STATE OF MISSISSIPPI

Office of the Governor

EXECUTIVE ORDER NO. 1535

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. § 33-15-11(b)(17), I issued a Proclamation declaring that a State of Emergency exists in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic, and on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and Mississippi significantly impacts the life and health of our people, as well as the economy of Mississippi; and

WHEREAS, with vigilance and common sense, and as a result of the continued sacrifices made by all Mississippians in the interest of public health over the past eight months, COVID-19 infections and resulting hospitalizations have been effectively managed; and

WHEREAS, as the scientific community learns more about the novel coronavirus, the near unanimous opinion of the scientific community, including the recommendations of the CDC, the Mississippi State Department of Health and the State Health Officer, is that the transmission of COVID-19 can be greatly reduced if people will wear a face covering in public spaces, practice social distancing by maintaining a minimum of six feet separation between people not in their household, minimize social gatherings, and practice good hand hygiene; and

WHEREAS, Mississippi must continue to protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, as Mississippi continues to safely recover the key to reducing spread of COVID-19 is the continued implementation of reasonable public health measures under the current circumstances including social distancing, limited capacity of gatherings where individuals are in prolonged close proximity, and use of face coverings for individuals engaged in close proximity activities and for prolonged gatherings where social distancing is not feasible; and

WHEREAS, continuing to follow a measured and strategic plan to allow all businesses and non-profits, as well as all Mississippi schools to continue to operate within the State of Mississippi is essential to the health, safety and well-being of Mississippi residents; and

WHEREAS, in consultation with the State Health Officer, Mississippi can continue business, healthcare, educational and recreational activities as set forth herein.

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, by the authority vested in me by the Constitution, the Mississippi Emergency Management Law as amended, Miss. Code. Ann.§ 33-15-1 *et seq.*, and other laws of the State of Mississippi, and in consultation with the State Health Officer do hereby order and direct as follows:

I. Repeal: ***Executive Order 1525*** and all amendments thereto are rescinded and shall stand repealed.

II. Safe Recovery Order:

a. ***Duration:*** This Safe Recovery Order shall be effective at 5:00 p.m. on Friday, December 11, 2020, and shall remain in full force and effect until 5:00 p.m. on Friday, January 15, 2021, unless rescinded, modified or extended.

b. All persons within the State of Mississippi are strongly encouraged to follow the CDC's and Mississippi State Department of Health's guidelines to prevent the spread of COVID-19 including:
   i. Wearing a face covering, covering the nose and mouth, while in public spaces whenever it is not possible to maintain a minimum of six feet of social distancing from persons not in the same household;
   ii. Avoid large gatherings, particularly indoor gatherings;
   iii. Maintain social distancing (at least six feet) between persons not in your household;
   iv. Practice good hand hygiene, including washing your hands often with soap and water for at least 20 seconds especially after you have been in a public space; and
   v. Stay at home if you feel sick or have any symptoms of COVID-19.

c. ***Group Gatherings (Social Distancing IS NOT Possible):*** Public and private social gatherings and recreational activities shall be limited to groups of no more than ten (10) people in a single indoor space or groups of no more than fifty (50) people in an outdoor space where individuals not in the same household are in close proximity (less than 6 feet) to each other. This limitation does not apply to religious entities, voting precincts, students in classrooms or gatherings in facilities or venues governed by other capacity limitations contained herein.

d. ***Face Coverings:*** Every person in Mississippi shall wear a face covering, covering the nose and mouth, while inside a school building or classroom, or when outdoors on a school campus whenever it is not possible to maintain a minimum of six feet of social distancing from another person not in the same household, except face coverings are not required for the following:
   i. Persons who cannot wear a face covering due to a medical or behavioral condition, who have trouble breathing or are incapacitated, or whose healthcare professional has recommended that a face covering not be worn;
   ii. Persons seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
   iii. Persons while eating or drinking;
   iv. Persons in a building or engaged in an activity that utilizes or requires security surveillance or screening, and only during such times when these persons are under security surveillance or screening;
   v. Persons engaged in swimming activities or other activities while in a swimming pool;
   vi. Persons engaged in exercising in fitness and exercise gyms or other sports activity;
   vii. Persons engaged in organized school athletic practices, including weight training;
   viii. Persons, including teachers, while giving a speech, presentation or performance for a broadcast or to an audience, including students;
   ix. Persons actively providing or obtaining access to religious worship (***NOTE*** wearing a face covering is strongly encouraged);
   x. Children under the age of six (6) (***NOTE*** parents and guardians shall be responsible for ensuring proper use of face coverings by children and must ensure that face coverings do not pose a choking hazard and can be safely worn without obstructing a child's ability to breathe.); and
   xi. Other settings when it is not practical or feasible to wear a face covering.

