The State of Maryland

Executive Department

ORDER
OF THE
GOVERNOR OF THE STATE OF MARYLAND

NUMBER 20-03-23-01

AMENDING AND RESTATING THE ORDER OF MARCH 19, 2020, PROHIBITING LARGE GATHERINGS AND EVENTS AND CLOSING SENIOR CENTERS, AND ADDITIONALLY CLOSING ALL NON-ESSENTIAL BUSINESSES AND OTHER ESTABLISHMENTS

WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, and renewed on March 17, 2020, to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists;

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and has been confirmed in several Maryland counties;

WHEREAS, To reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend canceling large gatherings and social distancing in smaller gatherings;

WHEREAS, The currently known and available scientific evidence and best practices support limitations on large gatherings and social distancing to prevent exposures and transmissions, and reduce the threat to especially vulnerable populations, including older individuals and those with chronic health conditions;

WHEREAS, To reduce the threat to human health caused by transmission of the novel coronavirus in Maryland, and to protect and save lives, it is necessary and reasonable that individuals in the state refrain from congregating;

WHEREAS, To protect the public health, welfare, and safety, prevent the transmission of the novel coronavirus, control the spread of COVID-19,

and save lives, it is necessary to control and direct the movement of individuals in Maryland, including those on the public streets;

WHEREAS, It is further necessary to control and direct in Maryland the occupancy and use of buildings and premises, as well as places of amusement and assembly; and

WHEREAS, the Coronavirus Response Team will continue to advise on related public health and emergency management decisions;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN THE STATE, DO HEREBY ORDER:

I. The Order of the Governor of the State of Maryland, dated March 12, 2020, entitled "Prohibiting Large Gatherings and Events and Closing Senior Centers," as amended and restated on March 16, 2020, and further amended and restated on March 19, 2020 by Order Number 20-03-19-01, is further amended and restated in its entirety as set forth herein.

II. Gatherings Large Than 10 Persons Prohibited.

a. Social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events ("large gatherings and events") of more than 10 people are hereby prohibited at all locations and venues, including but not limited to parades, festivals, conventions, and fundraisers.

b. Planned large gatherings and events must be canceled or postponed until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded.

III. Closure of Non-Essential Businesses, Generally.

a. This Order controls the occupancy and use of all businesses, organizations, establishments, and facilities that are not part of the critical infrastructure sectors identified by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (currently described at https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19) (collectively, "Non-Essential Businesses").

b. All Non-Essential Businesses are hereby closed to the general public, effective as of 5:00 p.m. on March 23, 2020 (or shall remain closed, if closed by a prior Order).

c. All businesses, organizations, establishments, and facilities that are required to close pursuant to paragraph IV, pursuant to any other Order of the Governor of the State of Maryland or any other Order of a political subdivision, shall be and remain closed in accordance with paragraph IV or such other Order, as the case may be.

IV. Closure of Certain Specific Businesses, Organizations, and Facilities.

a. *Senior Centers*. All senior citizen activities centers (as defined in Section 10-501(i) of the Human Services Article of the Maryland Code) shall remain closed until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded.

b. *Restaurants and Bars*.

i. This Order controls the occupancy and use of restaurants, bars, and other similar establishments that sell food or beverages for consumption on-premises in Maryland ("Restaurants and Bars"). This Order does not apply to food or beverage services in health care facilities, which are expressly excluded from the definition of "Restaurants and Bars."

ii. All Restaurants and Bars shall remain closed to the general public, except that, to the extent permitted by applicable law, and in accordance with any social-distancing recommendations of the Maryland Department of Health, food and beverages may be:

1. sold if such food or beverages are promptly taken from the premises, i.e., on a carry-out or drive-through basis; or

2. delivered to customers off the premises.

c. *Fitness Centers*.

i. This Order controls the occupancy and use of fitness centers, health clubs, health spas, gyms, aquatic centers, and self-defense schools in Maryland ("Fitness Centers").

ii. All Fitness Centers shall remain closed to the general public, except that the portion of any Fitness Center that is licensed or otherwise permitted by applicable law, regulation, or order to provide child care services may remain open to the general public for the purpose of continuing to provide such child care services.

d. *Theaters*.

i. This Order controls the occupancy and use of theatres in Maryland at which live performances occur or motion pictures are shown ("Theaters").

ii. All Theaters shall remain closed to the general public.

e. *Malls*.

i. This Order controls the occupancy and use of shopping centers in Maryland that have one or more enclosed pedestrian concourses ("Enclosed Malls").

ii. The following portions of Enclosed Malls shall remain closed to the general public:

1. pedestrian concourses and other interior common areas open to the general public, including without limitation, food courts; and

2. retail establishments only accessible to the general public from enclosed pedestrian concourses or other interior areas.

iii. This paragraph IV.e does not require closure of retail establishments attached to Enclosed Malls that are directly accessible from the outside.

iv. Notwithstanding paragraph IV.e.ii, local governments may approve access by the general public to the following parts of Enclosed Malls:

1. retail establishments (a) that primarily sell groceries or pharmacy products, or (b) at which licensed professionals provide health care services; and

2. pedestrian concourses and other interior common areas, but solely to the extent necessary for the general public to access the retail establishments described in paragraph IV.e.iv.1.

f. *Other Recreational Establishments*.

i. This Order controls the occupancy and use of the following establishments in Maryland ("Recreational Establishments"):

1. bingo halls;
2. bowling alleys;
3. pool halls;
4. amusement parks;
5. roller and ice skating rinks;
6. all golf courses (public and private), miniature golf establishments, and driving ranges;
7. social and fraternal clubs, including without limitation, American Legion posts, VFW posts, and Elks Clubs; and
8. any other establishment not listed above that is subject to the admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code.

ii. All Recreational Establishments are hereby closed to the general public, effective as of 5:00 p.m. on March 23, 2020 (or shall remain closed, if closed by a prior Order).

g. *Other Miscellaneous Establishments*.

i. This Order controls the occupancy and use of the following establishments in Maryland:

1. tattoo parlors;
2. tanning salons;
3. barber shops; and
4. beauty salons and all other establishments that provide esthetic services, provide hair services, or provide nail services (as described in Title 5, Subtitle 2 of the Business Occupations Article of the Maryland Code).

ii. The establishments listed in paragraph IV.g.i above are hereby closed to the general public, effective as of 5:00 p.m. on March 23, 2020.

V. Specific Exclusions. For avoidance of doubt, this Order does not require the closure of:

a. Any federal, State, or local government unit, building, or facility;
b. Any newspaper, television, radio, or other media service; or
c. Any non-profit organization or facility providing essential services to low-income persons, including, without limitation, homeless shelters, food banks, and soup kitchens.

VI. Government Buildings and Facilities with Large Occupancy or Attendance.

a. State and local government buildings and facilities with an expected occupancy or attendance of more than 10 people shall:

i. Promptly and conspicuously post in the building or facility a copy of the Maryland Department of Health recommendations for social distancing; and

ii. Provide all occupants and attendees with the capability to wash their hands.

b. A copy of this Order shall be made available to all occupants or attendees at any State or local government building and facility with an expected occupancy or attendance of more than 10 people.

VII. General Provisions.

a. Each law enforcement officer of the State or a political subdivision shall execute and enforce this Order.

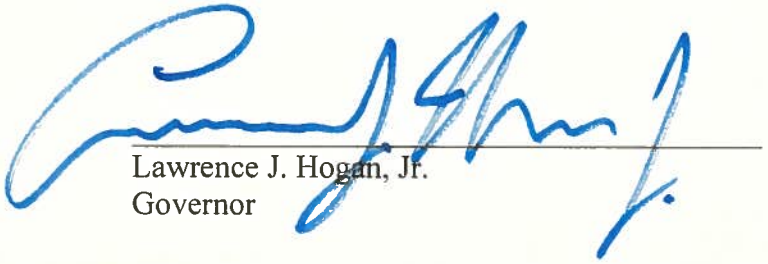
b. A person who knowingly and willfully violates this Order is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding $5,000 or both.

c. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.

d. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this order is hereby suspended.

e. The underlined paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.

ISSUED UNDER MY HAND THIS 23RD DAY OF MARCH, 2020, AND EFFECTIVELY IMMEDIATELY.



Lawrence J. Hogan, Jr.
Governor