State of Iowa

Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, the World Health Organization has reported an outbreak of thousands of cases of Novel Coronavirus 2019 (COVID-19) in multiple countries, causing illness and deaths; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a national public health emergency; and

WHEREAS, on March 9, 2020, a Proclamation of Disaster Emergency was issued to coordinate the State of Iowa's response to this outbreak and such disaster continues to exist; and

WHEREAS, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a proclamation declaring that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, on March 17, 2020, a Proclamation of Public Health Disaster Emergency was issued to provide additional needed resources and measures to respond to this disaster, and such public health disaster continues to exist; and

WHEREAS, strict compliance with the provisions of Iowa Code §§ 123.30(3)(c) and 123.49(2)(d), prohibiting a class "C" liquor control license holder from selling mixed drinks or cocktails for consumption off premises, would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa Code § 123.30(3)(c) regarding sale of unopened containers of alcoholic beverages to patrons for consumption off premises by class "C" liquor control licensees would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa Code § 123.130(4) and Iowa Administrative Code 185-4.6(3)(c) & (e) requiring that beer sold at retail at the manufacturing premises for consumption off the premises must be in-person and transferred to another container at the time of sale would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa Code § 347.14(4), prohibiting a board of trustees of a county hospital from borrowing moneys, secured solely by hospital revenues, for the purpose of sustaining the hospital's operations would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa Code chapters 490, 491, 499, and 501A requiring a physical meeting of shareholders, policyholders, or members would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa law regarding the certification, certification deadline(s), and continuing education requirement(s) for certified peace officers and jailers would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

NOW THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution, Art. IV, §§ 1, 8 and Iowa Code §§ 29C.6(1), 135.140(6), and 135.144 do hereby proclaim a **STATE OF PUBLIC HEALTH DISASTER EMERGENCY** continues to exist throughout the entire state of Iowa and do hereby **ORDER** and **DIRECT** the following:

SALES OF ALCOHOL

SECTION ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code §§ 123.30(3)(c) and 123.49(2)(d), to the extent a class "C" liquor control license holder is prohibited from selling mixed drinks or cocktails for consumption off premises. Mixed drinks or cocktails may be sold if sealed with a lid or other method of securing the product and promptly taken from the premises prior to any consumption, such as on a carry-out or drive-through basis, or if the beverage is delivered to customers off the premises. Nothing in this provision alters or modifies the provisions of Iowa Code §§ 321.284 or 321.284A related to open containers in motor vehicles. Suspension of this provision is effective immediately and will continue until 11:59 p.m. on April 7, 2020.

SECTION TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.30(3)(c) prohibiting a holder of a class "C" liquor control license from selling unopened bottles of wine or alcoholic liquor for consumption off premises. Class "C" licensees may continue to sell beer for consumption off premises. Beverages may be sold if promptly taken from the premises, such as on a carry-out or drive-through basis, or if the beverage is delivered to customers off the premises. Suspension of this provision will now continue until 11:59 p.m. on April 7, 2020.

SECTION THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.130(4) and Iowa Administrative Code 185-4.6(3)(c) and (e) requiring that beer sold at retail at the manufacturing premises for consumption off the premises must be in-person and transferred to another container at the time of sale. Suspension of this provision will now continue until 11:59 p.m. on April 7, 2020.

COUNTY HOSPITAL BORROWING

SECTION FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, and at the request of a local governing body, I temporarily suspend the regulatory provisions of Iowa Code § 347.14(4), to the extent it prohibits a board of trustees of a county hospital from borrowing moneys, secured solely by hospital revenues, for the purpose of sustaining the hospital's operations.

ELECTRONIC CORPORATE SHAREHOLDER MEETINGS

SECTION FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code chapters 490, 491, 499, and 501A to the extent they require a physical meeting of shareholders, policyholders, or members, if the meeting is held by means of remote communication and provides shareholders, policyholders, or members a reasonable opportunity to participate in the meeting and to vote on matters submitted for action at such meeting, including an opportunity to communicate, and to read or hear the proceedings of the meeting, substantially concurrently with such proceedings.

LAW ENFORCEMENT CERTFICATION RELIEF

SECTION SIX. Pursuant to Iowa Code section 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Code Chapter 80B, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they set an expiration date, certification requirements, renewal requirement, or deadline for professional certification, or specialty certifications that expire during the duration of this proclamation. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct the Iowa Law Enforcement Academy and its Council to provide additional guidance to certified peace officers and holders of specialty certificates regarding the effect of these suspensions.

IMPLEMENTATION AND INTERPRETATION

SECTION SEVEN. The Iowa Department of Public Safety, Iowa Department of Public Health, Iowa Department of Education, Iowa Department of Homeland Security and Emergency Management, Iowa Department of Transportation, and other participating state agencies are hereby directed to monitor the operation and implementation of this proclamation to assure the public's health and safety.

SECTION EIGHT. Nothing contained in this declaration shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code not specifically identified in this proclamation.

SECTION NINE. The provisions of this proclamation shall be effective immediately, unless otherwise noted. This proclamation shall not be construed to otherwise modify the proclamations issued on March 17, 2020, March 19, 2020, March 22, 2020, March 26, 2020. This state of public health disaster emergency shall continue to expire on April 16, 2020, at 11:59 p.m., unless sooner terminated or extended in writing by me.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED AT DES MOINES, IOWA THIS 31ST DAY OF MARCH IN THE YEAR OF OUR LORD TWO THOUSAND TWENTY.

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

PAUL D. PATE
SECRETARY OF STATE