

# Essential Worker Exceptions From State Stay-At-Home Orders

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State emergency or stay-at-home orders vary from jurisdiction to jurisdiction and, during the past month, have shifted to address local issues dealing with COVID-19. The frequent changes across many jurisdictions have presented substantial challenges for contractors with operations in different locations.

To date, 44 states and the District of Columbia have ordered nonessential businesses to cease on-site operations. Most of those orders encourage (or permit) so-called essential businesses to continue operations, and authorize employees to travel to and from work (or other essential activities), while making clear that essential businesses should require social distancing and permit telework to the maximum extent possible.

The state and District of Columbia orders consist of a patchwork of different and frequently changing requirements. Although common approaches have been taken by many states, each state's order is different and must be analyzed relative to the work being performed by a company.

In most circumstances, contractors that are part of the defense industrial base (including supply chain), or that are providing products or services necessary for federal, state and local governments, are essential businesses and may continue to operate.

This is clear because many states define "essential businesses" by reference to (or incorporation of) the U.S. Department of Homeland Security's critical infrastructure sectors and the U.S. Cybersecurity and Infrastructure Security Agency, or CISA, 2020 Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response.[1]

Other states explain the exemptions from nonessential business closures in ways that make it clear that government contractors are exempted. But even essential businesses do not have carte blanche to ignore basic protective practices for their employees, and are expected to follow U.S. Centers for Disease Control guidelines regarding social distancing and telework.

Even though their businesses are deemed essential, and thus exempted from closure orders, many company officials need to know which portions of which state orders apply to their companies — and their employees.

The states' orders change (or are updated) frequently, as governors or public health officials introduce additional measures to combat the virus or to extend the duration of the restrictions. The updates and amendments often leave part of a previous order in effect, but add new requirements.

For instance, the various COVID-19-related orders for New York[2] all have the same title



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("Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency") — only the executive order numbers vary. The manner in which the orders are named makes it difficult to identify which requirements are contained in the various orders.

The New York state of emergency was proclaimed in Executive Order 202, dated March 7, and increasing restrictions and COVID-19-related measures have been added as parts of executive orders 202.1 through 202.18.

The first stay-at-home order (generally called "New York on Pause") was issued as Executive Order 202.8 on March 20,[3] and it imposed many of the restrictions on citizens and businesses, e.g., it closed all nonessential businesses. Additional measures, restrictions and extensions have been included in subsequent orders. As a result, understanding what the applicable New York restrictions are, and where they are found, can be a substantial challenge.

It should also be noted that when scientific data and analysis support states beginning to ease COVID-19-related restrictions, states are likely to continue the iterative approach of partially modifying existing orders.

To assist government contractors in find the applicable rules, we have put together this compilation focusing on the restrictions on businesses and organizations providing goods and services to government agencies at all levels of government. The information is up-to-date as of April 28.

## **Alabama**

Based on the governor's state of emergency declaration, the state health officer issued a stay-at-home order on April 3. The order excepts leaving the residence to perform work at "essential business operations," which include federally designated critical infrastructure, citing the CISA guidance. The stay-at-home order is currently effective through April 30. The governor has not announced whether Alabama will extend its stay-at-home order beyond that date.

On April 21, Florida Gov. Rick DeSantis stated that Alabama, Florida, Georgia, Mississippi, South Carolina and Tennessee are forming a coalition to coordinate reopening their economies.[4]

## **Alaska**

The governor's Health Mandate, issued March 27 and updated on April 7, limited intrastate travel and required social distancing. The Alaska Essential Services and Critical Workforce Infrastructure Order, dated March 27, required cessation of all businesses not included in the state's essential services and critical infrastructure list, which adopted the CISA guidance.

Meanwhile, on April 21, Alaska Gov. Mike Dunleavy 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 April 21, allows a number of nonessential businesses to reopen, subject to "following rigorous health and safety standards."

These 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.[5]

## **Arizona**

Executive Order 2020-18 implements a stay-at-home order issued March 30, requiring closure of nonessential businesses. It relies on the description of essential businesses from Executive Order 2020-12, Prohibiting the Closure of Essential Services, issued March 23.

The March 23 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 [e]ssential [b]usinesses and [o]perations" in the list of companies excluded from the restriction. The current stay-at-home order is effective through April 30.[6]

## **Arkansas**

No statewide stay-at-home order has been issued, though an Executive Order 20-13 was issued April 3, 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.[7]

## **California**

The stay-at-home order issued March 19 mandates social distancing and requires closure of nonessential businesses. It adopts and 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 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.

The governor's office also provides this list of essential critical infrastructure workers. The order is effective until further notice.

On April 22, the governor announced plans to relieve restrictions on elective medical procedures.

Under the Western States Pact, announced on April 13, California, Oregon and Washington "have agreed to work together on a shared approach for reopening [their] economies — one that identifies clear indicators for communities to restart public life and business." [8]

## **Colorado**

Colorado's applicable stay-at-home order (4th updated, issued April 9) was issued by the Department of Public Health and Environment. It does not expressly incorporate CISA guidance, but it specifies that the order's 12 subcategories of businesses are deemed critical due to the pandemic.

Among those are "[d]efense, 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 expired on April 26, but the critical business description continues to apply. Notably, an updated order for Denver issued April 1 extended the Denver stay-at-home order until April 30.

On April 20, the governor issued Executive Order 2020-039, requiring that essential employers provide (and employees wear) nonmedical face coverings. That requirement expires on May 20.

On April 26, the governor issued Order No. 2020 044, 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 provided a series of social distancing requirements.[9]

## **Connecticut**

The state's Guidance on Executive Order 7H, issued March 20, restricts nonessential businesses and, in defining essential businesses, adopts and implements the CISA guidance:

For purposes of Executive Order 7H ... "essential business" means:

1. Essential workers in the 16 [c]ritical [i]nfrastructure [s]ectors, 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 [U.S.] government.

Pursuant to Executive Order 7V, additional "Safe Workplace Rules for Essential Employers" were issued by the state Department of Economic and Community Development on April 7, mandating a long list of social distancing measures that must be implemented by essential businesses. Executive orders 7H and 7V are effective through May 20.

Massachusetts, New York, New Jersey, Connecticut, Pennsylvania, Delaware and Rhode Island have formed a multistate council to coordinate the gradual lifting of their statewide stay-at-home orders to ensure uniformity.[10]

## **Delaware**

The Shelter in Place of Residence Order, issued March 24, notes that essential services and activities are excepted under the terms of a previous order. The earlier State of Emergency Order, Modification Four, issued March 22, defined essential businesses as including the so-called defense industrial base and all supporting workers (without reference to CISA guidance).