e. ***Business Operations:*** All business and non-profit entities operating within the State of Mississippi shall make reasonable, good-faith efforts to comply with the CDC's and Mississippi State Department of Health's regulations and guidelines to prevent the spread of COVID-19, including:
   i. Implementing screening protocols of employees and volunteers for COVID-19 at the beginning of each shift;
   ii. Sending sick employees home and actively encouraging sick employees to stay at home;
   iii. Unless otherwise provided herein, limiting the number of customers/visitors in the business at one time to no greater than 75% of the business's capacity

provided a minimum of six feet of social distancing may be maintained between persons not in the same household. This limitation does not apply to religious entities, voting precincts, students in classrooms or gatherings governed by other capacity limitations contained herein;

iv. Requiring appropriate PPE to be worn by all employees while at work or on duty based on their duties and responsibilities and in adherence to federal, state and local regulations and guidelines, and strongly encouraging a face covering, covering the nose and mouth, for all public-facing employees while on duty and for all employees when it is not possible for the employees to maintain a minimum of six feet separation from customers/visitors or co-workers;

v. Adopting measures to ensure social distancing between customers/visitors not in the same household;

vi. Adopting and enforcing regular and proper hand washing and personal hygiene protocols;

vii. Frequent cleaning of high-contact surfaces (such as retail counters, door handles, and credit card machines);

viii. Making hand sanitizer available to all customers and visitors at points of entry and throughout the business; and

ix. Posting prominent signage at all points of entry requiring customers and visitors to maintain a minimum of six feet of separation between individuals not in the same household, and that customers and visitors (other than patients/customers of a healthcare facility or business who are seeking screening, assessment, diagnosis, care or treatment for COVID-19) not be permitted to enter the premises if they display any symptoms of COVID-19.

f. ***Restaurants and Bars:*** In addition to the requirements of Paragraph II(e), restaurants and bars shall operate subject to the following limitations:

i. Update their floor plans to ensure at least six feet of separation between each party/group whether dining indoor or outdoor;

ii. Limit party sizes to a maximum of ten persons per table;

iii. Appropriate PPE shall be worn by all employees based on their duties and responsibilities and in adherence to federal, state and local regulations and guidelines. Every employee who comes into contact with customers shall be provided a cloth mask and shall be required to wear that mask while on duty;

iv. Customers shall be screened for illness prior to entry;

v. Alcohol may be served only to customers that are seated; and

vi. Alcohol may not be sold between the hours of 11:00 p.m. and 7:00 a.m.

g. ***Reception Halls and Conference Centers:*** In addition to the requirements of Paragraph II(e), reception halls and conference centers shall operate subject to the following limitations:

i. Except as otherwise provided herein, the number of guests in the reception hall or conference center shall be no greater than 50% of the maximum seating capacity, with strict social distancing between individuals not in the same household.

ii. For seated dinners only, reception halls and conference centers shall limit the number of guests to no greater than 75% of maximum seating capacity. Tables shall be arranged to ensure a minimum of 6 feet of separation between tables. Seating at each table shall be limited to a maximum of 10 guests with strict social distancing.

iii. Food services are subject to the limitations contained in Paragraph II(f).

iv. These limitations apply to events and receptions held in outdoor event tents.

h. ***Auditoriums and Movie Theaters:*** In addition to the requirements of Paragraph II(e), auditoriums and movie theaters shall limit ticket sales to 50% of maximum seating capacity, provided a minimum of six feet of social distancing may be maintained between persons not in the same household.

i. ***Close Contact and Personal Care Services:*** In addition to the requirements of Paragraph II(e), close contact personal care services, including salons, barber shops, spas, massage parlors, personal care and personal grooming facilities, body art and tattoo services, and tanning salons shall operate subject to the following limitations:

i. Every employee shall be required to wear a face covering, covering the nose and mouth, while on duty;
ii. All employees should wash hands between serving each customer, and more frequently as necessary. If appropriate for the service provided, gloves are recommended and should be discarded after each customer;
iii. Customers shall wear a face covering, covering the nose and mouth, while inside the facility except when receiving a service that otherwise could not be provided while wearing a face covering;
iv. The number of customers inside the facility shall be limited to ensure a minimum of six feet of separation between persons not in the same household; and
v. Customers shall be screened for illness prior to entry into the facility.

j. ***Outdoor Sports Complexes and Multi-Field Complexes:*** In addition to the requirements of Paragraph II(e), outdoor sports complexes and multi-field complexes may continue to host team organized practices and games subject to the following limitations:
i. The number of fans around the field shall be limited to ensure a minimum of six feet of separation between persons not in the same household.
ii. Concession stands may be open subject to the following limitations: (i) employees/volunteers operating the concession stand that come into direct contact with customers shall be provided a cloth mask and required to wear the mask while on duty; (ii) social distancing (of a minimum of six feet) shall be observed by customers waiting in line at the concession stand; (iii) customers/guests are not permitted to congregate in the area of the concession stand; and (iv) before beginning their work shift, all concession stand employees shall be screened for any symptoms of COVID-19. "Grab and go" food and beverage services are strongly encouraged, and condiments shall be offered only as single-serve condiments.
iii. Prominent signage shall be posted at all points of entry mandating that attendees shall maintain a minimum of six feet of separation from all persons not in their household, and that attendees shall not enter the venue if they display any symptoms of COVID-19.
iv. All entry/exit gates and restrooms shall be open. Social distancing (of a minimum of six feet) shall be observed by all fans/attendees waiting in line at entrance/exits and restrooms. Fans/attendees shall not be permitted to congregate in the area around entrances/exits or restrooms.
v. Fans are strongly encouraged to wear a face covering, covering their nose and mouth, while attending games.
vi. Every league, tournament, event or facility shall have a dedicated Safety Officer to ensure that all elements of social distancing are enforced. The Safety Officer shall have sufficient staff to ensure that strict social distancing is observed by all players, coaches and fans at all times.

k. ***Outdoor Arenas:*** In addition to the requirements of Paragraph II(e), the number of guests in outdoor arenas shall be no greater than 25% of the maximum seating capacity. All arena entrances/exits and restrooms shall be open. Social distancing (of a minimum of six feet) shall be observed by all attendees waiting in line at arena entrance/exits and restrooms. Attendees shall not be permitted to congregate in the area of arena entrances/exits or restrooms. Concession stands may be open subject to the following limitations: (i) employees/volunteers operating the concession stand that come into direct contact with customers shall be provided a cloth mask and required to wear the mask while on duty; (ii) social distancing (of a minimum of six feet) shall be observed by customers waiting in line at the concession stand; (iii) customers/guests are not permitted to congregate in the area of the concession stand; and (iv) before beginning their work shift, all concession stand employees shall be screened for any symptoms of COVID-19. "Grab and go" food and beverage services are strongly encouraged, and condiments shall be offered only as single-serve condiments.

l. ***Indoor Arenas:*** In addition to the requirements of Paragraph II(e), the number of guests in indoor arenas shall be no greater than the ***lesser of*** 10% of the maximum seating capacity of the indoor arena or 1,000 ticketed attendees. All arena entry/exit gates and restrooms shall be open. Social distancing (of a minimum of six feet) shall

be observed by all attendees waiting in line at arena entrance/exits and restrooms. Attendees shall not be permitted to congregate in the area of arena entrances/exits or restrooms. Concession stands may be open subject to the following limitations: (i) employees/volunteers operating the concession stand that come into direct contact with customers shall be provided a cloth mask and required to wear the mask while on duty; (ii) social distancing (of a minimum of six feet) shall be observed by customers waiting in line at the concession stand; (iii) customers/guests are not permitted to congregate in the area of the concession stand; and (iv) before beginning their work shift, all concession stand employees shall be screened for any symptoms of COVID-19. "Grab and go" food and beverage services are strongly encouraged, and condiments shall be offered only as single-serve condiments.

m. ***K-12 Organized Extracurricular Events:*** Attendance at K-12 outdoor and indoor organized extracurricular events, including but not limited to athletic competitions, band performances and concerts, cheer performances, and theater performances shall be permitted subject to the following limitations:

i. Attendance at outdoor venues shall be limited to a maximum of 50% of the outdoor venue's seating capacity depending on space available to ensure a minimum of six feet social distancing between persons not in the same household.

