STATE OF ILLINOIS

EXECUTIVE DEPARTMENT

SPRINGFIELD, ILLINOIS

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INDEX DEPARTMENT
JAN 15 2021
IN THE OFFICE OF
SECRETARY OF STATE

January 15, 2021

Executive Order 2021-02

EXECUTIVE ORDER 2021-02
(COVID-19 EXECUTIVE ORDER NO. 72)

Tiered Mitigation Order

WHEREAS, Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness, has rapidly spread throughout Illinois and continues to necessitate updated and more stringent guidance from federal, state, and local public health officials and significant measures to respond to the increasing public health disaster; and,

WHEREAS, COVID-19 can spread among people through respiratory transmissions, asymptomatic people can transmit the virus, and there is currently no fully effective treatment, and vaccine rollout is in the early stages; and,

WHEREAS, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I have found it necessary to take additional measures consistent with public health guidance to slow and stop the spread of COVID-19; and,

WHEREAS, on January 8, 2021, considering the continuing spread of COVID-19 and the ongoing health and economic impacts that that will be felt over the coming month by people across the State, I again declared all counties in the State of Illinois as a disaster area; and,

WHEREAS, working with experts in the Department of Public Health, I put forward a deliberate plan that utilizes several tiers of mitigation steps to combat a resurgence of COVID-19 and prevent uncontrollable spread; and,

WHEREAS, due to the significant spread of the virus and a surge in COVID-19 patients admitted to hospital beds and ICU beds, on November 20, 2020, I imposed a Tier 3 mitigation plan statewide; and,

WHEREAS, statewide positivity rates and new COVID-19 cases peaked in November 2020, and have generally trended downward in December 2020 and the first half of January 2021; and,

WHEREAS, given this improvement, it is appropriate at this time to return to a regional approach wherein mitigation measures are determined by the region's COVID-19 metrics; and,

WHEREAS, based on those metrics, Regions 1, 2, and 5 qualify to return to Tier 2 of the State's mitigation plan;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective immediately:

Section 1. The following Tier 2 public health restrictions and mitigations are instituted for Region 1 (Boone, Carroll, DeKalb, Jo Daviess, Lee, Ogle, Stephenson, Whiteside, and Winnebago counties), Region 2 (Bureau, Fulton, Grundy, Henderson, Henry, Kendall, Knox, La Salle, Livingston, Marshall, McDonough, McLean, Mercer, Peoria, Putnam, Rock Island, Stark, Tazewell, Warren, and Woodford counties), and Region 5 (Alexander, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Saline, Union, Wabash, Wayne, White, and Williamson counties):

a. Mitigation for restaurants and bars. Restaurants and bars in the region are subject to these restrictions and mitigation measures, which supplement the Phase 4 guidance from the Department of Commerce and Economic Opportunity for Indoor and Outdoor Dining:
    1. All restaurants and bars in the region must close at 11:00 p.m., and must remain closed until 6:00 a.m. the following day.
    2. All restaurants and bars in the region must suspend indoor on-premises consumption.
    3. All customers eating or drinking on premises must be seated at outdoor tables spaced at least six feet apart. Multiple parties may not be seated at a single table. Parties are limited to groups of six or fewer.
    4. Customers who are not yet seated at a table must wait off premises and, when waiting, must not congregate in groups larger than the party with whom they are dining. Standing, congregating, or dancing on premises is not permitted.
    5. Each party must have a reservation, even if made on-site, so that the restaurant or bar has contact information to reach every party for contact tracing if needed.
b. Mitigation for meetings and social events. Meetings and social events in the region are subject to these restrictions and mitigation measures, which supplement the Phase 4 guidance from the Department of Commerce and Economic Opportunity for Meetings and Social Events:
    1. Meetings and social events are limited to 10 people or fewer.
    2. Attendance lists must be kept for contact tracing.
    3. Party buses are not permitted.
c. Mitigation for gaming and casinos. Gaming and casinos in the region are subject to these restrictions and mitigation measures:
    1. Gaming venues and casinos must close, and gaming terminals must stop operating, between 11:00 p.m. and 6:00 a.m. the following day.
    2. Gaming venues and casinos are limited to 25% capacity.
    3. Gaming venues and casinos must follow the mitigation strategies for restaurants and bars for those portions of their facilities.
d. Mitigation for indoor and outdoor recreation. Indoor and outdoor recreation facilities in the region are subject to these restrictions and mitigation measures, which supplement the Phase 4 guidance from the Department of Commerce and Economic Opportunity for Indoor and Outdoor Recreation:
    1. Facilities are limited to the lesser of 25 people or 25% capacity.
    2. Groups are limited to 10 people or fewer.
e. Mitigation for all workplaces. Businesses and establishments shall institute remote work for high risk individuals, and shall evaluate whether additional workers can telework. This Executive Order encourages remote work for as many workers as possible.

Section 2. This Executive Order supplements the Tier 3 Mitigations Order (Executive Order 2020-73) for Regions 1, 2, and 5. The Tier 3 Mitigations Order remains in effect for the other Regions, and remains in effect for Regions 1, 2, and 5 other than when its terms are inconsistent with those expressly set forth in Section 1 above. The additional requirements of the Tier 3 Mitigations Order, including the requirements relating to social distancing and wearing face coverings, remain in place.

Section 3. The exemptions set forth in Section 4 of the Tier 3 Mitigation Order apply to this Executive Order. For the sake of clarity and to allow for future planning, the principal

exemptions are restated below, and I do not intend to rescind these exemptions during the disaster proclamations due to COVID-19.

a. **Free exercise of religion**. This Executive Order does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are strongly encouraged to consult and follow the recommended practices and guidelines from the Illinois Department of Public Health.[1] As set forth in the IDPH guidelines, the safest practices for religious organizations at this time are to provide services online, in a drive-in format, or outdoors (and consistent with social distancing requirements and guidance regarding wearing face coverings), and to limit services to 10 people. Religious organizations are strongly encouraged to take steps to ensure social distancing, the use of face coverings, and implementation of other public health measures.

b. **Emergency functions.** All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support the emergency response are exempt from this Executive Order, but are encouraged to practice social distancing and take recommended public health measures.

c. **Governmental functions.** This Executive Order does not apply to the United States government and does not affect services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public.

Section 4. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

JB Pritzker, Governor

Issued by the Governor January 15, 2021
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[1] This guidance is available at: https://www.dph.illinois.gov/covid19/community-guidance/places-worship-guidance