The shelter-in-place order is effective through May 15 or until the health threat is

eliminated.

Delaware is part of the multistate council, which is addressed with respect to Connecticut above.[11]

### **District of Columbia**

The mayor's revised stay-at-home order, issued March 30, restricts nonessential 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.

Mayor's Order No. 2020-063, issued April 15, imposes additional restrictions on personal conduct and 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 previous restrictions through May 15[12]

### **Florida**

Executive Order 20-91, Safer at Home, issued April 1, 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."

The order 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).

Executive Order 20-92 makes clear that Executive Order 20-91 supercedes any conflicting local order issued in response to COVID-19. The order is effective through April 30.

On April 21, the governor stated that Florida had successfully flattened the curve and that a task force was examining the best approaches to reopening the state's economy, but has not yet indicated to what extent the stay-at-home restrictions will be extended beyond April 30.

Florida is in a coalition with five other southern states to coordinate the reopening of their economies, as addressed with respect to Alabama above.[13]

### **Georgia**

Executive Order No. 04.02.20.01, issued April 3, directs all residents to shelter in place except for necessary travel, which includes travel to or 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 may include, but shall not be limited to ... screening and evaluating workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath"

The order also incorporates the CISA guidance and states that "[t]he operation of [c]ritical [i]nfrastructure shall not be impeded by county, municipal, or local ordinance."

Executive Order No. 04.08.20.02, issued April 8, extended the expiration of Georgia's shelter-in-place order to April 30. Executive Order No. 04.20.20.01, issued April 20, 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) (1) 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; (2) providing personal protective equipment, or PPE; (3) prohibiting gatherings; and (4) increasing physical space between workers.

These modified restrictions will terminate with the state of emergency, which is scheduled to end on April 30.

Georgia is in a coalition with five other southern states to coordinate the reopening of their economies, as addressed with respect to Alabama above.[14]

## **Hawaii**

Hawaii's Third Supplemental Proclamation, issued March 23, implements a stay-at-home order. 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 [in the order] or by the [d]irector of the Hawaii Emergency Management Agency." The order is effective through April 30.[15]

## **Idaho**

A State of Emergency Proclamation and a statewide Order to Self-Isolate were issued on March 25, with an amended order from the Department of Health and Welfare on April 15. 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 April 30 or until it is extended, superseded or rescinded.[16]

## **Illinois**

Executive Order 20-10, Stay at Home, issued March 20, states that all nonessential businesses must cease operations but excepts a series of essential businesses from restrictions. In a footnote, the order makes clear that "the definition of [e]ssential [b]usinesses and [o]perations in this [o]rder is meant to encompass the workers identified in" the CISA guidance.

Executive Order 2020-18 extended the stay-at-home order through April 30.

On April 16, governors of seven Midwestern states — Illinois, Indiana, Kentucky, Michigan, Minnesota, Ohio and Wisconsin — announced their agreement to "coordinate on reopening their state economies amid the coronavirus pandemic." [17]

## **Indiana**

Executive Order No. 20-18, issued April 6, continues the earlier Directive for Hoosiers to Stay at Home. It required all nonessential businesses and activities to cease operations. The

definition of essential business includes all workers and industries included in the CISA guidance.

Executive Order 20-22 extended the effective date of applicable restrictions through May 1.

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.[18]

### **Iowa**

No statewide order or restrictions on businesses, including government contractors, have been issued. The governor asserts the U.S. Centers for Disease Control guidance applies, and is equivalent to orders in other states, though the Iowa Board of Medicine and physicians' groups disagree with her.[19]

### **Kansas**

Executive Order No. 20-16 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."

Such activity includes maintaining supply chains "for [e]ssential [f]unctions and [c]ritical [i]nfrastructure (as defined by DHS)," i.e., the CISA guidance, and providing "[m]aterial and [o]perational [s]upport to [d]efense."

Pursuant to an extension issued on April 16, this order is effective through May 3.[20]

### **Kentucky**

The Executive Order Closing Businesses Not Necessary to Protect or Sustain Life, issued March 25, 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).

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.[21]

### **Louisiana**

The governor's stay-at-home order, issued March 22, excepts so-called essential worker functions from restrictions and references "guidance provided by [DHS - CISA] on what workers are essential," citing CISA's initial guidance. Louisiana Proclamation 41 JBE 2020 extends the stay-at-home order until April 30.[22]

### **Maine**

Executive Order 19 FY 19/20 re Essential Businesses and Operations, issued March 24, provides that essential businesses shall continue operations with social distancing. Its definition of "essential businesses and operations" includes those identified by the DHS and CISA memo providing guidance on the identification of essential critical infrastructure workers.

The order is effective until April 30.[23]

## **Maryland**

Executive Order 20-03-30-01, Prohibiting Non-Essential Business, issued March 30, restricts nonessential business activities and expressly exempts businesses and activities not part of the critical infrastructure sectors identified by DHS and described in the CISA guidance.

The order is effective until cancelled.[24]

## **Massachusetts**

In a follow up to the Updated Order to Cease All Non-Essential Business, the state published a separate list of excepted essential services. The state does not cite CISA guidance but includes a broad definition of the defense industrial base that includes and excepts most, if not all, workers in that sector.

Massachusetts is part of the multistate council which is addressed with respect to Connecticut above.[25]

## **Michigan**

Executive Order 20-21, Suspending Activities Not Necessary to Sustain/Protect Life, issued March 24, expressly excepts businesses included in the CISA guidance from restrictions on business activities. Superseding that stay-at-home order, Executive Order 20-42, effective April 9, 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 (1) develop a COVID-19 preparedness and response plan consistent with specified guidance, (2) restrict on-site workers to those performing essential functions, (3) require on-site social distancing to the extent possible, (4) regularly disinfect the work site and introduce disinfection protocols, (5) "[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 (6) adhere to any "other social distancing practices and mitigation measures recommended by the CDC."

Executive Order 20-42 is effective through April 30.

On April 24, the governor issued Executive Order No. 2020-59, which eases several restrictions while extending the state's shutdown until May 15. In addition to exempting essential critical infrastructure workers, the order includes a new exception for resumed activities.