ii. Attendance at indoor venues shall be limited a maximum of the ***lesser of*** four (4) attendees per student participant or 250 ticketed attendees (excluding coaches, directors, teachers, referees/officials, medical personnel, staff/workers and press/media) depending on space available to ensure a minimum of six feet social distancing between persons not in the same household.

iii. All venue entry/exit gates and restrooms shall be open. Social distancing (of a minimum of six feet) shall be observed by all attendees waiting in line at venue entrance/exits and restrooms. Attendees shall not be permitted to congregate in the area of venue entrances/exits or restrooms.

iv. Face coverings shall be worn by all attendees 6 years of age or older to enter and exit the venue, at all times when attendees are "in transit" within the venue, in restrooms and concession sales areas, and when it is not possible to maintain a minimum of six feet of separation from persons not in the same household. Face coverings are recommended and strongly encouraged in seating areas even when it is possible to maintain six feet of separation from persons not in the same household. All employees, staff, workers and volunteers are strongly encouraged to wear a face covering, covering the nose and mouth, while on duty.

v. Attendees shall at all times attempt to maintain a minimum of six feet of separation from persons not in their household.

vi. Prominent signage shall be posted at all points of entry mandating that a face covering shall be worn in compliance with the requirements herein, that attendees shall maintain a minimum of six feet of separation from all persons not in their household, and that attendees shall not enter the venue if they display any symptoms of COVID-19.

vii. Concession stands may be open subject to the following limitations: (i) employees/volunteers operating the concession stand that come into direct contact with customers shall be provided a cloth mask and required to wear the mask while on duty; (ii) social distancing (of a minimum of six feet) shall be observed by customers waiting in line at the concession stand; (iii) customers/guests are not permitted to congregate in the area of the concession stand; and (iv) before beginning their work shift, all concession stand employees shall be screened for any symptoms of COVID-19. "Grab and go" food and beverage services are strongly encouraged, and condiments shall be offered only as single-serve condiments.

viii. Every K-12 organized extracurricular event shall have a dedicated Safety Officer to ensure that all limitations contained in this Executive Order are observed and enforced. The Safety Officer shall have sufficient staff to ensure compliance with these limitations.

n. ***College and University Outdoor Stadiums:*** Attendance at events held in college and university outdoor stadiums shall be permitted subject to the following limitations:

i. Seating Capacity:

1. Bowl seating: Bowl seating shall be limited to a maximum of 25% seating capacity depending on space available to ensure a minimum of six feet of social distancing between persons not in the same household.
2. Club areas: Indoor club areas shall be limited to a maximum of 75% seating capacity depending on space available to ensure a minimum of six feet social distancing between persons not in the same household, with an additional 25% seating capacity in any outdoor seating areas.
3. Suites: Suite capacity shall be limited to a maximum of 75% seated capacity (indoor and outdoor) depending on space available to ensure a minimum of six feet social distancing between persons not in the same household.

ii. Outdoor Social Gatherings Around College and University Stadiums:

All game day/event day social gatherings outside college and university stadiums shall be strictly prohibited. This prohibition applies to all tailgating, picnics, fanfare areas, and the like.

iii. College and University Stadium Operations:

1. Face coverings shall be worn by all attendees 6 years of age or older to enter and exit a college or university stadium, at all times when attendees are "in transit" within the concourse, elevators, restrooms, and concession sales areas and when it is not possible to maintain a minimum of six feet of separation from persons not in the same household. Face coverings are recommended and strongly encouraged in seating areas even when it is possible to maintain six feet of separation from persons not in the same household. All credentialed game day workers and employees are strongly encouraged to wear face coverings at all times.
2. Attendees shall at all times attempt to maintain a minimum of six feet of separation from persons not in the same household.
3. Prominent signage shall be posted in parking lots, pedestrian paths to the stadium, at all points of entry and in the area of concessions and restrooms mandating that a face covering shall be worn in compliance with the requirements herein, that attendees shall maintain a minimum of six feet of separation from all persons not in the same household and that attendees shall not enter the stadium if they display any symptom of COVID-19.
4. All stadium entry/exit gates and restrooms shall be open. Social distancing (of a minimum of six feet) shall be observed by all attendees waiting in line at stadium gates and restrooms. Attendees shall not be permitted to congregate in the area of stadium gates or restrooms.
5. Concession stands may be open subject to the following limitations: (i) employees/volunteers operating the concession stand that come into direct contact with customers shall be provided a cloth mask and required to wear the mask while on duty; (ii) social distancing (of a minimum of six feet) shall be observed by customers waiting in line at the concession stand; (iii) customers/guests are not permitted to congregate in the area of the concession stand; and (iv) before beginning their work shift, all concession stand employees shall be screened for any symptoms of COVID-19. "Grab and go" food and beverage services are strongly encouraged, and condiments shall be offered only as single-serve condiments.
6. Hand sanitizing and/or hand washing stations shall be available at all entry gates, in stadium concourses and throughout all stadium areas.
7. To the extent possible, all transactions shall be contactless or touchless such as mobile ticketing, contactless–ticket scanning, touchless restroom fixtures, cashless concession sales, and the like.
8. Elevator capacity shall be restricted to family units or a maximum of five (5) attendees based on manufacturer/service provider recommendations. The use of pedestrian ramps shall be encouraged.

