# STATE OF ARKANSAS
## EXECUTIVE DEPARTMENT

# PROCLAMATION

EO 20-25

TO ALL TO WHOM THESE PRESENTS COME – GREETINGS:

**EXECUTIVE ORDER TO AMEND EXECUTIVE ORDER 20-03 REGARDING THE PUBLIC HEALTH EMERGENCY CONCERNING COVID-19, FOR THE PURPOSE OF RENEWING THE DISASTER AND PUBLIC HEALTH EMERGENCY TO PREVENT THE SPREAD OF AND MITIGATE THE IMPACT OF COVID-19**

WHEREAS: An outbreak of coronavirus disease 2019 (COVID-19) has spread throughout the world resulting in a global pandemic; and

WHEREAS: On March 11, 2020, by Executive Order 20-03, an emergency was declared in the state as a result of COVID-19, and that emergency is on-going; and

WHEREAS: COVID-19 continues to spread throughout the United States and Arkansas; and

WHEREAS: In response to COVID-19, significant measures have been taken by Executive Order and Directives by the Secretary of Health to limit person-to-person contact, restrict gatherings, and suspend businesses that require significant person-to-person interaction; and

WHEREAS: On March 26, 2020, by Executive Order 20-10, amending Executive Order 20-03, I declared the entire State of Arkansas a disaster area in which ingress and egress to and from, the movement of persons within, and the occupancy of premises therein, may be controlled, pursuant to Ark. Code Ann. § 12-75-114(e)(7); and

WHEREAS: Pursuant to Act 96 of 1913, Ark. Code Ann. §§ 20-7-101 et seq., and the rules promulgated therefore, the Secretary of Health has the authority to impose such quarantine restrictions and regulations upon commerce and travel by railway, common carriers or any other means, and upon all individuals as in his judgment may be necessary to prevent the introduction of communicable disease into the State, or from one place to another within the State; and

WHEREAS: I, as Governor, in consultation with the Secretary of Health, have determined that the public health and disaster emergency resulting from COVID-19 should be renewed beyond the sixty (60) days provided for in Ark. Code Ann. § 12-75-107(b)(2); and

WHEREAS: COVID-19 continues to impact drivers of commercial vehicles transporting essential items of commerce during this emergency, including but not limited to, groceries, pharmacy items, medical equipment, goods, commodities, fuel, poultry, and livestock. 49 C.F.R. Section 390.23 authorizes a state governor to declare a regional emergency during the duration of the emergency conditions, not to exceed thirty (30) days from the date of the initial declaration of emergency, and to exempt any motor carrier or driver operating a commercial motor vehicle to provide direct assistance in providing emergency relief during an emergency from Parts 390 through 399 of Chapter 49, Code of Federal Regulations.

NOW, THEREFORE, I, Asa Hutchinson, Governor of the State of Arkansas, acting under the authority vested in me by Ark. Code Ann. §§ 12-75-101, *et seq.*, do hereby amend Executive Order 20-03 declaring an emergency in the State of Arkansas for the purpose of extending the public health and disaster emergency and declaration of the State of Arkansas as a disaster area resulting from the state-wide impact of COVID-19. The emergency and declaration shall be extended for an additional forty-five (45) days from the date of this order.

FURTHERMORE, in conjunction with the directives of the Secretary of Health, I order the following:

(1) Executive Order 20-03 and all amendments thereto, not specifically superseded by this order or a prior order, shall remain in effect for the duration of the emergency.

(2) The directives of this order shall supersede the directives of Executive Order 20-13.

(3) All public and private gatherings of any number of people occurring outside a single household or living unit are subject to the directives of the Secretary of Health.

(4) All businesses, manufacturers, construction companies, and places of worship shall adhere to social distancing protocols issued by the Secretary of Health.

(5) All travelers from New York, New Jersey, Connecticut, New Orleans and all international locations shall follow the quarantine directives of the Secretary of Health. These locations are identified due to high numbers of COVID-19 cases at the present time. The Secretary of Health may amend the list of quarantine locations as he deems appropriate.

(6) K-12 schools and extracurricular activities, including athletic events and practices, will remain closed for on-site instruction until such time as the Governor, Secretary of Education, and Secretary of Health deem appropriate.

(7) State government employees will continue to conduct business through both remote work and on-site work. On-site government work will be limited to employees that are critical to the necessary function of government during a public health emergency and are required to report to work on site.

(8) Restaurants may continue takeaway and delivery service, adhering to Alcoholic Beverage Control regulations, and they may resume dine-in operations as of May 11, 2020, pursuant to the directives of the Secretary of Health.

(9) Clubs and Bars shall remain closed until cleared to open by the Secretary of Health.

(10) Gyms (including fitness centers/clubs, fitness classes, and group fitness studios) may resume operations as of May 4, 2020, pursuant to the directives of the Secretary of Health.

(11) Casinos and outdoor and indoor entertainment venues shall remain closed to nonessential functions until cleared to open by the Secretary of Health.

(12) Barbers, Body Art Establishments, Body Art Schools, Cosmetology Establishments and Massage Therapy Clinics/Spas, and Medical Spas may resume operations as of May 6, 2020, pursuant to the directives of the Secretary of Health.

(13) The directives of the Arkansas Department of Health issued on March 13, 2020, regarding long term health facilities shall remain in effect for the duration of this order or until the Secretary of Health provides an alternative directive.

(14) Cities and counties taking reasonable measures to prevent the spread of COVID-19 by imposing curfews and closing city or county owned parks and facilities shall not be interpreted as a quarantine regulation of commerce or travel. Curfews should not prevent citizens of any age from traveling to and from work, acquiring food or essential goods and services, walking pets, or acquiring exercise outdoors while maintaining social distance of at least six (6) feet.

(15) A state of emergency continues, and a regional emergency is declared pursuant to 49 C.F.R. Section 390.23, as applied to commercial vehicles transporting essential items of commerce during this emergency, including but not limited to, groceries, pharmacy items, medical equipment, goods, commodities, fuel, poultry, and livestock.

(16) Executive Orders of the Governor issued pursuant Ark. Code Ann. §§ 12-75-101, *et seq.*, have the force and effect of law. Additionally, pursuant to Ark. Code Ann. § 20-7-101, violation of a directive from the Secretary of Health during this public health emergency is a misdemeanor offense, and upon conviction thereof is punishable by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or by imprisonment not exceeding one (1) month, or both. All law enforcement officers within this state shall enforce the directives of this order and those of the Secretary of Health to preserve the health and safety of all Arkansans during this emergency.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 5th day of May, in the year of our Lord 2020.

GREAT SEAL OF THE STATE OF ARKANSAS

Asa Hutchinson, Governor