STATE OF MISSISSIPPI

Office of the Governor

EXECUTIVE ORDER NO. 1549

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

WHEREAS, with vigilance and common sense, and as a result of the continued sacrifices made by all Mississippians in the interest of public health over the past eleven months, COVID-19 infections and resulting hospitalizations have been effectively managed and have significantly declined; and

WHEREAS, the Safe Recovery Order instituted in Executive Order 1535, as extended by Executive Order 1542 and amended and further extended by Executive Order 1543, adopts reasonable public health measures under the current circumstances permitting all business and non-profits to continue operating within the State of Mississippi and permitting the continued resumption of all community activities subject to reasonable limitations to minimize person to person interactions and associated risk of transmission of COVID-19 is set to expire at 5:00 p.m. on Wednesday, March 3, 2021; 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, while in recent weeks, Mississippi has seen a sharp decline in COVID-19 infections and resulting hospitalizations, and the vaccine roll-out is proceeding as expeditiously as possible, in consultation with the State Health Officer, in order to continue to disrupt the spread of COVID-19 and minimize person to person interactions and associated risk, it is necessary to adopt reasonable public health measures under the current circumstances.

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, by the authority vested in me by the Constitution, the Mississippi Emergency Management Law as amended, Miss. Code. Ann.§ 33-15-1 *et seq.*, and other laws of the State of Mississippi, and in consultation with the State Health Officer do hereby order and direct as follows:

I. ***Repeal:*** Executive Order 1535 and Executive Order 1536 and all amendments thereto are rescinded and shall stand repealed.

II. ***Duration:*** This Executive Order shall be effective at 5:00 p.m. on Wednesday, March 3, 2021, and shall remain in full force and effect until 5:00 p.m. on Wednesday, March 31, 2021, unless rescinded, modified or extended.

III. All persons within the State of Mississippi are encouraged to follow the CDC's and Mississippi State Department of Health's guidelines to prevent the spread of COVID-19 including:

a. Wearing a face covering, covering the nose and mouth, while in public spaces whenever it is not possible to maintain social distancing from persons not in the same household;
b. Avoid large gatherings, particularly indoor gatherings;
c. Maintain social distancing between persons not in your household;
d. Practice good hand hygiene, including washing your hands often with soap and water for at least 20 seconds especially after you have been in a public space; and
e. Stay at home if you feel sick or have any symptoms of COVID-19.

IV. ***Businesses and Non-Profits:*** All business and non-profit entities operating within the State of Mississippi are encouraged to make reasonable, good-faith efforts to comply with the CDC's and Mississippi State Department of Health's regulations and guidelines to prevent the spread of COVID-19, including:

a. Implementing screening protocols of employees and volunteers for COVID-19 at the beginning of each shift;
b. Sending sick employees home and actively encouraging sick employees to stay at home;
c. Adopting measures to encourage appropriate PPE to 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;
d. Adopting measures to encourage social distancing between customers/visitors not in the same household;
e. Adopting measures to encourage proper hand washing and personal hygiene protocols;
f. Frequent cleaning of high-contact surfaces (such as retail counters, door handles, and credit card machines); and
g Making hand sanitizer available to all customers and visitors at points of entry and throughout the business.

V. ***Close Contact and Personal Care Services:*** In addition to the requirements of Paragraph IV, close contact personal care services, including salons, barber shops, spas, massage parlors, personal care and personal grooming facilities, body art and tattoo services, and tanning salons are strongly encouraged to operate subject to the following limitations:

a. Every employee should be encouraged to wear a face covering, covering the nose and mouth, while on duty;
b. All employees should be encouraged to wash their hands between serving each customer, and more frequently as necessary. If appropriate for the service provided, gloves are recommended and should be discarded after each customer;
c. Customers should be encouraged to wear a face covering, covering the nose and mouth, while inside the facility except when receiving a service that otherwise could not be provided while wearing a face covering;
d. The number of customers inside the facility should be limited to ensure social distancing between persons not in the same household; and
e. Customers should be screened for illness prior to entry into the facility.