9. Sideline regulations shall be strictly enforced to minimize the number of individuals on the field to those who are essential for game play.
10. The college or university shall designate a Safety Officer with staff in a sufficient number to ensure that all limitations contained in this Executive Order are observed and enforced.

o. ***Other Activities***: All other activities and events, including outdoor events, not otherwise provided for herein, in addition to the requirements of Paragraph II(e) and subject to the limitations or requirements imposed by County and Local Municipal Authorities, shall limit attendance to no greater than 75% percent capacity or, if in large open areas, limit capacity depending on space available to ensure a minimum of six feet social distancing between persons not in the same household. Organizers should ensure that attendees not be permitted to congregate in groups larger than the ***Group Gathering*** limitations provided herein, and shall take actions and implement measures based on good-faith efforts to comply with the CDC's and Mississippi State Department of Health's regulations and guidelines to prevent the spread of COVID-19.

p. ***Hospital Capacity***: In order to perform non-emergent, elective medical procedures and surgeries, the healthcare facility where such procedures and surgeries are performed must reserve at least 10% of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients.

q. ***County and Local Municipal Authority***: Nothing in this Executive Order shall limit or alter the authority of any local or county authority from adopting orders, rules, regulations, resolutions, and actions that are more strict than established herein, including face covering requirements, provided that they do not impose restrictions that prevent any Essential Business Operations as identified in Executive Order No. 1463 as Supplemented from operating at such level necessary to provide essential services and functions during this COVID-19 State of Emergency.

III. Courts Are Open:
a. Pursuant to Article 3, §§ 24, 25, 26, and 26A of the Mississippi Constitution, and consistent with administrative orders of the Supreme Court of the State of Mississippi, all State Courts are open to fulfill their constitutional and statutory duties.
b. Nothing in this or any Executive Order issued in response to COVID-19 is intended to conflict with or otherwise infringe upon any administrative order issued by or under the direction of the Supreme Court of the State of Mississippi.

IV. Enforcement of Safe Recovery Order:
a. This Executive Order may be enforced by all State, County and Local law enforcement, as well as by other governmental entities (such as State and local departments of health) to the fullest extent under Mississippi law including, *inter alia*, Miss. Code. Ann. §§ 33-15-11(b)(5) and 33-15-11(b)(6).
b. Violations of this Executive Order are subject to the provisions of Miss. Code Ann. § 33-15-43.

V. Delegate Authority to Issue and Enforce Quarantine and Isolation Orders:
a. Pursuant to Miss. Code Ann. §§ 33-15-11(b)(5) and 33-15-31, the State Health Officer in consultation with the Governor is authorized and empowered to issue such orders as necessary to carry out, implement, and enforce any quarantine or isolation orders to contain and restrict transmission of COVID-19.
b. That this authority is in addition to, and consistent with, the Mississippi State Department of Health's authority to issue, maintain and enforce isolation and quarantine orders pursuant to Miss. Code Ann. § 41-23-5 and other controlling law.
c. Nothing in this Executive Order limits or alters the authority under Miss. Code Ann. § 21-19-3 for a governing authority of a municipality to enact and enforce more restrictive measures to contain and restrict transmission of COVID-19.

VI. That all departments, commissions, agencies, institutions, and boards of the State of Mississippi, political subdivisions thereof, counties, municipalities and school districts are authorized and directed to cooperate in actions and measures taken in response to COVID-19 during the State of Emergency.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the 9TH day of December, in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fifth.

TATE REEVES
GOVERNOR

BY THE GOVERNOR

MICHAEL WATSON
SECRETARY OF STATE