos,</p>

	<p>amusement parks, and water parks would be permitted to reopen on 6/19/2020.</p> <p>(Note: Ohio is one of the Midwestern states with governors who have agreed to coordinate the reopening of their economies, as addressed with respect to Illinois above.)</p>
<p><b>Oklahoma</b></p>	<p>The governor’s <a href="#">Second Amended Executive Order</a> 2020-13 (4/16/2020) orders that “all businesses not identified as being within a critical infrastructure sector as defined by” the CISA Guidance or the Oklahoma Department of Commerce shall close to the public. As explained above, defense and most other government contractors understood to be “essential businesses” under the CISA Guidance. The Second Amended EO is effective through 5/16/2020. On 5/29/2020, the governor <a href="#">announced</a> that Oklahoma will proceed to Phase 3 of the <a href="#">Open Up and Recover Safely plan</a> on 6/1/2020. Under Phase 3, businesses may resume unrestricted staffing at their worksites by observing proper CDC-recommended social distancing protocols but are recommended to continue increased cleaning and disinfecting practices. Additionally, summer camps are allowed to open provided they follow the CDC’s <a href="#">safety guidelines</a>. Businesses that were operating by appointment only may accept walk-in clients at their discretion. In conjunction with the Oklahoma State Department of Health and the statewide medical community, limited visitation to hospitals may be reinstated at the discretion of the facility, but visitation at nursing homes and long-term care facilities remains suspended. On 6/1/2020, Oklahoma entered Phase 3 of its Open up and Recover safety plan (see announcement <a href="#">here</a>).</p>
<p><b>Oregon</b></p>	<p><a href="#">Executive Order 20-12</a> requires closures of specified retail businesses but does not mandate closures of defense/industrial businesses. However, only work that cannot be conducted remotely may be allowed in a business’s office. The order is effective until terminated. On 4/21/2020, the governor <a href="#">announced</a> a "Reopening Oregon" framework, to be based on a three-phase approach (draft framework is available <a href="#">here</a>). Notably, the framework raises the possibility that more rural parts of the state might open ahead of the cities. On 5/15/2020, <a href="#">certain Oregon counties were permitted to transition to Phase 1</a>. The <a href="#">County Status website</a> indicates that as of 6/9/2020, 29 of 36 counties have transitioned to Phase 2, and all but one county has transitioned to Phase 1.</p> <ul style="list-style-type: none"> <li>• Under Phase 1, the following business operations and activities are now permitted: restaurants for takeout and limited dine-in services, standalone retail operations subject to restrictions (indoor and outdoor malls remain closed), local outdoor recreational activities, non-emergency medical and dental care, local cultural and religious gatherings (up to 25 people), childcare for essential workers, and personal care services subject to significant restrictions (pre-appointment health checks, maintaining customer logs, etc.).</li> <li>• Under Phase 2, the following are permitted subject to restrictions: recreational sports; pools; venues like movie theaters, bowling alleys, and arcades; some additional in-office work; bars and restaurants able to stay</li> </ul>

	<p>open until midnight; social, civic, and faith-based gatherings can meet in larger, physically-distanced groups.</p> <p>Guidance documents for various industry sectors and activities are available <a href="#">here</a>. (Note: Oregon is part of the "<a href="#">Western States Pact</a>," which is addressed with respect to California above.)</p>
<p><b>Pennsylvania</b></p>	<p>An <a href="#">Executive Order</a> (effective 4/1/2020) bars other-than-life-sustaining activities. An <a href="#">Industry Guidance</a> specifies that Defense Industrial Base and Transportation Manufacturing, as defined in the CISA Guidance, are permitted. The Secretary of the Pennsylvania Dep't of Health issued an <a href="#">Order</a> (4/19/2020) establishing protocols for employers and assisting "employees maintain social distance during work." As the press release accompanied with the order explained, the Public Health order requires (among other things) that employers provide masks to be worn at work, provide sufficient space such that employees can maintain six feet of social distance, stagger start/stop times to prevent gatherings, prohibit non-essential visitors, conduct meetings virtually (to the maximum extent possible), and ensure that any employees for whom English is not their first language understand the procedures. Pennsylvania's orders are <a href="#">effective</a> through 5/8/2020.