STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2020-20

Whereas, An outbreak of the severe respiratory disease, COVID-19, which is caused by and is transmitted by the person-to-person spread of the novel coronavirus, started in late 2019 and has currently been detected across the world, including the United States; and,

Whereas, The World Health Organization has designated COVID-19 a pandemic, and the U.S. Centers for Disease Control and Prevention (CDC) has declared a public health emergency; and,

Whereas, The CDC has issued guidance to state and local governments and all citizens recommending steps to prevent community spread and guard against the COVID-19 outbreak; and,

Whereas, South Dakota has confirmed cases of COVID-19, making this a public health emergency posing a danger to public health and safety in all of South Dakota and causing a state of emergency to be declared by Executive Order 2020-04 on March 13, 2020, which has been extended by Executive Order 2020-15, and continues to currently exist within the State of South Dakota until its expiration on May 31, 2020, unless sooner terminated or extended; and,

Whereas, The CDC continues to issue updated guidance to all citizens to take precautions every day to guard against contracting the disease, and specifically to the population of older adults and people with serious underlying medical conditions to stay home; and,

Whereas, Current projections released by the state Department of Health, endorsed by the state's major health systems, and informed by scientific data and expertise, indicate that due to the citizens of South Dakota following the guidelines and directions stating in Executive Order 2020-12, 2020-13, and 2020-18, the potential demand of hospitals due to the novel coronavirus has been reduced, South Dakota has flattened its curve slowing the spread of COVID-19, and beginning to resume normal activity is possible with a well-followed and deliberate plan; and,

Whereas, As members of our communities, South Dakotans have joined together in these times of crisis to confront difficult times and have helped their neighbors and shown that they are dedicated to following the directions and guidance to respond to this pandemic:

NOW, THEREFORE, I, KRISTI NOEM, Governor of the State of South Dakota, by the authority vested in me by the Constitution and the Laws of this State, including but not limited to SDCL 34-48A, do hereby Order and Direct the following:

Section 1 Back to Normal Plan. Every South Dakotan shall implement and follow South Dakota's "Back to Normal Plan," or the "Plan," dated April 28, 2020 and attached to this Executive Order, or a later updated version of the Plan. The Plan details the expectations for individuals, businesses, schools, health care providers, and local governments to return to normal business and social interactions while accounting for the inherent uncertainties of this pandemic. The Plan may be amended to respond to changing circumstances after consultation with the

Medical Review Task Force and a thorough understanding of the data, facts, and science that inform this Plan. The most current version shall be followed and can be found at covid.sd.gov.

Section 2 Personal Responsibility. The success of this Plan will depend in large part on the ability of individuals, employers, businesses, schools, health care providers, and local governments to exercise personal responsibility and common sense to help reduce future business and social disruption.

Section 3 Local Governments Within the State of South Dakota. Local governments shall follow the Plan for their respective jurisdictions.

Section 4 Executive Order 2020-12. Executive Order 2020-12 is hereby rescinded.

Section 5 Limitations:

A. This Order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State of South Dakota, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

B. Sovereign nations within the borders of South Dakota should review the matters set forth herein and make their own decisions in accordance with tribal law.

C. This Order is based on developing data, facts, and science and may be rescinded or amended, and shall be in effect for the duration of the COVID-19 State of Emergency declared by Executive Order 2020-04, extended by Executive Order 2020-15.

Dated in Pierre, South Dakota this 28th day of April, 2020.

Kristi Noem
Governor of South Dakota

ATTEST:

Steve Barnett
Secretary of State