Resumed activities include: (1) workers who process or fulfill remote orders for goods for delivery or curbside pick-up; (2) workers who perform bicycle maintenance or repair; (3) workers for garden stores, nurseries, and lawn care, pest control and landscaping operations, subject to certain "enhanced social-distancing rules" described elsewhere in the order; (4) maintenance workers and groundskeepers who are necessary to maintain the safety and sanitation of places of outdoor recreation; and (5) workers for moving or storage operations, subject to enhanced social-distancing rules.



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.[26]

### **Minnesota**

Emergency Executive Order 20-20, Directing Minnesotans to Stay at Home, issued March 25, expressly incorporates and attaches the CISA guidance regarding infrastructure sectors excepted from restrictions.

Emergency Executive Order 20-33 extends the stay-at-home order until the state of emergency is terminated, and it enlarges the list of essential businesses.

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.[27]

### **Mississippi**

Executive Order No. 1466, issued April 3, orders all residents to shelter in place except for a permitted purpose and orders all nonessential businesses (as defined in Executive Order 1463). Executive Order 1463 incorporates the initial CISA guidance.

Executive Order 1473, issued April 17, reduced some restrictions applicable to businesses making certain retail sales, increased allowable essential and recreational activities (e.g., it allows boating and use of beaches), and otherwise extended the effective date of the order through April 27.

On April 24, the governor announced that state's shelter-in-place order would be allowed to expire as scheduled, but would be replaced by a so-called safer-in-place order, Executive Order No. 1477, effective April 27 through May 11.

Under the safer-at-home order, retail stores are allowed to open but must limit 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 like 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.

Mississippi is in a coalition with five other southern states to coordinate the reopening of their economies, as addressed with respect to Alabama above.[28]

### **Missouri**

The Missouri Department of Health & Senior Services health director's order, issued April 3, 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, nonfamily members must be at least six feet apart).

Following an extension issued April 16, the order is effective through May 3. On April 24, the governor extended the state's emergency declaration through June 15, but clarified that the

state's stay-at-home restrictions would not be extended past May 3.

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., in Kansas City and St. Louis) will remain in place.[29]

## **Montana**

The stay-at-home Directive Implementing the State of Emergency Order, issued March 26, references among the essential businesses and operations exempted from its restrictions the sectors described in the March 19 CISA memo, and says "the definition of [e]ssential [b]usinesses and [o]perations in [the order] is meant to encompass the workers identified in that [m]emorandum."

By an order dated April 7, the governor extended the state's stay-at-home order through April 26. On April 22, the governor directed that the state's stay-at-home order would be allowed to expire on April 27, and churches and certain nonessential businesses (e.g., retail establishments) have been allowed to reopen. Movie theaters and gyms will remain closed.

Restaurants and bars will be allowed to reopen on May 4, subject to restrictions (e.g., no more than 6 people sitting together). Notably, schools will be allowed to reopen on May 7, but the decision to reopen will be left to local school districts.[30]

## **Nebraska**

A statewide proclamation, 21 Days to Stay Home and Stay Healthy, requests that Nebraskans conduct social distancing practices, limit gatherings and minimize shopping (among other things) but does not restrict businesses' operations.[31]

## **Nevada**

The governor's Declaration of Emergency for COVID-19, Directive 003, issued March 20, which updates the governor's essential business implementing regulation, does not include the defense industrial sector or defense/security industry among essential businesses, though does include IT functions.

The updated implementing regulations include various risk mitigation, hygiene and social distancing protocols that essential businesses must adopt. Statewide Emergency Order Directive 010, issued April 1, extends the duration of the stay-at-home order through April 30.[32]

## **New Hampshire**

Closure of Non-Essential Businesses & Stay at Home, Order No. 2020-04, issued March 26, closes businesses other than those listed in its Exhibit A, which lists categories of essential businesses, and includes an expansive description of the defense industrial base:

Workers who support the essential services required to meet national security commitments to the federal government and U.S. [m]ilitary. 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.

The order is effective through May 4.[33]

## **New Jersey**

Executive Order No. 107 only orders the closure of nonessential retail stores. The order does not apply to manufacturing, nonretail businesses. It applies statewide. It does not incorporate or reference the CISA guidance.

The order is effective until it is revoked, extended or superseded.

New Jersey is part of the multistate council, which is addressed with respect to Connecticut above.[34]

## **New Mexico**

The Public Health Emergency Order Closing Non-Essential Businesses, Providing Additional Restrictions, issued March 23, 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 public health order issued April 6 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 April 30. On March 22, the governor announced the extension of these restrictions through May 15.[35]

## **New York**

Executive Order 202.6 imposes stay-at-home restrictions — and expressly supersedes any local or county order. The New York guidance does not incorporate the CISA guidance. Instead, the New York 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. [g]overnment or a contractor to the U.S. government."

Executive Order 202.13 and Executive Order 202.14 initially extended the duration of the New York stay-at-home order through April 29. On April 16, the governor announced the extension of these restrictions through at least May 15.

New York is part of the multistate council, which is addressed with respect to Connecticut above.[36]

## **North Carolina**

The stay-at-home order's March 27 definition of essential business applies to "[b]usinesses operating in CISA [i]dentified sectors ... as outlined in the CISA guidance or any subsequent guidance issued by [DHS]."

Note also that the order expressly allows localities and counties to enact orders that are stricter than the statewide order:

[N]othing 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.

The North Carolina stay-at-home order is effective until April 29.[37]

### **North Dakota**

The governor has (1) called on North Dakotans to take the coronavirus crisis seriously and to implement social distancing and to stay at home; (2) issued orders to facilitate local responses; and (3) ordered people who have tested positive for COVID-19 (and those living with such persons) to self-quarantine.

However, 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.[38]

### **Ohio**

An updated statewide order issued April 2 restricts all nonessential business but makes clear that essential business and operations include the CISA list (and incorporates the CISA guidance).

The Ohio order is effective through May 1.

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.[39]

### **Oklahoma**

The governor's Second Amended Executive Order 2020-13, issued April 16, ordered that "all businesses not identified as being within a critical infrastructure sector as defined by" the CISA guidance or the Oklahoma Department of Commerce close to the public.

Defense and most other government contractors are understood to be essential businesses under the CISA guidance.

The executive order is effective through May 16.[40]

### **Oregon**

Executive Order 20-12 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.

Oregon is part of the Western States Pact, which is addressed with respect to California above.[41]

### **Pennsylvania**

An executive order, effective April 1, bars other-than-life-sustaining activities. An industry guidance specifies that defense industrial base and transportation manufacturing, as defined in the CISA guidance, are permitted.

The secretary of the Pennsylvania Department of Health issued an order on April 19 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 and stop times to prevent gatherings, prohibit nonessential 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 effective through May 8.

