STATE OF MISSISSIPPI

Office of the Governor

EXECUTIVE ORDER NO. 1509

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 impact the life and health of our people, as well as the economy of Mississippi; and

WHEREAS, on March 26, 2020, the Mississippi State Department of Health announced new and expanded measures to increase testing and data analysis to identify regions and localities that are at higher risk for transmission of COVID-19 and to provide more location-specific restrictions and limitation of movement and social interaction to combat the virus in those regions and localities; and

WHEREAS, on May 28, 2020, I issued Executive Order 1492 establishing the statewide Safe Return order to restart the economy, open all businesses and non-profits operating within the State of Mississippi, and permit the resumption of community activities subject to limitations to minimize person to person interactions and associated risk of transmission of COVID-19 effective 8:00 a.m. on Monday, June 1, 2020, and remaining in full force and effect until 8:00 a.m. on Monday, June 15, 2020; and

WHEREAS, the Safe Return instituted in Executive Order 1492, as amended and extended by Executive Orders 1496, 1500, 1505 and 1508 has been extended and remains in full force and effect until 8:00 a.m. on Monday, August 3, 2020, unless it is modified, amended, rescinded, or superseded; and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, while a majority of jurisdictions throughout Mississippi indicate a stabilized rate of diagnosis of new cases, it is necessary to maintain ample hospital ICU and ventilator capacity; and

WHEREAS, testing and contact tracing continues throughout the state, enabling healthcare providers and the State Health Officer to monitor and gauge the rate and locations of new cases with accurate information to promptly respond; and

WHEREAS, the State Health Officer has reported that data from certain jurisdictions and regions of the state (a) indicate periods of higher numbers of new cases over shorter periods of time accounting for larger percentage of the State's overall case count, (b) have higher percent incidence of positive cases per number of tests performed, (c) show evidence of shared workforce between jurisdictions with common risk factors, and (d) have other public health indicators reflecting on-going community transmission; and

WHEREAS, on July 10, 2020, upon counsel and recommendation of the State Health Officer, I issued Executive Order 1507 establishing additional measures necessary to disrupt the spread of

the COVID-19 virus within Claiborne, Desoto, Grenada, Harrison, Hinds, Jackson, Jefferson, Madison, Quitman, Rankin, Sunflower, Washington, and Wayne Counties; and

WHEREAS, upon counsel and recommendation of the State Health Officer, Bolivar, Covington, Forrest, Humphreys, Panola, Sharkey, Simpson, Tallahatchie, Tate and Walthall Counties have also been identified as additional regions that are at higher risk for transmission of COVID-19; accordingly, additional jurisdiction specific measures are necessary to disrupt the spread of the COVID-19 virus within those additional Counties to address and further limit person to person contact and other health and safety measures.

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, by the authority vested in me by the Constitution and laws of the State of Mississippi, and in consultation with the State Health Officer do hereby order and direct as follows:

I. This Executive Order applies only to Bolivar, Claiborne, Covington, Desoto, Forrest, Grenada, Harrison, Hinds, Humphreys, Jackson, Jefferson, Madison, Panola, Quitman, Rankin, Sharkey, Simpson, Sunflower, Tallahatchie, Tate, Walthall, Washington and Wayne Counties. For these counties the statewide Safe Return instituted in Executive Order 1492 as amended and extended by Executive Orders 1496, 1500, 1505, and 1508 shall remain in full force and effect as issued until 8:00 a.m. on Monday, August 3, 2020, except as follows:

   a. ***All Businesses and Business Operations:*** All businesses and business operations shall attempt in good faith to follow the Mississippi State Department of Health's and CDC's regulations, orders and guidance to prevent the spread of COVID-19, including, but not limited to: social distancing; sending sick employees home or for further medical evaluation; actively encouraging sick employees to stay home or for further medical evaluation; separating and sending home employees who appear to have respiratory illness symptoms; adopting and enforcing regular and proper hand-washing and personal hygiene protocols; and daily screening of employees for COVID-19 related symptoms before beginning their shifts.
      i. Each employee shall be screened at the beginning of their shift. Such daily screening shall include, at a minimum, the following questions, and any employee answering any question in the affirmative shall be sent home or for further medical evaluation:
         1. Have you been in close contact with a confirmed case of COVID-19 in the past 14 days?
         2. Are you experiencing a cough, shortness of breath, or sore throat?
         3. Have you had a fever in the last 48 hours?
         4. Have you had new loss of taste or smell?
         5. Have you had vomiting or diarrhea in the last 24 hours?
      ii. All employees shall be required to report any symptoms of COVID-19 to their supervisor or designated company contact, and any employee who exhibits any of the symptoms of COVID-19 during their shift shall be immediately sent home or for further medical evaluation and advised to consult with their physician.
      iii. Appropriate PPE shall be worn by all employees while at work or on duty based on their duties and responsibilities and in adherence to federal, state and local regulations and guidelines. Appropriate PPE shall include a face covering, covering the nose and mouth, for all employees who are unable to maintain a minimum of 6 feet of separation from customers and other employees, and such face coverings shall be cleaned or replaced at least daily.
      iv. Hand sanitizer shall be provided to all employees and customers and shall be made available at points of entry and exit, in or near the bathrooms, and at the cashier stations. Hand sanitizer shall mean any hand antiseptic, hand rub, soap, or agent applied to the hands for purpose of removing common pathogens.
      v. Employees who have contact with the public shall be provided a face covering, covering nose and mouth, and shall be required to wear that face covering while on duty, and such face coverings shall be cleaned or replaced at least daily.
      vi. Customers shall wear a face covering, covering nose and mouth, while inside businesses and business operations, except face coverings are not required for the following:

1. 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;
2. Persons seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
3. Persons while eating or drinking;
4. 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;
5. Persons engaged in swimming activities or other activities while in a swimming pool;
6. Persons engaged in exercising in fitness and exercise gyms or other sports activity;
7. Persons while giving a speech, presentation or performance for a broadcast or to an audience;
8. Persons actively providing or obtaining access to religious worship (***NOTE*** wearing a face covering is strongly encouraged);
9. 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
10. 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.

vii. Businesses and business operations shall make all reasonable efforts to maintain 6 feet of separation between customers (or parties of customers) at all times, including 6 feet of separation while in cashier lines, waiting rooms, and other public space, including displaying prominent signs at every entrance informing customers of the face covering requirements herein and that customers must practice social distancing (maintaining a minimum of 6 feet of separation from other customers (or parties of customers)).

viii. Carts and baskets and all other surfaces that are contacted by customers during the course of providing services shall be sanitized after each use by customers. All other high-touch areas, including all door handles shall be sanitized once every two hours at a minimum.

b. Gatherings:

i. All individuals shall maintain social distancing of a minimum of 6 feet distance between individuals not in the same household.

ii. Social gatherings/activities shall be limited to a maximum of 10 participants indoor and a maximum of 20 participants outdoor. This limitation shall not apply to religious entities, students in classrooms, or gatherings in facilities governed by other capacity limitations.

iii. Face coverings must be worn indoors and outdoors (when unable to maintain a minimum of 6 feet of separation from other individuals not in the same household) when attending public events (including but not limited to attending events in outdoor sports complexes, multi-field complexes, and arenas). This face covering requirement shall not apply to individuals engaged in organized school athletic practices, including weight training and outdoor practices, or other outdoor exercising.

II. <u>Delegate Authority to Issue and Enforce Quarantine and Isolation Orders</u>:

a. Pursuant to Miss. Code Ann. §§ 33-15-11(b)(5) and 33-15-31, the State Health Officer in consultation with the Governor is authorized and empowered to issue such orders as necessary to carry out, implement, and enforce any quarantine or isolation orders to contain and restrict transmission of COVID-19.

b. That this authority is in addition to, and consistent with, the Mississippi State Department of Health's authority to issue, maintain and enforce isolation and quarantine orders pursuant to Miss. Code Ann. § 41-23-5 and other controlling law.

c. Nothing in this Executive Order limits or alters the authority under Miss. Code Ann. § 21-19-3 for a governing authority of a municipality from enacting and enforcing more restrictive measures to contain and restrict transmission of COVID-19.

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 remain in effect and in full force from 8:00 a.m. on Monday July 20, 2020 until 8:00 a.m. on Monday, August 3, 2020, unless it is 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 19TH day of July, 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