STATE OF MISSISSIPPI

Office of the Governor

EXECUTIVE ORDER NO. 1536

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. § 33-15-11(b)(17), I issued a Proclamation declaring that a State of Emergency exists in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic, and on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and Mississippi significantly impacts the life and health of our people, as well as the economy of Mississippi; and

WHEREAS, with vigilance and common sense, and as a result of the continued sacrifices made by all Mississippians in the interest of public health over the past eight months, COVID-19 infections and resulting hospitalizations have been effectively managed; and

WHEREAS, the Safe Recovery Order instituted in Executive Order 1535 adopts reasonable public health measures under the current circumstances permitting all business and non-profits to continue operating within the State of Mississippi and permitting the continued resumption of all community activities subject to reasonable limitations to minimize person to person interactions and associated risk of transmission of COVID-19 remains in full force and effect until 5:00 p.m. on Friday, January 15, 2021, unless it is modified, amended, rescinded, or superseded; and

WHEREAS, Mississippi must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, as Mississippi continues to safely recover, the key to reducing spread of COVID-19 is the continued implementation of reasonable public health measures under the current circumstances including social distancing, limited capacity of gatherings where individuals are in prolonged close proximity, and use of face coverings for individuals engaged in close proximity activities and for prolonged gatherings where social distancing is not feasible; and

WHEREAS, while some jurisdictions throughout Mississippi have shown a stabilized rate of diagnosis of new cases, the State Health Officer has reported that data from certain jurisdictions of the state (a) indicate periods of higher numbers of new cases over shorter periods of time accounting for a larger percentage of the State's overall case count, (b) have higher percent incidence of positive cases per number of tests performed, and (c) have other public health indicators reflecting ongoing community transmission; and

WHEREAS, testing and contact tracing throughout the state allows healthcare providers and the State Health Officer to monitor and gauge the rate and locations of new COVID-19 cases, enabling a prompt response to areas showing an increased rate of transmission; and

WHEREAS, upon counsel and recommendation of the State Health Officer, Adams, Alcorn, Amite, Attala, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clarke, Clay, Coahoma, Copiah, Covington, De Soto, Forrest, Franklin, Grenada, Harrison, Hinds, Holmes, Itawamba, Jackson, Jefferson, Jefferson Davis, Jones, Kemper, Lafayette, Lamar, Lauderdale, Lawrence, Lee, Leflore, Lincoln, Lowndes, Madison, Marion, Marshall, Monroe, Montgomery, Neshoba, Noxubee, Oktibbeha, Panola, Pearl River, Perry, Pontotoc, Prentiss, Rankin, Scott, Simpson, Stone, Tate, Tippah, Tishomingo, Union, Washington, Webster, Winston, Yalobusha and Yazoo Counties have been identified as counties within the state that are at higher risk for transmission of COVID-19;

accordingly, the implementation of additional jurisdiction-specific measures are necessary to disrupt the spread of the COVID-19 virus within those Counties.

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, by the authority vested in me by the Constitution, the Mississippi Emergency Management Law as amended, Miss. Code. Ann.§ 33-15-1 *et seq.*, and other laws of the State of Mississippi, and in consultation with the State Health Officer do hereby order and direct as follows:

I. Repeal: ***Executive Order 1527*** and all amendments thereto are rescinded and shall stand repealed.

II. This Paragraph (and all subparts) applies only to, Adams, Alcorn, Amite, Attala, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clarke, Clay, Coahoma, Copiah, Covington, De Soto, Forrest, Franklin, Grenada, Harrison, Hinds, Holmes, Itawamba, Jackson, Jefferson, Jefferson Davis, Jones, Kemper, Lafayette, Lamar, Lauderdale, Lawrence, Lee, Leflore, Lincoln, Lowndes, Madison, Marion, Marshall, Monroe, Montgomery, Neshoba, Noxubee, Oktibbeha, Panola, Pearl River, Perry, Pontotoc, Prentiss, Rankin, Scott, Simpson, Stone, Tate, Tippah, Tishomingo, Union, Washington, Webster, Winston, Yalobusha and Yazoo Counties.

a. ***Face Coverings:*** Every person shall wear a face covering, covering the nose and mouth, when inside a business, school, building or other indoor space open to the public whenever it is not possible to maintain a minimum of six feet of social distancing from another person not in the same household, except face coverings are not required for the following:

i. Persons who cannot wear a face covering due to a medical or behavioral condition, who have trouble breathing or are incapacitated, or whose healthcare professional has recommended that a face covering not be worn;

ii. Persons seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;

iii. Persons while eating or drinking;

iv. Persons in a building or engaged in an activity that utilizes or requires security surveillance or screening (*e.g.*, banking or financial institutions), and only during such times when these persons are under security surveillance or screening;

v. Persons engaged in swimming activities or other activities while in a swimming pool;

vi. Persons engaged in exercising in fitness and exercise gyms or other sports activity;

vii. Persons engaged in organized school athletic practices, including weight training;

viii. Persons, including teachers, while giving a speech, presentation or performance for a broadcast or to an audience, including students;

ix. Persons actively providing or obtaining access to religious worship (***NOTE*** wearing a face covering is strongly encouraged);

x. Persons who are voting, assisting a voter, or serving as a poll watcher (***NOTE*** wearing a face covering is strongly encouraged);

xi. Children under the age of six (6) (***NOTE*** parents and guardians shall be responsible for ensuring proper use of face coverings by children six (6) years of age and older and must ensure that face coverings do not pose a choking hazard and can be safely worn without obstructing a child's ability to breathe.); and

xii. Other settings where it is not practical or feasible to wear a face covering, including, but not limited to, when obtaining or rendering goods or services (such as receipt of dental services) or would otherwise impede visibility to operate equipment.

III. Enforcement:

a. This Executive Order may be enforced by all State, County and local law enforcement, as well as by other governmental entities (such as State and local departments of health) to the fullest extent under Mississippi law including, *inter alia*, Miss. Code. Ann. §§ 33-15-11(b)(5) and 33-15-11(b)(6).

b. Violations of this Executive Order are subject to the provisions of Miss. Code Ann. § 33-15-43.

IV. This Executive Order shall be effective at 5:00 p.m. on Friday, December 11, 2020, and shall remain in full force and effect until 5:00 p.m. on Friday, January 15, 2021, unless modified, amended, rescinded or superseded.

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

DONE in the City of Jackson, on the 9TH day of December, in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fifth.

TATE REEVES
GOVERNOR

BY THE GOVERNOR

MICHAEL WATSON
SECRETARY OF STATE