Pennsylvania is part of the multistate council, which is addressed with respect to Connecticut above.[42]

### **Rhode Island**

Executive Order 20-02, issued March 28, mandates closure of nonessential businesses. Neither the order nor the state guidance references or incorporates the CISA guidance, and neither includes an exemption for defense-related work or contractors.

Executive Order 20-18 extends the duration of the stay-at-home order through May 8.

Rhode Island is part of the multistate council, which is addressed with respect to Connecticut above.[43]

### **South Carolina**

Executive Order 2020-21, issued April 7, states that individuals "shall limit their movements outside of their [residence] ... except as allowed ... for purposes of engaging in [e]ssential [b]usiness, [e]ssential [a]ctivities, or [c]ritical [i]nfrastructure [o]perations." The order incorporates the CISA guidance.

Executive Order 2020-28, issued April 20, rescinds closures of public accommodations (beaches and piers) and certain retail businesses that were ordered in conjunction with the restrictions implemented during early April. It is effective until modified or rescinded.

South Carolina is in a coalition with five other southern states to coordinate the reopening of their economies, as addressed with respect to Alabama above.[44]

### **South Dakota**

Executive Order Regarding COVID-19 Guidelines directs South Dakotans to follow a series of social distancing practices but does not impose the restrictions applicable in most other states. This may change in the near future as a result of a recent outbreak in the state.[45]

### **Tennessee**

Executive Order No. 22, issued March 30, urges Tennesseans "to stay at home, except for when engaging in [e]ssential [a]ctivity or [e]ssential [s]ervices." The order also requires the "closure of nonessential businesses for public use." Attachment A of the order incorporates CISA guidance in its definition of essential businesses.

Executive Order No. 23, issued April 2, amended Executive Order 22 and clarified that individuals are required, rather than urged, to stay at home.

Executive Order No. 27, issued April 13, extended the current stay-at-home orders (in executive orders 17, 21, 22 and 23) to April 30.

On April 20, the governor announced that the stay-at-home restrictions would not be extended beyond April 30, though local restrictions may continue to apply after the state order expires.

Tennessee is in a coalition with five other southern states to coordinate the reopening of their economies, as addressed with respect to Alabama above.[46]

### **Texas**

Executive Order GA-14, issued April 2, requests that people in Texas follow social distancing requirements. 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 [guidance version 2.0]," 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 April 30.[47]

### **Utah**

The Stay Home, Stay Safe directive, issued March 27, instructs people in Utah to social distance, stay home and work from home whenever possible.

The directive does not close businesses. The directive was updated on April 10 with more specificity on social distancing and working from home, but no closures were required. The order expires on May 1.[48]

### **Vermont**

Addendum 6 to Executive Order 01-20, issued March 14, 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."

Executive Order 01-20 Addendum 9 extended the Addendum 6 restrictions through May 15.[49]

## **Virginia**

Executive Order 53, dated March 23, orders the closure of specified nonessential 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" could remain open if they comply with specified social distancing restrictions.

It does not order the closure of contractors providing products or services to governments, but does require that all businesses adhere to social distancing requirements. The subsequent stay-at-home order (Executive Order 55), dated March 30, increases certain personal restrictions but does not change business restrictions.[50]

## **Washington**

The Stay Home — Stay Healthy Proclamation, issued March 24, orders the closure of nonessential businesses. The order does not specify essential critical infrastructure workers or sectors exempted from the closure, but instead includes the list in an appendix to the proclamation.

The appendix does not cite the CISA guidance but includes many, if not all, of the same sectors. Defense industrial base operations are clearly exempted from the stay-at-home requirements. As updated, this order is now effective through May 4.

Washington is part of the Western States Pact, which is addressed with respect to California above.[51]

## **West Virginia**

Executive Order 9-20, Stay at Home, dated March 25, precludes nonessential business activities. The order exempts essential businesses and operations, including those industries and workers described in the CISA guidance. The order is effective until terminated.[52]

## **Wisconsin**

Wisconsin Executive Order #12, Department of Health Services Safer at Home Order, issued March 25, excepts from restrictions on activities and businesses those on the CISA list, citing the CISA guidance. On April 16, Wisconsin issued Emergency Order No. 28, extending Wisconsin's safer-at-home restrictions until at least May 26.

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.[53]

## **Wyoming**

A statewide public health order closes high-risk retail businesses (bars, restaurants, gyms, theaters) but does not apply to manufacturing or infrastructure-type businesses, including defense businesses. The second continuation of this order extends the restrictions until April 30.[54]

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[1] The CISA Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response is available at: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>.

[2] The various COVID-19-related orders for New York are available at: [http://www.op.nysed.gov/COVID-19\\_EO.html#](http://www.op.nysed.gov/COVID-19_EO.html#).

[3] New York's Executive Order No. 202.8 is available at: [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\\_202.8.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.8.pdf).

[4] Alabama's stay-at-home order is available at: <http://www.alabamapublichealth.gov/legal/assets/soe-covid19-040320.pdf>. Alabama orders related to public health are available at: <http://www.alabamapublichealth.gov/legal/orders.html>, and information from the governor's office is available at: <https://governor.alabama.gov/newsroom/>. A report concerning the formation of a coalition of six southern states, including Alabama, to coordinate reopening their economies is available at: <https://www.politico.com/states/florida/story/2020/04/21/southern-governors-create-a-covid-19-coalition-and-experts-fear-a-perfect-storm-1278753>. Reporting regarding the governor's comments regarding a possible extension is available at: <https://www.al.com/news/2020/04/stay-at-home-order-wont-end-before-april-30-ivey-hints-at-phased-reopening-in-may.html>.

[5] Alaska's Health Mandate is available at <https://gov.alaska.gov/home/covid19-healthmandates/>. The Alaska Essential Services and Critical Workforce Infrastructure Order is available at <https://gov.alaska.gov/wp-content/uploads/sites/2/03232020-COVID-19-Health-Mandate-010-Attachment-A.pdf>. The Press Release and accompanying orders for regarding Reopen Alaska Responsibly plan are available at <https://gov.alaska.gov/newsroom/2020/04/22/governor-issues-covid-19-health-mandate-16/>.

