STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7Q

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – CHILDCARE SAFETY, REMOTE NOTARIZATION UPDATE

WHEREAS, on March 10, 2020, I issued a declaration of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed spread in Connecticut; and

WHEREAS, pursuant to such declaration, I have issued seventeen (17) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the risk of severe illness and death from COVID-19 appears to be higher for individuals who are 60 years of age or older and for those who have chronic health conditions; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention and the Connecticut Department of Public Health recommend implementation of community mitigation strategies to increase containment of the virus and to slow transmission of the virus, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, ongoing childcare operations are necessary to support the essential workforce, and it is vital to protect the health and safety of children and staff in childcare facilities and limit the spread of COVID-19; and

WHEREAS, current regulations allow group sizes of as many as 20 children in childcare facilities, increasing the risk of transmission of COVID-19 among staff, children, and their families, and reducing such group sizes is necessary to reduce such risk; and

WHEREAS, certain documents require the in-person services of a Notary Public or Commissioner of the Superior Court and such interactions should be avoided to the maximum

extent possible in order to promote social distancing and the mitigation of the spread of the COIVD-19; and

WHEREAS, certain documents, in addition to notarization or acknowledgement, require the presence of in-person witnesses to their signature, which could increase the risk of transmission of COVID-19; and

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT:**

1. **Limited Group Sizes in Childcare.** To limit the spread of COVID-19 and protect the health and safety of children and staff in all child care facilities that are continuing to operate during this civil preparedness and public health emergency, Section 19a-79 and any related regulations, rules, or policies, are modified to require that all child care facilities shall limit group sizes to no more than ten children in one space, and to authorize the Commissioner of Early Childhood to issue any implementing orders she deems necessary. Any childcare operation seeking to caring for more than thirty children in one facility shall seek approval to do so from the Commissioner and demonstrate sufficient separation of groups within the facility. This order applies to all childcare operations, including but not limited to childcare centers, group childcare homes, family childcare homes, youth camps, and childcare facilities that are exempt from licensing requirements pursuant to Section 19a-77 of the Connecticut General Statues.

2. **Enhanced Health Procedures for All Operating Child Care Programs.** All children and childcare workers shall be screened before entrance to any childcare operation, as described herein, for any observable illness, including cough or respiratory distress, and to confirm body temperature below one hundred degrees Fahrenheit. All staff shall practice enhanced handwashing and health practices, including covering coughs and sneezes with a tissue or the corner of the elbow and assisting children with such increased handwashing and health practices. Enhanced cleaning and disinfection practices shall be implemented in all facilities to prevent the spread of COVID-19. This order applies to all childcare operations including but not limited to childcare centers, group childcare homes, family childcare homes, youth camps, and childcare facilities that are exempt from licensing requirements pursuant to Section 19a-77 of the Connecticut General Statues. The Commissioner of Early Childhood may issue any implementing orders she deems necessary consistent with this order.

3. **Remote Notarization - Amended Procedures.** Effective immediately and through June 23, 2020, unless modified, extended or terminated by me, Section 3 of my prior Executive Order 7K concerning remote notarizations is hereby superseded and replaced in its entirety by this Executive Order. All relevant state laws and regulations

are hereby modified to permit any notarial act that is required under Connecticut law to be performed using an electronic device or process that allows a notary public commissioned by the Connecticut Secretary of the State pursuant to section 3-94b of the Connecticut General Statutes ("Notary Public") or a Commissioner of the Superior Court as defined by section 51-85 of the Connecticut General Statutes ("Commissioner") and a remotely located individual to communicate with each other simultaneously by sight and sound ("Communication Technology"), provided that the following conditions are met:

a. The person seeking the notarial act ("Signatory") from a Notary Public or Commissioner, if not personally known to the Notary Public or Commissioner, shall present satisfactory evidence of identity, as defined by subsection 10 of section 3-94a of the General Statutes, while connected to the Communication Technology, not merely transmit it prior to or after the transaction;

b. The Communication Technology must be capable of recording the complete notarial act and such recording shall be made and retained by the Notary Public for a period of not less than ten (10) years;

c. The Signatory must affirmatively represent via the Communication Technology that he or she is physically situated in the State of Connecticut;

d. The Signatory must transmit by fax or electronic means a legible copy of the signed document directly to the Notary Public or Commissioner on the same date it was executed;

e. The Notary Public or Commissioner may notarize the transmitted copy of the document and transmit the same back to the Signatory by fax or electronic means;

f. The Notary Public or Commissioner may repeat the notarization of the original signed document as of the date of execution, provided the Notary Public or Commissioner receives such original signed document, together with the electronically notarized copy, within thirty days after the date of execution;

g. Notwithstanding the foregoing, only an attorney admitted to practice law in the State of Connecticut and in good standing may remotely administer a self-proving affidavit to a Last Will and Testament pursuant to section 45a-285 of the General Statues or conduct a real estate closing as required by Public Act 19-88. Any witnessing requirement for a Last Will and Testament may be satisfied remotely through the use of Communication

Technology if it is completed under the supervision of a Commissioner. The supervising Commissioner shall certify that he or she supervised the remote witnessing of the Last Will and Testament

h. All witness requirements on any document, other than a Last Will and Testament, requiring a notarial act are hereby suspended for the duration of this Executive Order.

i. All Remotely Notarized documents pertaining to real property shall be accepted for recording on the land records by all Connecticut Town or City Clerks. A one-page certification confirming the use of Remote Notarization procedures shall be attached to each remotely notarized document submitted for recording on the land records in Connecticut.

Unless otherwise specified herein, this order shall take effect immediately and shall remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated by me.

Dated at Hartford, Connecticut, this 30th day of March, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State