STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 9C

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC – REVISIONS TO SELF-QUARANTINE FOR CERTAIN TRAVELERS, RESUMPTION OF CERTAIN NON-JUDICIAL MUNICIPAL TAX SALES

WHEREAS, on March 10, 2020, I declared public health and civil preparedness emergencies throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and Connecticut; and

WHEREAS, on September 1, 2020, I renewed the March 10, 2020 declaration of public health and civil preparedness emergencies and also issued new declarations of public health and civil preparedness emergencies, which new and renewed emergencies shall remain in effect until February 9, 2021, unless earlier terminated; and

WHEREAS, pursuant to such declarations, I have issued seventy (70) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic (the "COVID-19 Orders"); and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the COVID-19 pandemic remains a grave threat to public health and safety and civil preparedness in the State of Connecticut; and

WHEREAS, public health experts have determined that it is possible to transmit COVID-19 even before a person shows symptoms and through aerosol transmission; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to slow transmission of COVID-19, including limitation on the size of gatherings, maintaining a safe distance from others, and wearing masks or face coverings; and

WHEREAS, COVID-19 has caused unanticipated health effects that are not well understood by the medical community, no vaccine or effective treatment for COVID-19 has been approved or made available for wide distribution, and residents, businesses, and government agencies face new and

unanticipated economic, fiscal, and operational challenges as a result of the COVID-19 pandemic; and

WHEREAS, in order to reduce the risk of COVID-19 transmission related to travel to states most affected by COVID-19, Executive Order No. 7III, and subsequently, Executive Order No. 7BBB, required travelers arriving from states with high rates or incidence of COVID-19 infection to self-quarantine for fourteen days; and

WHEREAS, continued progress in limiting transmission of COVID-19 within the state and increased testing availability have made possible certain adjustments to provide more narrowly focused requirements and flexibility in compliance with those orders; and

WHEREAS, many municipalities conduct tax sales for delinquent real property taxes, water and sewer assessments, and other assessments to recoup delinquent taxes and related charges owed to a municipal entity; and

WHEREAS, many municipalities have experienced significant revenue losses due to COVID-19 pandemic, and have requested the ability to resume tax sales; and

WHEREAS, minimizing evictions during the COVID-19 pandemic is critical to controlling and reducing the spread of COVID-19 and preventing a resurgence of the disease by allowing residents to stay home or at their place of residence; and

WHEREAS, in order to keep people safely in their homes and avoid increasing homelessness and the associated risk of COVID-19 transmission, Executive Order Nos. 7X and 7DDD, and 7OOO provide temporary relief from statutory eviction proceedings;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, and pursuant to the public health and civil preparedness emergencies declared on March 10, 2020 and renewed on September 1, 2020 and the new public health and civil preparedness emergencies declared on September 1, 2020, do hereby **ORDER AND DIRECT:**

1. **Amendments to Mandatory Self-Quarantine for Travelers from States with High COVID-19 Levels.** Section 1 of Executive Order No. 9B is hereby repealed and replaced in its entirety by the following: Section 2 of Executive Order No. 7III is hereby amended to provide that for travel into Connecticut occurring on and after 12:01 a.m. on Friday, September 18, 2020, the additional subsection (g) of Section 19a-131a of the Connecticut General Statutes created by that order shall read as follows:

   (g) (1) **Definitions.** For purposes of this subsection, an "Affected State" means a state with a positive case rate higher than 10 per 100,000 residents, or higher than a 10% test positivity rate over a seven-day rolling average, which criteria may be modified by the Commissioner of Public Health from time to time in the travel advisory issued pursuant to subdivision (5) of this subsection as she deems necessary; an "Affected Country" means a country for which the Centers for Disease Control and Prevention (CDC) has issued a Level 3 Travel Health Notice; and an "Affected Traveler" means a person entering into or returning to the State of Connecticut who has spent twenty-

four hours or longer in an Affected State or an Affected Country within fourteen days prior to arriving in Connecticut, but does not include an individual remaining in Connecticut for less than twenty-four hours.

(2) **Self-Quarantine for Affected Travelers.** All Affected Travelers shall self-quarantine for a period of fourteen days from the time of last contact with such Affected State or such Affected Country, for any portion of such fourteen-day period they spend in Connecticut, or for the duration of such Affected Travelers' stay in Connecticut, whichever is shorter.

(A) **Testing Alternative.** An Affected Traveler is exempt from the self-quarantine requirement if (i) he or she has had a test for COVID-19 in the seventy-two hours prior to arrival in Connecticut or at any time following arrival in Connecticut, (ii) the result of such COVID-19 test is negative, and (iii) such Affected Traveler submits written proof of such negative test result to the Commissioner or her designee. Only results for nucleic acid COVID-19 tests, such as reverse transcriptase polymerase chain reaction (RT-PCR) tests, shall be accepted. From time to time, as she deems necessary, the Commissioner may expand or modify the type or types of tests that are acceptable for such testing alternative by modifying the travel advisory issued pursuant to subdivision (5) of this subsection. If a test was obtained in the seventy-two hours prior to arrival in Connecticut, or following arrival in Connecticut, and such Affected Traveler has not yet received his or her test results, such Affected Traveler shall remain in self-quarantine while in Connecticut until a negative test result is submitted to the Commissioner or her designee.

(B) **Essential Workers.** Affected Travelers traveling to, or returning to, Connecticut from Affected States or Affected Countries who work in critical infrastructure as designated by the Cybersecurity and Infrastructure Security Agency, including students in exempt health care professions, are exempted from the self-quarantine requirement when such travel is related to their work. This includes any state, local, and federal officials and employees traveling in their official capacities on government business. If such worker was in an Affected State or an Affected Country for a reason other than work (e.g., vacation), such worker shall be required to self-quarantine in accordance with this subdivision 2.

(C) **Additional Protocols.** The Commissioner of Public Health may issue additional protocols for other extraordinary circumstances or when a self-quarantine is not possible, provided such measures continue to safeguard public health.

(3) **Travel Health Forms Required.** All Affected Travelers, prior to or no later than upon the day of arrival in Connecticut, shall complete a Travel Health Form developed by the Commissioner requiring such persons to disclose their name, the last Affected State or Affected Country in which such Affected Traveler has spent twenty-four hours or longer, last date of stay in such Affected State or such Affected Country, date of arrival in Connecticut, address of designated self-quarantine location in Connecticut, length of stay, address in home state or country, cell phone number, contact phone number while in Connecticut, method of travel into Connecticut and information

regarding accompanying minors. All Affected Travelers shall complete a Travel Health Form and submit it either electronically at ct.gov/travelform or to any location or person designated by the Commissioner. Such Travel Health Form may be modified by the Commissioner as she deems necessary.

(4) **Self-Quarantine Enforcement Provisions.**

(A) Any Affected Traveler who violates this subsection by refusing or failing to self-quarantine, refusing or failing to submit the Travel Health Form, or refusing or failing to complete the Travel Health Form truthfully and accurately shall be subject to a civil penalty of five hundred dollars for each such violation. Nothing in this Section shall be construed to limit, alter, modify or suspend any other existing penalties that otherwise apply to violations of orders issued pursuant to a civil preparedness or public health emergency.

(B) The Department of Public Health (the "Department") may impose the civil penalty authorized by this subsection by providing the Affected Traveler with a written notice of civil penalty. The Commissioner may delegate to local or district health directors the authority to issue a written notice of civil penalty authorized by this subsection.

(C) Any person assessed with a notice of civil penalty authorized by this subsection may, within ten business days of the date of the notice of civil penalty, request a hearing before the Commissioner, which hearing shall be held within thirty business days of receipt of the request. At any such hearing, the Department shall be required to prove, by a preponderance of the evidence, that the Affected Traveler (i) refused or failed to self-quarantine, (ii) refused or failed to submit the Travel Health Form, or (iii) refused or failed to truthfully and accurately complete the Travel Health Form. The Department shall have the authority to issue subpoenas, compel testimony and order the production of books, records and documents in order to put on its case.