[6] Arizona's stay-at-home Order is available at: [https://azgovernor.gov/sites/default/files/eo\\_2020-18\\_stay\\_home\\_stay\\_healthy\\_stay\\_connected\\_1.0.pdf](https://azgovernor.gov/sites/default/files/eo_2020-18_stay_home_stay_healthy_stay_connected_1.0.pdf). Executive Order 2020-12 is available at: [https://azgovernor.gov/sites/default/files/eo\\_2021\\_0.pdf](https://azgovernor.gov/sites/default/files/eo_2021_0.pdf). Additional Guidance on Essential Services is available at: <https://portal.ct.gov/DECD/Content/Coronavirus-Business-Recovery/Business-Exemptions-for-Coronavirus>.

[7] Arkansas' Executive Order 20-13 is available at: [https://governor.arkansas.gov/images/uploads/executiveOrders/EO\\_20-13\\_.pdf](https://governor.arkansas.gov/images/uploads/executiveOrders/EO_20-13_.pdf).

[8] California's Stay-At-Home Order is available at: <https://covid19.ca.gov/img/Executive-Order-N-33-20.pdf>. The list of essential critical infrastructure workers is available



at: <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>. The Western States Pact is available at: <https://www.governor.wa.gov/news-media/washington-oregon-and-california-announce-western-states-pact>. The governor's April 22 announcement is available at: <https://www.gov.ca.gov/2020/04/22/governor-newsom-announces-plan-to-resume-delayed-health-care-that-was-deferred-as-hospitals-prepared-for-covid-19-surge/>.

[9] Colorado's April 1 order is available

at: <https://drive.google.com/file/d/1hSyVD4wlb6evhqrbEgypcgKMr6i8SOX/view>. The April 9 order is available

at <https://drive.google.com/file/d/1Xk3SFUeVh2MazofYnWDEBhncXPS1IOez/view>. EO 2020-039 is available at: <https://www.colorado.gov/governor/sites/default/files/inline-files/D%202020%20039%20Masks.pdf>. A timeline for the Governor's planned transition is available at: <https://www.cpr.org/2020/04/21/colorado-will-shift-from-stay-at-home-to-safe-at-home-heres-what-that-looks-like-as-the-state-slowly-reopens/>. The Denver April 1 order is available at: <https://www.denvergov.org/content/denvergov/en/mayors-office/newsroom/2020/denver-extends-stay-at-home-order.html>. The announcement of the Denver mayor regarding a likely extension is available at: <https://www.denverpost.com/2020/04/20/denver-restaurant-shutdown-coronavirus/>.

[10] Connecticut's State Guidance on Executive Order 7H is available

at: <https://portal.ct.gov/DECD/Content/Coronavirus-Business-Recovery/Business-Exemptions-for-Coronavirus>. Subsequent Executive Orders are available

at: <https://portal.ct.gov/DECD/Content/Coronavirus-Business-Recovery/Business-Exemptions-for-Coronavirus>. Information about EO7V is available at <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7V.pdf?la=en>. Additional Safe Workplace Rules for Essential Employers is available at: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7V.pdf?la=en>. Information about the multistate council is available at: <https://www.governor.ny.gov/news/massachusetts-joins-new-york-new-jersey-connecticut-pennsylvania-delaware-and-rhode-islands>.

[11] Delaware's Shelter in Place of Residence Order is available

at: <https://governor.delaware.gov/wp-content/uploads/sites/24/2020/03/Fifth-Modification-to-State-of-Emergency-03222020.pdf>. The State of Emergency Order, Modification 4 is available at: <https://governor.delaware.gov/wp-content/uploads/sites/24/2020/03/Fourth-Modification-to-State-of-Emergency-03222020.pdf>.

[12] District of Columbia's Mayor's Order No. 2020-063 is available

at: <https://coronavirus.dc.gov/sites/default/files/dc/sites/coronavirus/publication/attachments/MayorsOrder2020.063.pdf>.

[13] Florida's Executive Order 20-91 is available

at: [https://www.scribd.com/document/454416572/Florida-stay-at-home-executive-order#download&from\\_embed](https://www.scribd.com/document/454416572/Florida-stay-at-home-executive-order#download&from_embed). Executive Order 20-92 is available

at: [https://www.flgov.com/wp-content/uploads/orders/2020/EO\\_20-92.pdf](https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-92.pdf). Coverage regarding Governor DeSantis's April 21 statement is available here: <https://www.tampabay.com/news/health/2020/04/21/were-going-to-be-okay-desantis-says-florida-has-flattened-the-curve/>.

[14] Georgia's Executive Order No.04.02.20.01 is available

at: <https://gov.georgia.gov/document/2020-executive-order/04022001/download>. Executive Order No.04.08.20.02 is available at: <https://gov.georgia.gov/document/2020-executive-order/04082002/download>. Executive Order 04.20.20.01 is available

at: <https://gov.georgia.gov/document/2020-executive-order/04202001/download>.

[15] Hawaii's Third Supplemental Proclamation is available at: [https://governor.hawaii.gov/wp-content/uploads/2020/03/2003162-ATG\\_Third-Supplementary-Proclamation-for-COVID-19-signed.pdf](https://governor.hawaii.gov/wp-content/uploads/2020/03/2003162-ATG_Third-Supplementary-Proclamation-for-COVID-19-signed.pdf).

[16] Idaho's State of Emergency Proclamation is available at: [https://coronavirus.idaho.gov/wp-content/uploads/sites/127/2020/03/proclamation\\_extreme-emergency-declaration\\_032520.pdf](https://coronavirus.idaho.gov/wp-content/uploads/sites/127/2020/03/proclamation_extreme-emergency-declaration_032520.pdf). The amended order is available at: [https://coronavirus.idaho.gov/wp-content/uploads/sites/127/2020/04/amended-statewide-stay-home-order\\_041520.pdf](https://coronavirus.idaho.gov/wp-content/uploads/sites/127/2020/04/amended-statewide-stay-home-order_041520.pdf). Additional Idaho guidance regarding essential services is available at: <https://coronavirus.idaho.gov/essential-services/>. FAQs are available at: <https://coronavirus.idaho.gov/frequently-asked-questions-on-statewide-stay-home-order/>.

[17] Illinois' Executive Order 20-10, Stay at Home is available at: <https://www2.illinois.gov/Documents/ExecOrders/2020/ExecutiveOrder-2020-10.pdf>. Executive Order 2020-18 is available at: <https://www2.illinois.gov/Pages/Executive-Orders/ExecutiveOrder2020-18.aspx>. Information about the agreement to coordinate on reopening their state economies is available at: <https://www.nytimes.com/aponline/2020/04/16/business/ap-us-virus-outbreak-midwest-pact.html>.