</p> <p>On 4/22/2020, the governor unveiled a three-phased, color-coded plan for reopening the state, with a target date of 5/8/2020 (see press release <a href="#">here</a>). During the "Red" phase, only "life-sustaining" businesses are allowed to operate, and restaurants and bars are limited to curbside pickup and delivery services. Under the "Yellow" phase, most businesses (including in-person retail) are allowed to operate, subject to certain safety restrictions, and gatherings up to 25 are permitted. However, restaurants and bars remain limited to takeout and delivery only, and indoor recreation, gyms, spas and entertainment facilities (including casinos and theaters) remain closed. Finally, under the "Green" phase, all businesses are allowed to operate (subject to compliance with CDC guidelines) and restrictions on gatherings are lifted.</p> <p>On 5/8/2020, 24 counties in northwest and north-central Pennsylvania transitioned to Phase Yellow, and another 13 counties, comprising most of southwestern Pennsylvania, transition to Phase Yellow on 5/15/2020. However, the governor's gradual reopening has faced resistance, with at least one "Phase Red" county announcing that it would not prosecute business owners that defy Wolf's closure orders. Additionally, a number of other counties in Eastern Pennsylvania, which are still currently "Red," have announced that they will reopen on their own on 5/15/2020. See press coverage <a href="#">here</a>. The governor <a href="#">criticized</a> these counties and threatened to withhold COVID-19 funding from counties that open ahead of schedule. On 5/22/2020, <a href="#">an additional 12 counties</a> transitioned to "Phase Yellow." <a href="#">As of 6/5/2020</a>, all 67 Pennsylvania counties are either in the yellow or green phase of reopening, with 33 counties in yellow and 34 in green. On 6/12/2020, the governor <a href="#">announced</a> that eight additional counties had been cleared to move to the green phase of reopening on 6/19/2020.</p>

	<p>(Note: Pennsylvania is part of the <a href="#">“Multi-State Council,”</a> which is addressed with respect to Connecticut above.)</p>
<b>Rhode Island</b>	<p><a href="#">Executive Order 20-02</a> (3/28/2020) mandates closure of non-essential businesses. Neither the order nor the <a href="#">State Guidance</a> references or incorporates the CISA Guidance, and neither includes an exemption for defense-related work or contractors. <a href="#">Executive Order 20-18</a> (issued 4/8/2020) extends the duration of the stay-at-home order through 5/8/2020.</p> <p>On 5/8/2020, the governor <a href="#">announced</a> that the stay-at-home order would not be extended and that Rhode Island would transition to Phase 1 of its <a href="#">Reopening Rhode Island</a> plan on 5/9/2020. Under Phase 1, non-critical retail stores may reopen (subject to occupancy limits), and offices will be permitted to allow employees to return on a “very limited basis.” Additionally, some state parks will reopen with limited parking. However, during Phase 1, many restrictions will continue to apply. For example, these restrictions were extended through 5/22/2020: social gatherings of five or more people are prohibited; people who travel into the state (for non-work related purposes) must quarantine for 14 days; dine-in services at restaurants, cafes and bars are not permitted; recreational and entertainment businesses (including theaters, cinemas, bowling alleys, concert venues, museums, and zoos) must remain closed; and “close-contact” businesses (including gyms, fitness centers, yoga studios, hair salons, nail salons, barber shops, and tattoo parlors) are not allowed to operate. On 5/27/2020, the governor issued <a href="#">Phase 2 guidelines for gyms and fitness centers</a> (which include screening, contact tracing requirements, and closure of common areas). On 5/29/2020, the governor <a href="#">announced</a> the transition to Phase 2 (effective 6/1/2020). Under Phase 2 (see guidelines <a href="#">here</a>), social gatherings are limited to 15 people (rather than 10), office-based businesses can allow 33% of their workforce to return as necessary, all state parks and beaches are open, houses of worship can operate at 25% capacity, non-critical retailers and malls can reopen (subject to restrictions), healthcare and personal services can reopen (subject to restrictions), gyms and fitness studios (including small group classes) can reopen (subject to restrictions), outdoor entertainment and recreational activities can resume (on a limited basis), and childcare services can resume. Summer camps and small group youth sports practice to resume on 6/29/2020, subject to restrictions.