(D) Failure to make a timely request for a hearing shall result in the civil penalty being a final order imposing the civil penalty. A hearing request, to be timely, shall be submitted to the Department electronically or mailed and postmarked within ten business days of the date of the notice of civil penalty.

(E) A hearing under this section shall be deemed a contested case in accordance with Chapter 54 of the General Statutes. A final order of the Department assessing a civil penalty shall be subject to appeal as set forth in section 4-183 of the General Statutes.

(F) The Department may waive or modify the civil penalty upon such terms and conditions as, in its discretion, it deems proper or necessary.

(5) **Travel Advisory.** The Commissioner shall issue a travel advisory, which shall be communicated widely at all major points of entry into Connecticut, including on

highway message boards and Connecticut airports, communicating the requirements of this subsection. Such travel advisory may include additional protocols for other extraordinary circumstances or when self-quarantine is not possible, provided such measures continue to safeguard the public health.

2. **Resumption of Non-Judicial Tax Sales Pursuant to Executive Order Nos. 7S, Section 11 and 7CC, Section 2.**

   a. Except as provided in Subsection (f) below, Executive Order No. 7S, Section 11(1) is amended to provide that municipalities, districts and water pollution control authorities may, effective immediately, resume non-judicial tax sales pursuant to Sections 12-157, 7-254, and 7-258 of the Connecticut General Statutes for which notice of levy had been filed on the land records prior to the date of that order. Any remaining notices thereof required by Section 12-157(a) or (b) shall be issued according to the deadlines provided therein as calculated from the new auction date. All previous notices thereof are hereby validated such that the sale procedures may continue from the point of suspension.

   b. Except as provided in Subsection (f) below, Executive Order No. 7S, Section 11(1) is further amended to provide that municipalities, districts and water pollution control authorities may, effective immediately, commence new non-judicial tax sales under Sections 12-157, 7-254, and 7-258 of Connecticut General Statutes.

   c. Notwithstanding any provision of the Connecticut General Statutes and any Special Act, charter, ordinance, or regulation to the contrary, any municipality, district, or water pollution control authority conducting an in-person auction pursuant to this order shall take steps consistent with recommendations by local or state public health officials and follow applicable guidance from the Centers for Disease Control and Prevention to reduce the transmission of COVID-19, including but not limited to maintaining distance of at least six feet between all people present, requiring masks, limiting exposure to shared surfaces, and conducting auctions outdoors or in well-ventilated venues large enough to maintain appropriate distances between all people present.

   d. Executive Order No. 7S, Section 11(2) and Executive Order No. 7CC, Section 2 are amended to provide that any six-month redemption period in Section 12-157 for an auction predating this order which had not yet expired as of April 2, 2020 shall be deemed extended to a total of twelve months from the original auction date. Redemption interest during the last six months of that period shall be charged at a monthly rate equivalent to three per cent per annum. Within one month of the date of this Order, the municipality, district, or water pollution control authority shall provide notice of such extended redemption period by both first-class mail and certified mail, return receipt requested, to the taxpayer, the successful bidder, and each mortgagee, lienholder and other encumbrancer of record whose interest is choate and will be affected by the sale. Such notice shall be in plain language

and include a statement that the redemption period has been modified in accordance with this order.

e. The purchaser of any dwelling sold pursuant to this order shall be deemed a "landlord" for purposes of Executive Order 7X, Section 1, as modified by Executive Orders Nos. 7NN, Section 4, 7DDD, Section 1, and 7OOO, Section 3, and any other executive order, court order, or statute relating to restrictions on notices to quit and summary process actions.

f. Executive Order No. 7S, Section 11(1) as modified by Executive Order No. 7CC, Section 2 shall remain in effect to the extent that no tax sale may be commenced or resumed against a taxpayer whose oldest outstanding delinquency is less than one year old as of the date of this order.

Unless otherwise specified herein, this order shall take effect immediately and remain in effect until November 9, 2020.

Dated at Hartford, Connecticut, this 16th day of September, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State