[18] Indiana's Executive Order No. 20-18 is available at: <https://www.in.gov/gov/files/Executive%20Order%2020-18%20Cont%20Stay%20at%20Home%20Restaurants%20Govt%20Ops.pdf>. EO 20-22 is available at: <https://fox59.com/news/coronavirus/gov-holcomb-state-officials-to-provide-covid-19-update/>.

[19] Iowa's CDC guidance is available at: <https://www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation-strategy.pdf>. Information about the Board of Medicine and physician's groups disagreement with the governor is available at: <https://www.desmoinesregister.com/story/news/2020/04/07/iowa-equivalent-stay-at-home-order-coronavirus-kim-reynolds/2961810001/>.

[20] Kansas' Executive Order No. 20-16 is available at: <https://governor.kansas.gov/wp-content/uploads/2020/03/EO20-16.pdf>. Executive Order No. 20-24, which extended the duration of the restrictions in Order No. 20-16, is available at: <https://governor.kansas.gov/wp-content/uploads/2020/04/EO-20-24-Executed.pdf>.

[21] Kentucky's Executive Order Closing Businesses Not Necessary to Protect or Sustain Life is available at: [https://governor.ky.gov/attachments/20200325\\_Executive-Order\\_2020-257\\_Healthy-at-Home.pdf](https://governor.ky.gov/attachments/20200325_Executive-Order_2020-257_Healthy-at-Home.pdf).

[22] Louisiana's stay-at-home order is available at: <https://gov.louisiana.gov/assets/Proclamations/2020/JBE-33-2020.pdf>. Proclamation 41 JBE 2020 is available at: <https://gov.louisiana.gov/assets/Proclamations/2020/41-JBE-2020-Stay-At-Home-Extended.pdf>.

[23] Maine's Executive Order FY 19/20 re Essential Businesses and Operations is available at: [https://www.maine.gov/governor/mills/sites/maine.gov/governor.mills/files/inline-files/An%20Order%20Regarding%20Essential%20Businesses%20and%20Operations%20\\_0](https://www.maine.gov/governor/mills/sites/maine.gov/governor.mills/files/inline-files/An%20Order%20Regarding%20Essential%20Businesses%20and%20Operations%20_0)

.pdf.

[24] Maryland's Executive Order 20-03-30-01 Prohibiting Non-Essential Business is available at: <https://governor.maryland.gov/wp-content/uploads/2020/03/Gatherings-FOURTH-AMENDED-3.30.20.pdf>.

[25] Massachusetts' Updated Order to Cease All Non-Essential Business is available at: <https://www.mass.gov/news/governor-charlie-baker-orders-all-non-essential-businesses-to-cess-in-person-operation>. The list of excepted "Essential Services" is available at: <https://www.mass.gov/info-details/covid-19-essential-services?>.

[26] Michigan's Executive Order 20-21 Suspending Activities Not Necessary to Sustain/Protect Life is available at: [https://www.michigan.gov/whitmer/0,9309,7-387-90499\\_90705-522626--,00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-522626--,00.html). Executive Order 20-42 is available at: [https://content.govdelivery.com/attachments/MIEOG/2020/04/09/file\\_attachments/1423850/EO%202020-42.pdf](https://content.govdelivery.com/attachments/MIEOG/2020/04/09/file_attachments/1423850/EO%202020-42.pdf). Executive Order No. 2020-59 is available at: [https://www.michigan.gov/whitmer/0,9309,7-387-90499\\_90705-526894--,00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-526894--,00.html).

[27] Minnesota's Emergency Executive Order 20-20 Directing Minnesotans to Stay at Home is available at: <https://www.leg.state.mn.us/archive/execorders/20-20.pdf>. Emergency Executive Order 20-33 is available at: <https://www.leg.state.mn.us/archive/execorders/20-33.pdf>.

[28] Mississippi's EO No. 1466 is available at: <https://www.sos.ms.gov/content/executiveorders/ExecutiveOrders/1466.pdf>. EO 1463 is available at: <https://www.sos.ms.gov/Education-Publications/ExecutiveOrders/1463.pdf>. EO 1473 is available at: <https://www.sos.ms.gov/content/executiveorders/ExecutiveOrders/1473.pdf>. EO 1477 is available at: <https://www.sos.ms.gov/content/executiveorders/ExecutiveOrders/1477.pdf>. Media coverage of the governor's statements regarding the issuance of EO 1477 is available here: <https://www.wjtv.com/health/coronavirus/gov-tate-reeves-to-announce-next-steps-in-reopening-mississippi/>.

[29] Missouri's Health Director's Order is available at: [https://content.govdelivery.com/attachments/MOGOV/2020/04/03/file\\_attachments/1419322/Stay%20at%20Home%20Missouri%20Order.pdf](https://content.govdelivery.com/attachments/MOGOV/2020/04/03/file_attachments/1419322/Stay%20at%20Home%20Missouri%20Order.pdf). FAQ's regarding the Stay at Home Order are available at: <https://governor.mo.gov/stay-home-missouri-order-guidance-and-frequently-asked-questions>. The extension of this order is available at: <https://governor.mo.gov/priorities/extension-stay-home-order-covid-19>. Media coverage regarding the extension of the state of emergency and the governor's comments about the reopening of the state on May 4 are available at: <https://www.kansascity.com/news/politics-government/article242276506.html>.

[30] Montana's stay-at-home Directive Implementing the State of Emergency Order is available at: <https://covid19.mt.gov/Portals/223/Documents/Stay%20at%20Home%20Directive.pdf?ver=2020-03-26-173332-177>. Information about the governor's direction is available at: <http://governor.mt.gov/Portals/16/Extension%20of%20Directives.pdf?ver=2020-04-07-172755-170>. Press coverage regarding the easing of restrictions and phased reopening of the state is available at: <https://nbcmontana.com/news/coronavirus/bullocks-stay-at-home-order-lifted-monday-with-restrictions>. The governor's Directive regarding the phased reopening of the state is available at: <https://covid19.mt.gov/Portals/223/Documents/04-22-20%20Directive%20and%20Appx%20>

%20Reopening%20Phase%20One.pdf?ver=2020-04-22-124954-977.

[31] Nebraska's "21 Days to Stay at Home and Stay Healthy" Proclamation is available at: <https://opportunity.nebraska.gov/gov-ricketts-proclaims-21-days-to-stay-home-and-stay-healthy-unveils-six-rules-to-keep-nebraska-healthy/>.

