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Secretary of State
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STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 24

AN ORDER AMENDING EXECUTIVE ORDER NO. 15 SUSPENDING PROVISIONS OF CERTAIN STATUTES AND RULES AND TAKING OTHER NECESSARY MEASURES IN ORDER TO FACILITATE THE TREATMENT AND CONTAINMENT OF COVID-19

WHEREAS, on March 19, 2020, I issued Executive Order No. 15, which suspended certain statutes and rules and took other necessary measures to facilitate the treatment and containment of Coronavirus Disease 2019 (COVID-19), including invoking the Tennessee Price-Gouging Act of 2002 to protect Tennesseans from price gouging during this emergency; and

WHEREAS, the Tennessee Price-Gouging Act of 2002, and specifically Tennessee Code Annotated, Section 47-18-5103, provides that it may be invoked for a maximum of fifteen (15) calendar days, unless extended by a subsequent order, and because the emergency and abnormal economic disruption relating to COVID-19 remain ongoing, it is necessary to extend the application of the Tennessee Price-Gouging Act of 2002 for an additional fifteen (15) days; and

WHEREAS, furthermore, taking additional measures to limit the opportunities for community spread is necessary to contain COVID-19 and protect the health and safety of Tennesseans; and

WHEREAS, consistent with the guidance from President Trump and the Centers for Disease Control and Prevention (CDC), Tennesseans, businesses, places of worship, and governmental and nongovernmental entities and organizations of all types are working to limit the spread of COVID-19, and the provisions of this Order are designed to support such efforts, which will protect Tennesseans and allow normal activities to resume sooner; and

WHEREAS, in addition to the other emergency management powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, order evacuations from certain areas, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take

measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

WHEREAS, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the current emergency.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby declare that a state of emergency continues to exist in Tennessee and order the following:

Effective immediately, Executive Order No. 15, dated March 19, 2020, is amended by adding the following new paragraphs:

9.2 The relevant provisions of Tennessee Code Annotated, Title 63, and related rules are hereby suspended to the extent necessary to give the Commissioner of Health the authority to allow persons who have completed a master's degree or doctoral degree in a behavioral or mental health field, or in a field of study required for a license allowing the individual to diagnose behavioral or mental health disorders, to treat diagnosed behavioral or mental health conditions without a license and through use of telemedicine services; provided, that the person is, at all times, supervised by a person licensed under Title 63 with authorization to diagnose a behavioral or mental health condition. The Commissioner of Health shall provide the requisite form for practicing under this Paragraph 9.2 on the Department of Health's Health Professional Boards webpage.

13.1 Effective at 12:01 a.m., Central Daylight Time, on April 3, 2020, in accordance with Tennessee Code Annotated, Section 47-18-5103, it is hereby declared that an abnormal economic disruption continues to exist in Tennessee, and therefore, the prohibition on persons charging any other person a price for medical supplies, emergency supplies, or consumer food items, as listed in Tennessee Code Annotated, Section 47-18-5103(a)(1)(A), (C), and (D), that is grossly in excess of the price generally charged for the same or similar goods or services in the usual course of business is extended until 12:01 a.m., Central Daylight Time, on April 18, 2020.

17.1 The provisions of Tennessee Code Annotated, Section 50-7-304(b)(2)(C), stating that the separating employer's information describing the circumstances leading to the separation must be received by the agency within seven (7) days from the date the agency request for information is mailed to the separating employer are hereby suspended to the extent necessary to give the Commissioner of Labor and Workforce Development the discretion to require that the separating employer's information describing the circumstances leading to the separation must be received by the agency within four (4) days from the date the agency request for information is mailed to the separating employer.

20.1 The provisions of Tennessee Code Annotated, Section 36-3-103, are hereby suspended to the extent necessary to suspend until June 30, 2020, the expiration of

all valid marriage licenses issued by a county clerk and set to expire between March 12, 2020, and May 31, 2020.

20.2 The provisions of Tennessee Code Annotated, Title 67, Chapter 5, Part 7, and related rules are hereby suspended to the extent necessary to suspend until July 1, 2020, the deadline for filing applications for tax relief and tax freeze.

20.3 The provisions of Tennessee Code Annotated, Sections 2-10-115(a) and 8-50-501, Executive Order No. 2 (January 24, 2019), and related rules and policies are hereby suspended to the extent necessary to suspend until July 15, 2020, the due dates occurring between March 12, 2020, and May 18, 2020, for the filing of the Statement of Interests form with the Tennessee Ethics Commission and Counsel to the Governor, the Ethics Policy Compliance Certification and Conflict of Interest Statement form with the Counsel to the Governor, and the Conflict of Interest and Ethics Policy Receipt Statement form with the Counsel to the Governor.

20.4 The provisions of Tenn. Comp. R & Regs. 1110-02-.03(2) and (5) are suspended to the extent necessary to allow persons previously certified, and not decertified, as law enforcement officers in Tennessee or another state to work as full-time law enforcement officers for an employing agency without completing the Basic Law Enforcement Course or the POST Commission's three (3) week transition school within six (6) months of initial employment. The Commissioner of Commerce and Insurance is granted the discretion to reasonably extend the deadline for completing these requirements as is necessary to respond to the effects of COVID-19.

20.5 The provisions of Tennessee Code Annotated, Section 67-4-1703, are hereby suspended to the extent necessary to suspend until July 1, 2020, the payment due date and delinquency date for any professional privilege taxes due and payable beginning June 1, 2020, and continuing through June 30, 2020.

22.2 The provisions of Tennessee Code Annotated, Section 55-3-126(f), are hereby suspended to the extent necessary to allow for filing by a first lienholder or the lienholder's designee, and issuance by the Tennessee Secretary of State, of motor vehicle temporary liens to a first lienholder or the lienholder's designee when a manufacturer's statement of origin or an existing certificate of title on a motor vehicle is not unavailable.

23.5 The provisions of Tenn. Comp. R & Regs. 1340-02-05-.01 through 1340-02-05-.10 are hereby suspended to the extent necessary to suspend the due date for quarterly payments owed under payment plans between March 12, 2020, and May 18, 2020, until thirty (30) days after the expiration of this Order.

25.1 The provisions of Tennessee Code Annotated, Section 41-4-140, and Tenn. Comp. R & Regs. 1400-01-.02 are suspended to the extent necessary to allow the number of inmates awaiting transfer to the Department of Correction penal system to be discounted from any computations used to determine compliance with the

provisions of Tenn. Comp. R & Regs. 1400-01-.04 if the conditions set forth in Tenn. Comp. R & Regs. 1400-01-.02(4)(e)(2.)-(3.) apply.

25.2 The provisions of Tennessee Code Annotated, Section 41-4-140(d), and Tenn. Comp. R & Regs. 1400-01-.02(5) and (6) are hereby suspended to the extent necessary to suspend the requirement of plans of action reasonably expected to eliminate fixed ratio deficiencies in a facility during the period this Order is effective, to provide flexibility to local facilities to address issues related to COVID-19.

Effective immediately, Paragraph No. 20 of Executive Order No. 15, dated March 19, 2020, is hereby deleted in its entirety and the following language is substituted instead:

20. The provisions of Tennessee Code Annotated, Section 9-4-301(a), and Tennessee Department of Finance and Administration Policy 25 are hereby suspended to the extent necessary to allow the head of an administrative department of state government listed in Tennessee Code Annotated, Section 4-3-101, to implement processes that will safeguard the health, welfare, and safety of employees handling and processing payment instruments.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 3rd day of April, 2020.

GOVERNOR

ATTEST:

SECRETARY OF STATE