GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

EXECUTIVE ORDER

Executive Order 2021-06

New Phase of COVID-19 Mitigation
Business Guidelines Transition From Requirements To Recommendations

WHEREAS, on March 11, 2020, pursuant to A.R.S. §§ 26-303 and 36-787, I, as Governor of the State of Arizona, issued a declaration of a Public Health State of Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19; and

WHEREAS, on March 30, 2020, the Director of the Arizona Department of Health Services (ADHS), based on an epidemiological assessment of Arizona specific data and in alignment with the Centers for Disease Control and Prevention (CDC) guidance, recommended the State implement enhanced mitigation strategies which are continuing; and

WHEREAS, on May 12, 2020, Executive Order 2020-36, *Stay Healthy, Return Smarter, Return Stronger*, was issued directing businesses, institutions, professions and entities to develop, establish and implement policies to mitigate COVID-19; and

WHEREAS, on June 17, 2020, Executive Order 2020-40, *Containing the Spread of COVID-19*, was issued requiring businesses to enforce COVID-19 mitigation protocols and allowing local governments to adopt policies regarding the wearing of face coverings in public to mitigate the spread of COVID-19 while still keeping businesses open to the greatest extent possible; and

WHEREAS, on June 29, 2020, due to rising case numbers in the state, Executive Order 2020-43, *Pausing of Arizona's Reopening,* was issued pausing the operations of certain business determined high risk by public health entities and limitations of organized public events were put in place to limit the spread of COVID-19 and was continued by Executive Order 2020-52 and portions regarding public events were amended by Executive Order 2020-59, *Further Mitigation Requirements for Events*; and

WHEREAS, on July 9, 2020, Executive Order 2020-47, *Reducing the Risk, Slowing the Spread*, was issued limiting capacity of restaurants to slow and limit the spread of COVID-19 while still keeping them open; and

WHEREAS, on August 10, 2020, the Director of ADHS, under the authority delegated by A.R.S. § 26-307, adopted Emergency Measure 2020-02, *Slowing the Spread of COVID-19: Phased Reopening,* which implemented capacity requirements for high and medium risk businesses to mitigate the spread of COVID-19 while ensuring they were able to stay open and operate to the greatest extent possible; and

WHEREAS, since that time and into January 2021, Arizona saw increases in cases and deaths that exceeded those seen during Arizona's first wave of COVID-19; and

WHEREAS, as of March 25, 2021, there have been 837,987 diagnosed cases of COVID-19 in Arizona including 16,874 deaths; and

WHEREAS, Operation Warp Speed ("OWS") accelerated development, production and distribution of COVID-19 vaccines, therapeutics, and diagnostics to produce and deliver doses of safe and effective vaccines; and

WHEREAS, Arizona has taken the position that immunization with a safe and effective COVID-19 vaccine is a critical component of the whole government strategy to reduce COVID-19 related illnesses, hospitalizations, and deaths and to help restore societal functioning; and

WHEREAS, Arizona's mass distribution of the vaccine has resulted in the administration of 3,041,773 doses of COVID-19 vaccine to 1,927,278 individuals in Arizona, including 1,185,986 who have been fully vaccinated; and

WHEREAS, the availability of vaccines has grown allowing for additional vaccine appointments to be opened to more age groups; and

WHEREAS, a recent evaluation by the CDC ranks Arizona among the best states in the nation for getting the COVID-19 vaccine to vulnerable communities; and

WHEREAS, as more and more of Arizona's population becomes vaccinated, the risk previously posed by COVID-19 that our healthcare institutions will exceed capacity is decreasing as Arizona has seen the number of cases, hospitalizations, and deaths continue to decrease over the last seven weeks; and

WHEREAS, recently the federal government has promised that every American will have the opportunity to be vaccinated by May 1, 2021; and

WHEREAS, on March 24, 2021, registration at Arizona's state-operated COVID-19 vaccination sites in Maricopa, Pima and Yuma counties opened to all Arizonans 16 and older.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of the State, including but not limited to A.R.S. §§ 26-303 and 36-787, and after consultation with the Director of ADHS, do hereby order that effective immediately:

1. Restrictions on organized public events as outlined in Executive Orders 2020-43, *Pausing of Arizona's Reopening*; 2020-52, *Continuation of Executive Order 2020-43;* and 2020-59, *Further Mitigation Requirement for Events,* are lifted and shall no longer be enforced. Organizers should continue to encourage adequate safety precautions, including physical distancing to limit and mitigate the spread of COVID-19.

   Businesses, whether for-profit or non-profit, institutions, professions or entities that physically operate in this state and serve the public or are employers are encouraged to continue to take actions recommended by the CDC, U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) and ADHS to limit and mitigate the spread of COVID-19. ADHS shall update its guidance accordingly. These entities still maintain the

right to institute and enforce policies to mitigate against COVID-19 spread including the use of face coverings and physical distancing, and retain the right to refuse service to those who do not comply with the policies.

2. Executive Orders 2020-09, *Limiting the Operations of Certain Businesses to Slow the Spread of COVID-19*; 2020-36, *Stay Healthy, Return Smarter, Return Stronger*; 2020-40, *Containing the Spread of COVID-19*; 2020-43, *Pausing of Arizona's Reopening*; 2020-47, *Reducing the Risk, Slowing the Spread*; 2020-52, *Continuation of Executive Order 2020-43*; 2020-59, *Further Mitigation Requirement for Events* are rescinded.

3. Pursuant to A.R.S. § 26-307, no county, city or town may make or issue any order, rule or regulation that conflicts with or is in addition to the policy, directives or intent of this or any other Executive Order relating to the COVID-19 public health emergency, or any other order, rule or regulation that was not in place as of March 11, 2020. This includes but is not limited to mandated use of face coverings. Any city, town or county that has a rule, regulation or ordinance not inplace as of March 11, 2020 that is in conflict with the provisions of this order shall not be enforced. Political subdvisions maintain the right to set and enforce mitigation policies in their own government buildings and on public transportation, including, but not limited to, requiring face coverings.

4. This order shall expire upon the termination of the Public Health Emergency unless amended.

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

Douglas A. Ducey

GOVERNOR

DONE at the Capitol in Phoenix on this twenty fifth day of March in the year Two Thousand and Twenty One and of the Independence of the United States of America the Two Hundred and Forty-Fifth.

ATTEST:

Secretary of State