[32] Nevada's Declaration of Emergency for COVID-19 Directive 003 is available at: [http://gov.nv.gov/News/Emergency\\_Orders/2020/2020-03-20\\_-\\_COVID-19\\_Declaration\\_of\\_Emergency\\_Directive\\_003/](http://gov.nv.gov/News/Emergency_Orders/2020/2020-03-20_-_COVID-19_Declaration_of_Emergency_Directive_003/). Updates for the regulation are available at: [https://www.fox5vegas.com/coronavirus/what-businesses-are-essential-nevada-governor-s-office-releases-list/article\\_740954de-6954-11ea-91ed-bfd1f78f40a5.html](https://www.fox5vegas.com/coronavirus/what-businesses-are-essential-nevada-governor-s-office-releases-list/article_740954de-6954-11ea-91ed-bfd1f78f40a5.html). Information on the "Essential Business" regulation is available at: <https://www.scribd.com/document/452574072/MARCH-20-2020-Gov-Sisolak-s-emergency-regulations>. The Statewide Emergency Order Directive 010 is available at: <https://nvhealthresponse.nv.gov/wp-content/uploads/2020/04/Declaration-of-Emergency-Directive-010-stay-at-home-3-31-20.pdf>.

[33] New Hampshire's Closure of Non-Essential Business & Stay at Home Order No. 2020-04 is available at: <https://www.governor.nh.gov/news-media/emergency-orders/documents/emergency-order-17-1.pdf>. Categories for Essential Businesses are available at: <https://www.governor.nh.gov/news-media/emergency-orders/documents/emergency-order-17-ex-a.pdf>.

[34] New Jersey's Executive Order No. 107 is available at: <https://nj.gov/infobank/eo/056murphy/pdf/EO-107.pdf>. FAQ's are available at: <https://faq.business.nj.gov/en/collections/2198378-information-for-nj-businesses-on-the-coronavirus-outbreak>.

[35] New Mexico's Public Health Emergency Order Closing Non-Essential Businesses, Providing Additional Restrictions is available at: <https://www.governor.state.nm.us/wp-content/uploads/2020/03/COVID-19-DOH-Order-fv.pdf>. The Public Health Order is available at: <https://www.governor.state.nm.us/wp-content/uploads/2020/04/040620-DOH-PHO.pdf>. The governor's extension announcement is available at: <https://thejournal.com/articles/174423-new-mexico-extends-stayathome-order>.

[36] New York's Executive Order 202.6 is available at: <https://www.governor.ny.gov/news/no-2026-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>. Guidance for Executive Order 202.6 is available at: <https://esd.ny.gov/guidance-executive-order-2026>. The governor's announcement is available at: <https://www.governor.ny.gov/news/amid-ongoing-covid-19-pandemic-governor-cuomo-announces-nys-pause-extended-until-may-15>.

[37] North Carolina's Stay at Home orders are available at: <https://files.nc.gov/governor/documents/files/EO121-stay-at-home-Order-3.pdf>. FAQ's are available at: [https://files.nc.gov/governor/documents/files/200327\\_FAQ-SAH-Order\\_FINAL.pdf](https://files.nc.gov/governor/documents/files/200327_FAQ-SAH-Order_FINAL.pdf).

[38] North Dakota's governor's order (1) is available at: <https://www.health.nd.gov/news/burgum-stresses-social-distancing-staying-home-nd-records-two-additional-deaths-related-covid>. Order (2) is available at <https://www.health.nd.gov/news/burgum-stresses-social-distancing-staying-home-nd-records-two-additional-deaths-related-covid>. Order (3) is available at: <https://www.governor.nd.gov/sites/www/files/documents/executive->

orders/Executive%20Order%202020-21%20-%20Quarantine%20of%20COVID-19%20positives%2C%20household%20contacts.pdf.

[39] Ohio's Statewide Order is available

at: <https://governor.ohio.gov/static/DirectorsOrderStayAtHome.pdf>.

[40] Oklahoma's Second Amended Executive Order is available

at: <https://www.sos.ok.gov/documents/executive/1931.pdf>.

[41] Oregon's Executive Order 20-12 is available at: [https://govsite-](https://govsite-assets.s3.amazonaws.com/jkAULYKcSh6DoDF8wBM0_EO%2020-12.pdf)

[assets.s3.amazonaws.com/jkAULYKcSh6DoDF8wBM0\\_EO%2020-12.pdf](https://govsite-assets.s3.amazonaws.com/jkAULYKcSh6DoDF8wBM0_EO%2020-12.pdf).

[42] Pennsylvania's Executive Order is available at: <https://www.governor.pa.gov/wp-content/uploads/2020/03/03.23.20-TWW-COVID-19-stay-at-home-Order.pdf>. Industry

guidance is available at: <https://www.scribd.com/document/452553026/UPDATED-2-30pm-March-24-2020-Industry-Operation-Guidance>. The April 19 order is available

at: <https://www.governor.pa.gov/wp-content/uploads/2020/04/20200415-SOH-worker-safety-order.pdf>. Pennsylvania's order effectiveness is available

at: <https://www.governor.pa.gov/wp-content/uploads/2020/04/20200420-GOV-stay-at-home-Order-Amendment.pdf>.

[43] Rhode Island's Executive Order 20-02 is available

at: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-13.pdf>. The state guidance is available

at: [https://dbr.ri.gov/documents/DBR\\_Critical\\_retail\\_businesses\\_list\\_032820.pdf](https://dbr.ri.gov/documents/DBR_Critical_retail_businesses_list_032820.pdf). Executive

Order 20-18 is available at: <http://governor.ri.gov/documents/orders/Executive-Order-20-18.pdf>.

[44] South Carolina's Executive Order 2020-21 is available

at: <https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-06%20eFILED%20Executive%20Order%20No.%202020-21%20-%20Stay%20at%20Home%20or%20Work%20Order.pdf>. EO 2020-28 is available

at: [https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-20%20eFILED%20Executive%20Order%20No.%202020-28%20-%20Modification%20of%20Restrictions%20for%20Public%20Beaches%20%26%20Waters%20%26%20Incremental%20Modification%20of%20Non-](https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-20%20eFILED%20Executive%20Order%20No.%202020-28%20-%20Modification%20of%20Restrictions%20for%20Public%20Beaches%20%26%20Waters%20%26%20Incremental%20Modification%20of%20Non-Essential%20Business%20Closures.pdf)

[Essential%20Business%20Closures.pdf](https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-20%20eFILED%20Executive%20Order%20No.%202020-28%20-%20Modification%20of%20Restrictions%20for%20Public%20Beaches%20%26%20Waters%20%26%20Incremental%20Modification%20of%20Non-Essential%20Business%20Closures.pdf).

