STATE OF MARYLAND

Renewal of Declaration of State of Emergency and
Existence of Catastrophic Health Emergency — COVID-19

WHEREAS, on March 5, 2020, a state of emergency and catastrophic health emergency was, pursuant to the Maryland Constitution and Laws of Maryland, including but not limited to Title 14 of the Public Safety Article, and in an effort to control and prevent the spread of COVID19, proclaimed within the entire State of Maryland;

WHEREAS, COVID-19 is a highly infectious respiratory disease that spreads easily from person to person, physically contaminates property by attaching to surfaces for prolonged periods of time, and may result in serious illness or death;

WHEREAS, COVID-19 is a public health catastrophe and has been confirmed in all Maryland counties;

WHEREAS, rates of COVID-19 infection continue to rise in more than 30 states and the risk of further spread in Maryland remains high;

WHEREAS, since the declaration of a state of emergency and existence of a catastrophic health emergency on March 5, 2020, there have been nearly 68,000 laboratory-confirmed positive COVID-19 cases and more than 3,000 related deaths in Maryland, with increases in new confirmed cases daily;

WHEREAS, the proclamation declaring the emergencies was renewed on March 17, 2020, April 10, 2020, May 6, 2020, and June 3, 2020;

WHEREAS, the spread of COVID-19 in the state continues to pose an immediate threat to all Marylanders of extensive loss of life or serious disability;

WHEREAS, the emergency conditions, state of emergency, and catastrophic health emergency continue to exist;

WHEREAS, all levels of government in Maryland must deploy resources to protect public health and safety;

WHEREAS, COVID-19 outbreaks continue to occur in Maryland's long-term-care living facilities;

WHEREAS, continued emergency response by the State is needed to maintain and further progress through the Maryland Strong: Roadmap for Recovery, including expanding COVID19 testing capacity, maintaining adequate patient surge capacity, supplying sufficient personal protective equipment, and executing a robust contact-tracing operation;

WHEREAS, to reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend the use of face coverings in public settings, continued social distancing, and avoiding gatherings;

WHEREAS, to reduce the threat to human health caused by transmission of the novel coronavirus in Maryland, and to protect and save lives, it is necessary and reasonable that individuals in the state avoid congregating;

WHEREAS, the ordinary conduct of the State's canvassing of ballots and observation of each part of the canvass for the June 2, 2020, primary election would, during the state of emergency and catastrophic health emergency, hinder social distancing, enable the transmission of the novel coronavirus, and pose risks to public health, welfare, and safety;

WHEREAS, the canvass of ballots and observation of each part of the canvass must be secure and safe; and

WHEREAS, COVID-19, the state of emergency and the catastrophic health emergency, and the State's emergency actions in response have impaired the ability of governmental officials, employees, and volunteers to conduct the canvass of ballots and observation of each part of the canvass in accordance with the existing statutory and legal systems and procedures;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE MARYLAND CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE AND TITLE 8 OF THE ELECTION LAW ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID19 WITHIN THE STATE, HEREBY DECLARE THAT A STATE OF EMERGENCY AND CATASTROPHIC HEALTH EMERGENCY CONTINUES TO EXIST WITHIN THE ENTIRE STATE OF MARYLAND, RENEW THE MARCH 5, 2020, PROCLAMATION, AND FURTHER PROVIDE AND ORDER, EFFECTIVE IMMEDIATELY:

I. Primary Election of June 2, 2020

A. Definitions.

i. "COVID-19 Guidance" means the applicable COVID-19 guidance published by the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health.

ii. "Primary Election" means the primary election of April 28, 2020, postponed to June 2, 2020, in all of the State.

iii. "State Board" means the State Board of Elections.

B. The COVID-19 Guidance shall be complied with to the maximum extent practicable for all aspects of the Primary Election, including the canvassing of ballots and observation of each part of the canvass.

C. The Primary Election shall minimize injury and damage from the COVID-19 public health catastrophe, and save lives, while, to the fullest extent possible given the interference in the electoral process from the state of emergency and catastrophic health emergency, inspire public confidence and trust in the conduct of the Primary Election by reasonably assuring under the circumstances that:

i. all persons served by the election system are treated fairly and equitably;

ii. all qualified persons may register to vote and that those who are not qualified do not vote;

iii. those who administer elections are well-trained, that they serve both those who vote and those who seek votes, and that they put the public interest ahead of partisan interests;

iv. full information on elections is provided to the public, including disclosure of campaign receipts and expenditures;

v. citizen convenience is emphasized as is feasible and does not endanger the public health, welfare, or safety;

vi. security and integrity are maintained in the casting of ballots, canvass of votes, and reporting of election results;

vii. the prevention of fraud and corruption is diligently pursued; and

viii. any offenses that occur are prosecuted.

D. All statutory and regulatory dates and time periods relating to the Primary Election may be postponed in the discretion of the State Board to conform to this Order.

E. The State Board shall have the authority to designate any of its employees or the State employees of any local board of elections as "emergency" and "essential" State employees or personnel for the purpose of performing duties necessary to conduct the Primary Election.

F. Notwithstanding any other prior Order of the Governor or related order of a political subdivision, all persons living in the State of Maryland may, in compliance with the COVID-19 Guidance, travel to locations where the canvassing of ballots in connection with the Primary Election is taking place, to:

i. Participate in the canvass as an administrator, official, employee, worker, or judge; or

ii. Observe and participate in the canvass as an observer or challenger, to the extent that the local board of elections has provided for in-person observation of and participation in the canvass.

II. Health care providers who act in good faith under this catastrophic health emergency proclamation, including orders issued under the proclamation by the Governor and by other State officials acting at the direction of or under delegated authority from the Governor, have the immunity provided by § 14-3A-06 of the Public Safety Article of the Maryland Code.

III. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this Order, or inconsistent with an action of the State Board pursuant to this Order, is hereby suspended.

Given Under My Hand and the Great Seal of the State of Maryland in the City of Annapolis, this 1st day of July, 2020.

Lawrence J. Hogan, Jr.
Governor

ATTEST:

John C. Wobensmith
Secretary of State