</p> <p>(Note: Rhode Island is part of the <a href="#">“Multi-State Council,”</a> which is addressed with respect to Connecticut above.)</p>
<b>South Carolina</b>	<p><a href="#">Executive Order 2020-21</a> (4/7/2020) states that individuals “shall limit their movements outside of their [residence] ... except as allowed ... for purposes of engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations.” The order incorporates the CISA Guidance (3/28/2020). <a href="#">EO 2020-28</a> (4/20/2020) rescinds closures of public accommodations (beaches, piers) and certain retail businesses that were ordered in conjunction with the restrictions implemented during early April. It is effective until modified or rescinded. On 5/1/2020, the governor issued a <a href="#">press release</a> announcing that the statewide</p>

	<p>“Work-or-Home” order will be lifted and returned to voluntary status as of 5/4/2020. Among other things, restaurants will be permitted to offer outdoor dining services, provided they adhere to certain guidelines. Indoor dining and personal care businesses remain closed. The governor also lifted previous orders (i.e., <a href="#">EO 2020-19</a> and <a href="#">EO 2020-14</a>); thus, visitors from coronavirus “hotspots” (as identified by the CDC) are no longer required to self-quarantine for 14 days, and short-term rental companies may provide services to such visitors. These modifications were put in place on 5/3/2020 (<a href="#">EO 2020-31</a>) and were effective as of that date. <a href="#">EO 2020-36</a> permitted recreational and athletic facilities and activities (e.g., fitness centers, spas, swimming pools) and close-contact service providers (e.g., hair salons) to reopen on 5/18/2020. <a href="#">EO 2020-36</a> permitted “attraction facilities” (e.g., zoos, museums, aquariums, water parks, amusement parks) to reopen on 5/22/2020. Industry-specific guidelines are available <a href="#">here</a>. On 6/12/2020, the governor issued <a href="#">Executive Order 2020-40</a>, which modifies the state of emergency, and removes the prohibition of gatherings of 50 or more persons. The Order allows bowling alleys to open immediately, and lifts restrictions on the occupancy of retail establishments.</p>
<p><b>South Dakota</b></p>	<p><a href="#">Executive Order Regarding COVID-19 Guidelines directs</a> South Dakotans to follow a series of social distancing practices but does not impose the restrictions applicable in most other states. <a href="#">Executive Order 2020-26</a> (5/26/2020) extends the existing state of emergency through 12/20/2020.</p>
<p><b>Tennessee</b></p>	<p><a href="#">Executive Order No. 22</a> (3/30/2020) urges Tennesseans “to stay at home, except for when engaging in Essential Activity or Essential Services.” The order also requires the “closure of non-essential businesses for public use.” Attachment A of the order incorporates CISA Guidance 2.0 in its definition of essential businesses. Executive Order No. 23 (4/2/2020) amended EO 22 and clarified that individuals are “required” rather than “urged” to stay at home. <a href="#">EO No. 27</a> (4/13/2020) extends the current stay-at-home orders (in EOs 17, 21, 22, and 23) to 4/30/2020. On 4/20/2020, the governor <a href="#">announced</a> that the stay-at-home restrictions would not be extended beyond 4/30/2020, though local restrictions may continue to apply after the state order expires. <a href="#">EO No. 30</a> (4/28/2020) continues to prohibit social gatherings of 10 or more but permits religious gatherings (which are no longer considered “social gatherings”) and allows table service at restaurants subject to ERG Guidelines. <a href="#">EO No. 33</a> (5/5/2020) permits the reopening of close contact personal services, subject to State guidelines. <a href="#">EO No. 35</a> permits all remaining businesses to reopen, with the exception of bars, nightclubs, concert venues, sporting event venues, theaters, racetrack spectator venues, indoor children’s play areas, adult entertainment venues, amusement parks, and roller or ice skating rinks. On 5/15/2020, the State lifted capacity restrictions on restaurants and retail, and allowed large attractions to open. <a href="#">EO No. 38</a> (5/22/2020) lifted most remaining restrictions. Contact sports and gatherings of 50 or more continue to be prohibited (although religious events, weddings, and funerals are not subject to these restrictions). Various restrictions on elder and long-term health care facilities remain in place.</p>

<p><b>Texas</b></p>	<p><a href="#">Executive Order GA-14</a> (4/2/2020) requests that people in Texas follow social distancing requirements, e.g., it states that that “every person in Texas shall, except where necessary to provide or obtain essential services, minimize social gatherings and minimize in-person contact with people who are not in the same household.” The order does not require closure of businesses; it also makes clear that “essential services,” as defined by “everything listed in the CISA <a href="#">[Guidance]</a>,” may remain open. The order also expressly “supersede[s] any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services allowed by this executive order or allows gatherings prohibited by this executive order.” This order expires on 4/30/2020.</p> <p>On April 27, 2020, the governor announced that Texas will take a phased approach to reopening the economy. In Phase I (implemented under <a href="#">Executive Order GA-18</a>), a number of “[r]eopened services” (including retail stores, restaurants, movie theaters and malls) will be permitted to be open to the public, provided that they limit occupancy to 25% of capacity and adhere to the <a href="#">minimum standard health protocols recommended by state’s Health Service</a>. The order specifies that bars, gyms, public swimming pools, interactive amusement venues such as bowling alleys and video arcades, massage establishments, tattoo studios, piercing studios, and cosmetology salons remain closed. Notably, GA-18 expressly supersedes any local or regional restrictions to these “reopened services” that exceed those specified in the order. Additionally, the governor <a href="#">announced</a> that Phase II (which will begin as early as 5/18/2020) will expand occupancy to 50% and may allow barbershops, salons, gyms, and bars to reopen. On 5/18/2020, the governor issued <a href="#">Executive Order GA-23</a> to coincide with the second phase of the ongoing plan to expand openings of certain businesses and activities in Texas. All newly opened businesses and services are subject to the recommended <a href="#">minimum standard health protocols</a> outlined by DSHS. Phase 2 changes were implemented under <a href="#">Executive Order GA-24</a> (effective 5/21/2020). On 5/22/2020, the governor issued a <a href="#">Proclamation</a> extending the enumerated list of Covered Services in Executive Order GA-23 to cover outdoor professional sports (subject to a 25% occupancy restriction) and indoor professional sports (no spectators allowed for now). On 6/3/2020, the governor issued <a href="#">Executive Order GA-26</a>, which provides for a reopening of all businesses at a minimum level of 50% of the total listed occupancy of the establishment. That said, the following businesses have no occupancy limits: a service listed by CISA, religious services, local government operations, childcare services, youth camps, and recreational sports programs for youths and adults. Additionally, the 50% occupancy limit does not apply to outdoor areas or venues, with the following exceptions: professional and amateur sporting events, swimming pools, water parks, museums and libraries, zoos and aquariums, rodeos and equestrian events, and personal care services.</p>
<p><b>Utah</b></p>	<p>The <a href="#">“Stay Home, Stay Safe” Directive</a> (3/27/2020) instructs people in Utah to social distance, stay home, and work from home whenever possible. The directive does not close businesses. The directive was <a href="#">updated</a> (4/10/2020) with more</p>