[45] South Dakota's Executive Order Regarding COVID-19 Guidelines is available

at: <https://news.sd.gov/newsitem.aspx?id=26560>. The social distancing practices are available at: [https://doh.sd.gov/documents/COVID19/COVID\\_ExecutiveOrder.pdf](https://doh.sd.gov/documents/COVID19/COVID_ExecutiveOrder.pdf).

Information on the recent outbreak is available

at: [https://www.washingtonpost.com/national/south-dakotas-governor-resisted-ordering-people-to-stay-home-now-it-has-one-of-the-nations-largest-coronavirus-hot-spots/2020/04/13/5cff90fe-7daf-11ea-a3ee-13e1ae0a3571\\_story.html](https://www.washingtonpost.com/national/south-dakotas-governor-resisted-ordering-people-to-stay-home-now-it-has-one-of-the-nations-largest-coronavirus-hot-spots/2020/04/13/5cff90fe-7daf-11ea-a3ee-13e1ae0a3571_story.html).

[46] Tennessee's Executive Order No. 22 is available

at: <https://publications.tnsosfiles.com/pub/execorders/exec-orders-lee22.pdf>. EO No. 27 is

available at: <https://publications.tnsosfiles.com/pub/execorders/exec-orders-lee27.pdf>.

[47] Texas' Executive Order GA-14 is available

at: [https://gov.texas.gov/uploads/files/press/EO-GA-](https://gov.texas.gov/uploads/files/press/EO-GA-14_Statewide_Essential_Service_and_Activity_COVID-19_IMAGE_03-31-2020.pdf)

[14\\_Statewide\\_Essential\\_Service\\_and\\_Activity\\_COVID-19\\_IMAGE\\_03-31-2020.pdf](https://gov.texas.gov/uploads/files/press/EO-GA-14_Statewide_Essential_Service_and_Activity_COVID-19_IMAGE_03-31-2020.pdf). CISA

guidance version 2.0 is available

at: [https://www.cisa.gov/sites/default/files/publications/CISA\\_Guidance\\_on\\_the\\_Essential\\_Critical\\_Infrastructure\\_Workforce\\_Version\\_2.0\\_Updated.pdf](https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_Version_2.0_Updated.pdf).

[48] Utah's Stay Home, Stay Safe Directive is available

at: <https://coronavirus.utah.gov/full-text-governors-stay-home-stay-safe-directive/>. An updated directive is available at: <https://governor.utah.gov/2020/04/13/governor-extends-stay-safe-stay-home-directive-through-may-1/>.

[49] Vermont's Addendum 6 to Executive Order 01-20 is available

at: <https://governor.vermont.gov/sites/scott/files/documents/ADDENDUM%206%20TO%20EXECUTIVE%20ORDER%2001-20.pdf>. Addendum 9 is available

at: <https://governor.vermont.gov/sites/scott/files/documents/ADDENDUM%209%20TO%20EXECUTIVE%20ORDER%2001-20.pdf>.

[50] Virginia's Executive Order 53 is available

at: [https://www.governor.virginia.gov/media/governorvirginiagov/executive-actions/EO-53-Temporary-Restrictions-Due-To-Novel-Coronavirus-\(COVID-19\).pdf](https://www.governor.virginia.gov/media/governorvirginiagov/executive-actions/EO-53-Temporary-Restrictions-Due-To-Novel-Coronavirus-(COVID-19).pdf). Stay-At-Home Order EO 55 is available

at: [https://www.governor.virginia.gov/media/governorvirginiagov/executive-actions/EO-55-Temporary-stay-at-home-Order-Due-to-Novel-Coronavirus-\(COVID-19\).pdf](https://www.governor.virginia.gov/media/governorvirginiagov/executive-actions/EO-55-Temporary-stay-at-home-Order-Due-to-Novel-Coronavirus-(COVID-19).pdf).

[51] Washington's Stay Home, Stay Healthy Proclamation is available

at: <https://www.governor.wa.gov/sites/default/files/proclamations/20-25%20Coronavirus%20Stay%20Safe-Stay%20Healthy%20%28tmp%29%20%28002%29.pdf>. The appendix to the proclamation

is available

at: <https://www.governor.wa.gov/sites/default/files/WA%20Essential%20Critical%20Infrasturcture%20Workers%20%28Final%29.pdf>. The updated order is available

at: [https://www.governor.wa.gov/sites/default/files/20-25.1%20-%20COVID-19%20-%20Stay%20Home%2C%20Stay%20Healthy%20Extension%20%28tmp%29.pdf?utm\\_medium=email&utm\\_source=govdelivery](https://www.governor.wa.gov/sites/default/files/20-25.1%20-%20COVID-19%20-%20Stay%20Home%2C%20Stay%20Healthy%20Extension%20%28tmp%29.pdf?utm_medium=email&utm_source=govdelivery).

[52] West Virginia's Executive Order 9-20 Stay at Home is available

at: <https://governor.wv.gov/Documents/2020%20Executive%20Orders/STAY-AT-HOME-ORDER-MARCH-23-2020.pdf>. FAQs are available at: <https://dhhr.wv.gov/COVID-19/Pages/Governor-Issues-stay-at-home-Order.aspx>.

[53] Wisconsin's EO No. 12 is available

at: [https://content.govdelivery.com/attachments/WIGOV/2020/03/24/file\\_attachments/1409408/Health%20Order%20%2312%20Safer%20At%20Home.pdf](https://content.govdelivery.com/attachments/WIGOV/2020/03/24/file_attachments/1409408/Health%20Order%20%2312%20Safer%20At%20Home.pdf). Emergency Order No. 28 is available

at: [https://content.govdelivery.com/attachments/WIGOV/2020/04/16/file\\_attachments/1428995/EMO28-SaferAtHome.pdf](https://content.govdelivery.com/attachments/WIGOV/2020/04/16/file_attachments/1428995/EMO28-SaferAtHome.pdf).

[54] Wyoming's Statewide Public Health Order is available

at: <https://bloximages.chicago2.vip.townnews.com/trib.com/content/tncms/assets/v3/editorial/6/8c/68c199c4-cdef-571e-b5ae-a942feaada15/5e740e138c0a6.pdf>. The Second Continuation is available at: <https://health.wyo.gov/wp-content/uploads/2020/04/Second-Continuation-of-Statewide-Order-1.pdf>.