VI. ***Indoor Arenas:*** Attendance at events held in indoor arenas, including college and university arenas, shall be limited as follows:

a. Seating Capacity:
    i. Bowl/Arena seating: Bowl/Arena ticketed seating shall be limited to a maximum of 50% of seating capacity.
    ii. Club areas: Indoor club areas shall be limited to a maximum of 75% of seating capacity.
    iii. Suites: Suite capacity shall be limited to a maximum of 75% of seated capacity.

b. All entry/exit gates and restrooms shall be open. Attendees should be encouraged to practice social distancing while waiting in line at entrance/exits and restrooms. Attendees shall not be permitted to congregate in the area around entrances/exits or restrooms.

c. Attendees are encouraged to wear a face covering, covering their nose and mouth, while inside the arena when social distancing is not possible from persons not in the same household.

VII. ***Face Coverings:*** Every person in Mississippi shall wear a face covering, covering the nose and mouth, while inside a school building or classroom, or when outdoors on a school campus whenever it is not possible to maintain social distancing from another person not in the same household, except face coverings are not required for the following:

a. 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;

b. Persons seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;

c. Persons while eating or drinking;

d. Persons in a building or engaged in an activity that utilizes or requires security surveillance or screening, and only during such times when these persons are under security surveillance or screening;

e. Persons engaged in swimming activities or other activities while in a swimming pool;

f. Persons engaged in exercising in fitness and exercise gyms or other sports activity;

g. Persons engaged in organized school athletic practices, including weight training;

h. Persons, including teachers, while giving a speech, presentation or performance for a broadcast or to an audience, including students;

i. Persons actively providing or obtaining access to religious worship (***NOTE*** wearing a face covering is strongly encouraged);

j. Children under the age of six (6) (***NOTE*** parents and guardians shall be responsible for ensuring proper use of face coverings by children 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

k. Other settings when it is not practical or feasible to wear a face covering.

VIII. ***K-12 Organized Extracurricular Events:*** Attendance at all K-12 outdoor and indoor organized extracurricular events, including but not limited to athletic competitions, band performances and concerts, cheer performances, and theater performances shall be permitted subject to the following limitations:

a. Attendance at outdoor venues shall be limited to a maximum of 50% of the outdoor venue's seating capacity depending on space available to ensure social distancing between persons not in the same household.

b. Attendance at indoor venues shall be limited to a maximum of 25% of the indoor venue's seating capacity depending on space available to ensure social distancing between persons not in the same household.

c. All venue entry/exit gates and restrooms shall be open. Attendees are encouraged to practice social distancing while waiting in line at entrance/exits and restrooms. Attendees shall not be permitted to congregate in the venue around entrances/exits or restrooms.

d. Attendees are encouraged to wear a face covering, covering their nose and mouth, while inside any venue when social distancing is not possible from persons not in the same household.

IX. ***County and Local Municipal Authority:*** Nothing in this Executive Order shall limit or alter the authority of any local or county authority from adopting orders, rules, regulations, resolutions, and actions that are more strict than established herein, including capacity limitations and face covering requirements, provided that they do not impose restrictions that prevent any Essential Business Operations as identified in Executive Order No. 1463 as Supplemented from operating at such

level necessary to provide essential services and functions during this COVID-19 State of Emergency.

X. ***Courts Are Open:***

a. Pursuant to Article 3, §§ 24, 25, 26, and 26A of the Mississippi Constitution, and consistent with administrative orders of the Supreme Court of the State of Mississippi, all State Courts are open to fulfill their constitutional and statutory duties.

b. Nothing in this or any Executive Order issued in response to COVID-19 is intended to conflict with or otherwise infringe upon any administrative order issued by or under the direction of the Supreme Court of the State of Mississippi.

XI. ***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.

XII. ***Delegate Authority to Issue and Enforce Quarantine and Isolation Orders:***

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 to enact and enforce more restrictive measures to contain and restrict transmission of COVID-19.

XIII. That all departments, commissions, agencies, institutions, and boards of the State of Mississippi, political subdivisions thereof, counties, municipalities and school districts are authorized and directed to cooperate in actions and measures taken in response to COVID-19 during the State of Emergency.

IN TESTIMONY 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 2ND day of March, in the year of our Lord, two thousand and twenty-one, 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