	<p>specificity on social distancing and working from home, but no closures were required. The order expires on 5/1/2020. On 4/29/2020, the governor issued an <a href="#">order</a> moving the state from a COVID-19 risk level of “red” to “orange,” triggering the gradual reopening of the state. The governor also <a href="#">announced</a> that beginning on 5/1/2020, Utah would move into the first phase of reopening, as outlined in the <a href="#">Utah Leads Together 2.0</a> plan. As part of the first phase, restaurants, gyms, fitness centers, and personal service salons will be allowed to reopen, subject to a number of restrictions. On 5/15/2020, the governor issued an <a href="#">order</a> (effective 5/16/2020) keeping several jurisdictions in “Orange” (Moderate Risk) status and moving the rest of the State to “Yellow” (Low Risk) status. Guidelines for both Orange and Yellow status are available in <a href="#">Phased Health Guidelines v. 4.4</a> (issued 5/16/2020). On 5/22/2020, the governor issued an <a href="#">order</a> directing two cities (Bluff and Mexican Hat) to revert back to Orange status. Other jurisdictions still under Orange status include Grand County, Salt Lake City, West Valley City, and Magna metro. On 5/27/2020, the governor issued an <a href="#">order updating the updated guidelines for Phase 2</a> (“Yellow,” or low risk). Among other things, the order clarifies that all businesses within the counties that have been moved to the low risk phase are operating if they can meet and adhere to the specific guidelines. The order states symptom checking in public and business interactions should happen when feasible. The order also provides that K-12 education and school activities (including sports) can resume at the discretion of local jurisdictions, consistent with statewide guidelines for indoor and outdoor activities. Additionally, university campuses may be open for in-person classes with increased cleaning and hygiene regimen.</p>
<p><b>Vermont</b></p>	<p><a href="#">Addendum 6 to Executive Order 01-20</a> (3/14/2020) restricts and minimizes activities outside the home. Businesses not specified in the order as essential must cease in-person operations. Neither the order nor the addendum incorporates the CISA Guidance, but the addendum excepts “other vendors of technical, security, logistics, custodial and equipment repair and maintenance services necessary to support the COVID-19 response, critical infrastructure and national security.” EO 01-20 <a href="#">Addendum 9</a> extended the Addendum 6 restrictions through 5/15/2020. <a href="#">Addendum 10</a> (4/20/2020) and <a href="#">Addendum 11</a> (4/24/2020) require all entities operating under Phase 1 to maintain the requirements set forth in the Phase 1 order and implement a number of requirements based on guidance from the state health department, Agency of Commerce and Community Development (ACCD), and CDC (including, e.g., regular employee screenings and temperature checks). <a href="#">Addendum 12</a> (5/4/2020) directs all businesses in operation to develop and implement a health and safety training program and set forth the requirements for Phase 3 of the State’s reopening. <a href="#">Addendum 13</a> (5/6/2020) permits businesses that support or offer outdoor recreational and fitness activities to resume operation under certain conditions. On 5/13/2020, the governor signed an <a href="#">Amendment to Addendum 6</a>, permitting nonessential businesses and services, beginning with nonessential retail, to reopen, subject to certain restrictions. <a href="#">Addendum 14</a> (5/15/2020) extends the State of Emergency and all active addenda through 6/15/2020 and eases certain</p>

	<p>restrictions on lodging facilities. <a href="#">Addendum 15</a> (effective 5/22/2020) allows resumption of limited (outdoor) restaurant and bar operations and relaxes certain license requirements to permit outdoor consumption of alcohol. <a href="#">Addendum 16</a> (5/29/2020) orders the Secretary of the Agency of Commerce and Community Development (ACCD) to issue mitigation requirements and procedures for the limited, incremental and phased resumption of close contact businesses such as gymnasiums, fitness centers and similar exercise facilities, nail salons, spas and tattoo parlors, effective June 1, 2020. It also permits indoor or outdoor gatherings of up to 25 people. <a href="#">Addendum 17</a> (6/5/2020) allows travel without quarantine restrictions to and from the counties of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut and New York with 400 or fewer active cases of COVID-19 per million. Sector-specific guidance is available <a href="#">here</a>.</p>
