EXECUTIVE ORDER NO. 232

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, 215, 222, and 231, issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, December 21, 2020, January 19, 2021, February 17, 2021, and March 17, 2021, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID19; and

WHEREAS, as COVID-19 has continued to spread across New Jersey, I have issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183, Nos. 186-187 and Nos. 189-198, No. 200, Nos. 203-204, No. 207, and 210-211 (2020) and Nos. 214-216, Nos. 219-220, Nos. 222-223, No. 225, and Nos. 228-231 (2021), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, to limit community spread from person-to-person contact through use of social mitigation measures, Executive Order No. 107 (2020) closed all recreational and entertainment businesses, and limited certain activities, including gatherings; and

WHEREAS, after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, because of the progress we had made in our fight against the COVID-19 pandemic in New Jersey, I was able to permit sporting events to resume in New Jersey, subject to strict health and safety protocols; and

WHEREAS, following significant increases in certain key metrics, I issued Executive Order No. 194 on November 10, 2020, which prohibited interstate indoor youth sports competitions from taking place in New Jersey and prohibited New Jersey teams from hosting interstate competitions outside of the State; and

WHEREAS, Administrative Order No. 2020-25, issued December 31, 2020, clarified that interstate outdoor youth sports competitions are also prohibited within New Jersey; and

WHEREAS, Executive Order No. 204 (2020) stated that outdoor athletic practices and competitions were subject to the outdoor gathering limit of 25 persons, but permitted those events to exceed the gathering limits so long as no individuals were present who were not necessary for the event; and

WHEREAS, Executive Order No. 220 (2021) explicitly permitted a limited number of parents and guardians to attend indoor and outdoor non-collegiate, non-professional sporting events; and

WHEREAS, in the past twelve months, we have gained critical knowledge regarding COVID-19, including a better understanding of the risks associated with certain activities, the activities that are most conducive to spread of the virus, and the safeguards that can be implemented to mitigate those risks; and

WHEREAS, this information, together with expanded access to testing, personal protective equipment, and other materials necessary to protect individuals from spread of the virus, as well as the ongoing COVID-19 Vaccination Plan ("Plan") discussed below, allows for certain activities to continue subject to more limited restrictions; and

WHEREAS, the number of hospitalized patients, patients in intensive care, and ventilators in use has decreased drastically over the past two months, and has remained stable during the last several weeks; and

WHEREAS, given the decrease in these key statistics, the State can take cautious, incremental steps to lift certain restrictions that were designed to limit person-to-person contact, particularly activities that are conducted outdoors; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has released strategies for mitigating risk at sporting competitions, which are reflected in current guidance from the DOH; and

WHEREAS, it is thus reasonable to permit interstate outdoor youth sports competitions to resume, where such events remain subject to DOH guidance and to the State's limitations on gatherings; and

WHEREAS, as part of the State's response to COVID-19, DOH has created a comprehensive Plan to manage the receipt, administration, and tracking of the vaccines developed to inoculate the State's residents and workforce against COVID-19; and

WHEREAS, the State has thus far administered over 3 million doses of COVID-19 vaccines to individuals that live, work, and are educated in New Jersey and fit into specified high-risk categories, including healthcare workers and residents and staff of congregate care facilities that are at greater risk of exposure to COVID-19, public safety workers, individuals over the age of 65, individuals aged 16 to 64 years who are more inclined to severe illness as the result of exposure to COVID-19, certain educators and child care workers, and public and local transportation workers; and

WHEREAS, the process of vaccinating the population to levels sufficient to establish community immunity is expected to take several months; and

WHEREAS, while New Jersey is rapidly expanding its capacity to vaccinate large numbers of individuals each day, it is still appropriate to maintain mitigation protocols, including overall limits on capacity in establishments open to the public, to ensure spread is limited while dissemination of the vaccine continues; and

WHEREAS, it is critical that individuals continue to follow social distancing, masking, and other infection control protocols while vaccine administration is ongoing in the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:24 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Outdoor interstate youth sports competitions – including those operated by school-based, club, and recreational programs — are permitted to resume within the State. School-based, club, and recreational programs are also permitted to host outdoor interstate youth sports competitions outside of New Jersey, or outdoor youth sports competitions outside of New Jersey that would require New Jersey teams to travel to another state. Administrative Order No. 2020-25 is hereby rescinded.

2. For purposes of this Order, "outdoor interstate youth sports competition" includes any sports game, scrimmage, tournament, or similar competition that is conducted outdoors with opposing teams or individuals from different states competing against each other and which would

require an opposing team or individual to travel from a state outside of New Jersey.

3. All non-collegiate and non-professional athletic practices and competitions that are conducted outdoors continue to be subject to the current outdoor gathering limit of 50 persons, as most recently stated in Executive Order No. 230 (2021). However, if the number of individuals who are necessary for the practice or competition, such as athletes, coaches, and referees, is greater than 50 persons, such a practice or competition may proceed, as long as no individuals are present who are not necessary for the practice or competition. Operators of such sports activities may permit up to two parents or guardians per athlete under the age of twenty-one participating in the practice or competition to attend provided all attendees abide by the applicable requirements in the DOH's "Guidance for Sports Activities." Such parents and guardians shall be considered necessary for the practice or competition.

4. The State Director of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to the terms of this Order.

5. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully in all matters concerning this Order.

6. No municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will or might in any way interfere with or impede its achievement, except as otherwise provided in Executive Order No. 195 (2020).

7. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

8. This Order shall take effect at 6:00 a.m. on Friday, March 19, 2021, and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

GIVEN, under my hand and seal this 17th day of March, Two Thousand and Twenty-one, and of the Independence of the United States, the Two Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor