STATE OF MISSISSIPPI

Office of the Governor

EXECUTIVE ORDER NO. 1527

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, as a result of the sacrifices made by all Mississippians in the interest of public health over the past six months, Mississippi has experienced a significant decline in the number of COVID-19 infections and resulting hospitalizations; and

WHEREAS, on September 30, 2020, I issued Executive Order 1525 establishing the statewide Safe Recovery Order to further reduce restrictions on all businesses and non-profits operating within the State of Mississippi and permit the resumption of all community activities subject to reasonable limitations to minimize person to person interactions and associated risk of transmission of COVID-19 effective 5:00 p.m. on Wednesday, September 30, 2020, and remaining in full force and effect until 5:00 p.m. on Wednesday, November 11, 2020, unless rescinded modified or extended; and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, since the institution of the Safe Recovery Order a majority of 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 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 on-going community transmission; and

WHEREAS, since the institution of the Safe Recovery Order hospital utilization, including ICU utilization, has begun to increased; and

WHEREAS, it is necessary to maintain ample hospital capacity and resources, including ICU capacity, to ensure that all Mississippians will have access to quality healthcare; 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, upon counsel and recommendation of the State Health Officer, Chickasaw, Claiborne, DeSoto, Forrest, Itawamba, Jackson, Lamar, Lee, and Neshoba 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 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. Paragraph II of Executive Order 1525 is amended to add subsection (p) as follows:

p. ***Hospital Capacity***: In order to perform non-emergent, elective medical procedures and surgeries, the healthcare facility where such procedures and surgeries are performed must reserve at least 10% of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients.

II. This Paragraph (and all subparts) applies only to Chickasaw, Claiborne, DeSoto, Forrest, Itawamba, Jackson, Lamar, Lee, and Neshoba Counties. For these counties only, the statewide Safe Recovery instituted in Executive Order 1525 shall remain in full force and effect as issued until 5:00 p.m. on Wednesday, November 11, 2020, except as follows:

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, serving as a poll watcher, or actively administering an election (***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.

b. ***Group Gatherings (Social Distancing IS NOT Possible):*** Public and private social gatherings and recreational activities shall be limited to groups of no more than 10 people in a single indoor space or groups of no more than 50 people in an outdoor space where individuals not in the same household are in close proximity (less than 6 feet) to each other. This limitation does not apply to religious entities, voting precincts, students in classrooms or gatherings governed by other capacity limitations contained in Executive Order 1525.

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 Wednesday, October 21, 2020, until 8:00 a.m. on Wednesday, November 11, 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 October, 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