<p><b>Virginia</b></p>	<p><a href="#">Executive Order No. 53</a> (3/23/2020) (Temporary Restrictions on Restaurants, Recreation, Entertainment, Gatherings, Non-Essential Retail Businesses, and School Closures) orders the closure of specified non-essential retail businesses (e.g., theaters, fitness centers, gyms, beauty salons), lists “essential retail businesses” that may remain open, and says other “brick and mortar retail businesses” can remain open if they comply with specified social distancing restrictions. It does not order the closure of contractors providing products/services to governments but does require that all businesses adhere to social distancing requirements. This order was <a href="#">previously extended</a> through 5/8/2020, and is <a href="#">currently set to expire</a> on 5/14/2020. During a <a href="#">5/4/2020 press event</a>, the governor stated that he anticipates allowing some currently restricted businesses (including restaurant dining rooms, theaters, salons, gyms, and tattoo parlors), to reopen on 5/15/2020, subject to occupancy and other restrictions. Additionally, on 5/1/2020, the governor <a href="#">allowed</a> the prohibition on elective medical and dental procedures to expire. These changes are reflected in <a href="#">Executive Order No. 61</a> (issued 5/8/2020; effective 5/15/2020).</p> <p>However, the governor’s plans to transition the state to Phase I encountered resistance from local officials in Northern Virginia. On 5/10/2020, the mayors and chairs of the Counties of Arlington, Fairfax, Loudoun and Prince William and the City of Alexandria sent a <a href="#">signed letter</a> to Governor Northam, along with a memorandum prepared by their respective public health directors, requesting that the transition to Phase I in Northern Virginia be delayed. On 5/12/2020, the governor <a href="#">announced</a> the delay of Phase I for Northern Virginia localities. Specifically, <a href="#">Executive Order No. 62</a> extends the restrictions for Northern Virginia (i.e., Fairfax, Arlington, Prince William and Loudoun counties, as well as Alexandria) through 5/28/2020 and delays the application of Phase 1 for the region until 5/29/2020. Additionally, on 5/13/2020, the mayor of Richmond requested an exemption from Virginia’s reopening schedule (see letter <a href="#">here</a>) and, on 5/14/2020, received <a href="#">authorization</a> for the city to opt out of reopening. The governor granted a similar exemption to Accomack County.</p> <p>On 5/26/2020, the governor <a href="#">announced</a> that Northern Virginia would be permitted to transition to Phase 1 on 5/29/2020. The governor also announced a</p>

	<p>new restriction: after generating <a href="#">headlines</a> for appearing in public without a mask, the governor announced a statewide mask mandate for any person entering, exiting, traveling through, and spending time in any indoor public setting. The mandate applies to persons ages 10 or older and includes exceptions for eating, exercise, and those with health conditions (such as difficulty breathing). See <a href="#">Executive Order No. 63</a> (effective 5/29/2020). On 6/2/2020, the governor issued <a href="#">Executive Order 65</a>, moving most of the State to Phase 2 of the reopening on 6/5/2020. Under Phase 2, restaurant and beverage establishments may offer indoor dining at 50% occupancy, fitness centers may operate at 30% capacity, and certain recreational and entertainment venues without shared equipment may open. Swimming pools can open up to both indoor and outdoor exercise (like lap swimming), diving, and swim instruction. Religious services, non-essential retail, and personal grooming remain limited to 50% capacity, and overnight camps, most indoor entertainment venues, amusement parks remain closed. At present, the Northern Virginia counties and the City of Richmond remain under Phase 1. Additional information is available in <a href="#">Executive Order No. 61</a> (effective 6/5/2020).</p> <p>On 4/30/2020, the governor issued <a href="#">Executive Order No. 55</a> (Stay at Home Order), which generally requires persons in Virginia to stay at their residences except for certain exempted activities. This order also prohibits gatherings of more than 10 individuals. It largely leaves unchanged the restrictions set forth in EO No. 53. EO No. 55 expires on 6/10/2020. On 6/2/2020, the governor announced that in light of the ongoing reopening, Virginia’s Stay at Home Order is now effectively a “Safer at Home” order. See explanation in <a href="#">Executive Order No. 61</a> (effective 6/5/2020).</p>
