State of New York
Executive Chamber

No. 202.96

EXECUTIVE ORDER

Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby find that a disaster continues to exist for which affected state agencies and local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby continue for thirty days the declaration of the State Disaster Emergency effective March 7, 2020, as set forth in Executive Order 202. This Executive order shall remain in effect through March 28, 2021;

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, do hereby continue the suspensions and modifications of law and any directives, unless superseded, modified or otherwise expired, made by Executive Order 202 and each successor Executive Order to 202, for thirty days through March 28, 2021.

IN ADDITION, by virtue of the authority vested in me by Section 925-a of the Real Property Tax Law to extend during a State disaster emergency the period for paying property taxes without interest or penalties upon request of the chief executive officer of an affected county, city, town, village or school district, I do hereby extend by twenty-one days the period for paying, without interest or penalty, property taxes that are due in the following localities that have requested such an extension: Town of Bedford, Westchester County; Town of New Castle, Westchester County;

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of this Executive Order through March 28, 2021:

- The directives contained within Executive Order 202.95 are hereby modified to repeal such directives and require every Local Health Department shall report the number of eligible P-12 teachers and the number of eligible P-12 school staff vaccinated to the Department of Health upon request, in a form and manner to be determined by the Department;

- The directive contained in Executive Order 202.5, as extended, that closed to the public all places of public amusement, whether indoors or outdoors, is hereby modified to provide that all indoor family entertainment centers and places of amusement shall be permitted to open to the public subject to adherence to state-issued guidance at 25% capacity on March 26, 2021. All outdoor amusement parks shall be permitted to open to the public subject to adherence to state-issued guidance at 33% capacity on April 9, 2021;

- The directive contained in Executive Order 202.70, as extended, that required certain movie theatres to remain closed, is hereby modified to provide that movie theatres in any location of the state shall be allowed to open effective March 5, 2021, at 25% capacity with up to 50 people maximum per screen, subject to strict adherence to Department of Health guidance;

- The directive contained in Executive Order 202.93, as continued, that allowed indoor food services and dining at 25% capacity in New York City beginning February 12, 2021, is hereby modified to allow indoor food services and dining at 35% capacity in New York City beginning February 26, 2021, provided that Department of Health guidance and any other applicable State-issued guidance is strictly adhered to.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-sixth day of February the year two thousand twenty-one.

BY THE GOVERNOR

Secretary to the Governor