<p><b>Washington</b></p>	<p>The <a href="#">Stay Home — Stay Healthy Proclamation</a> (3/24/2020) orders the closure of non-essential businesses. The order does not specify “Essential Critical Infrastructure Workers” or sectors exempted from the closure but instead includes the list in an <a href="#">Appendix to the Proclamation</a>. The appendix does not cite the CISA Guidance but includes many, if not all, of the same sectors. Defense Industrial Base operations are clearly excepted from the stay-at-home requirements. On 4/2/2020, the governor issued <a href="#">EO 20-25.01</a>, extending the duration of the stay-at-home order through 5/4/2020.</p> <p>On 5/2/2020, the governor announced that the stay-at-home order would be extended through 5/31/2020. At the same time, he announced that the state would be adopting a <a href="#">four-phased approach</a> to reopening the state’s economy (the “<a href="#">Safe Start Washington</a>” plan), with Phase 1 beginning on 5/2/2020; Phase 2, on 5/22/2020; Phase 3, on 6/12/2020; and Phase 4, on 7/3/2020. Phase 1 introduces only minor modifications, such as allowing curbside retail sales. More significantly, Phase 2 will allow gatherings of up to five people outside the household; construction activities; re-openings of in-store retail businesses, barber shops, and salons (with restrictions); and restaurants operating at 50% capacity. These adjustments and the extension of the stay-at-home order through 5/31/2020 were issued as part of <a href="#">Proclamation 20-25.3</a> on 5/4/2020. The State</p>

	<p>subsequently issued a number of sector-specific guidance documents regarding Phase 2, including for retail (see <a href="#">here</a> and opening requirements <a href="#">here</a>) and manufacturing (see <a href="#">here</a> and reopening requirements <a href="#">here</a>). As of 6/9/2020, six counties remain in Phase 1, 25 in Phase 2, and eight have transitioned to Phase 3 (see dashboard, <a href="#">here</a>). On 5/31/2020, the governor signed <a href="#">Proclamation 20-25.4</a>, announcing the start of the Safe Start Washington Phased Reopening Plan, to be applied on a county-by-county basis. Effective 6/8/2020, the order also requires all employees to wear masks unless working alone. The <a href="#">Safe Start Plan</a> builds on the four-phase plan he announced on 5/4/2020.</p> <p>NB: each business entering Phase 3 must develop a written Safety Plan outlining how its workplace will prevent the spread of COVID-19 that is at least as protective as the requirements from the Department of Labor &amp; Industry found <a href="#">here</a>. A template is available <a href="#">here</a>.</p> <p>(Note: Washington is part of the "<a href="#">Western States Pact</a>," which is addressed with respect to California above.)</p>
<p><b>West Virginia</b></p>	<p><a href="#">Executive Order 9-20, Stay at Home</a> (3/25/2020) precludes non-essential business activities. However, the order exempts "Essential Business and Operations," which "include those industries and workers described in" the CISA Guidance. FAQs and additional guidance are available <a href="#">here</a>. The order is effective until terminated. The State transitioned to a <a href="#">Safer-at-Home order</a> on 5/4/2020, which allows small businesses with fewer than 10 employees to operate with limited customer interaction and contact, allows restaurants to offer outdoor service, allows healthcare facilities to resume elective procedures and outpatient services, and allows other businesses (such as pet groomers and hair salons) to operate (subject to restrictions). <a href="#">Executive Order 37-20</a> (5/15/2020) permits fitness centers, gyms, recreation centers, and similar entities to operate (subject to certain restrictions). <a href="#">Executive Order 39-20</a> (5/19/2020) allows businesses to offer indoor dining at 50% capacity, allows large/specialty retail stores to operate, and opens state park campgrounds (but for in-state residents only), among other things. <a href="#">Executive Order 40-20</a> (5/22/2020) allows the following businesses to reopen on 5/26/2020, with limitations: state parks and cabins and lodges (in-state only), indoor bars at 50% capacity, museums and visitor centers, and zoos. On 5/22/2020, the governor <a href="#">announced</a> that swimming pools, bowling alleys, pool halls, roller rinks, and other indoor amusement locations will be permitted to reopen on 5/30/2020, under additional guidelines. Bars, museums and visitor centers, zoos, spas and massage businesses resumed operations on May 26, 2020; spas and massage businesses and indoor amusement businesses (e.g., bowling alleys, rollerskating rinks, etc.) resumed effective May 30, 2020; and casinos, movie theaters, and bingo halls resumed 6/5/2020; and low-contact outdoor youth sports and little league sports practices resumed on 6/8/2020. Youth sports games with spectators and outdoor sporting and equestrian events with spectators are due to resume on 6/22/2020; and fairs, festivals, amusement parks, and rides are set to resume on 7/1/2020. See state reopening schedule and guidance <a href="#">here</a>.</p>

<p><b>Wisconsin</b></p>	<p><a href="#">Wisconsin Executive Order #12, Dep't of Health Services Safer at Home Order</a> (3/25/2020) excepts from restrictions on activities/businesses the "CISA List" (citing the CISA Guidance). On 4/16/2020, Wisconsin issued <a href="#">Emergency Order No. 28</a>, extending Wisconsin's Safer at Home restrictions until at least 05/26/2020.</p> <p>On 5/13/2020, the Wisconsin Supreme Court, in a <a href="#">4-3 decision</a>, invalidated the entire Wisconsin stay-at-home order. According to the court, the order had been issued by Wisconsin's Department of Health Services Secretary-designee and had exceeded her authority and held the mandate "invalid, and therefore, unenforceable." As a result, some businesses and restaurants were allowed to reopen immediately, which <a href="#">some restaurants</a> did. In response to the decision, a number of counties, including Dane County, are reportedly <a href="#">issuing local stay-at-home orders</a>. For instance, a copy of the stay-at-home order for Milwaukee (issued 5/14/2020) is available <a href="#">here</a>.</p> <p>(Note: Wisconsin is one of the Midwestern states with governors who have agreed to coordinate the reopening of their economies, as addressed with respect to Illinois above.)</p>
<p><b>Wyoming</b></p>	<p><a href="#">Statewide Public Health Order</a> closes high-risk retail (bars, restaurants, gyms, theaters) but does not apply to manufacturing or infrastructure-type (including defense) businesses. The <a href="#">Second Continuation</a> of this order extends the restrictions until 4/30/2020. A <a href="#">Third Continuation and Modification</a> was issued on 4/28/2020, and is effective from 5/1/2020 through 5/15/2020. That revised order permits specified personal service businesses (such as hair salons, barber shops and massage therapists) to re-open, provided they operate under detailed restrictions (e.g., no more than 9 people in a room or confined space, health screening of staff at the beginning of each shift, customers must wear face coverings to the extent possible, patrons must have appointments and cannot remain in a waiting area prior to receiving services, specified cleaning rules). On 4/28/2020, the governor authorized the reopening of gyms and personal care services on 5/1/2020, under new public health orders (see announcement <a href="#">here</a> and orders <a href="#">here</a>). Restaurants, bars and other places of public accommodation serving food or beverages were permitted to open with certain restrictions effective May 15, 2020. Additional guidelines (5/13/2020) regarding personal service businesses are available <a href="#">here</a>. Guidance for employee screening (5/13/2020) is available <a href="#">here</a>. On 6/10/2020, the governor issued modified versions of the State's orders regarding <a href="#">public spaces</a>, regarding <a href="#">personal services</a>, and regarding <a href="#">public gatherings</a>. Among other things, these orders, which are effective through 6/30/2020, allow gatherings of up to 50 people in a confined space to occur without restrictions and permit indoor events of up to 250 people with social distancing and increased sanitization measures in place. Additionally, personal care service businesses are no longer required to operate by appointment only but may accept drop-in customers. K-12 schools, colleges, UW and trade schools may resume in-person instruction for all students in groups of up to 50 persons with spacing guidelines.</p>

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