STATE OF ALABAMA

PROCLAMATION

BY THE GOVERNOR

WHEREAS, on March 13, 2020, I declared the existence of a state public health emergency based on the appearance of the 2019 novel coronavirus known as COVID-19 in the State of Alabama;

WHEREAS that initial proclamation included provisions designed to assist in preventing the spread of COVID-19 and in mitigating the consequences of COVID-19;

WHEREAS, I have issued supplemental proclamations to further address the occurrence of COVID-19 in the State of Alabama on March 18, 20, 23, and 26, April 2, 3, and 13, May 8 and 21, and June 9 and 30 of 2020; and

WHEREAS new implications of COVID-19 come to light on a continual basis, requiring flexibility and adaptability by all levels of government within the State of Alabama;

NOW THEREFORE, I, Kay Ivey, Governor of the State of Alabama, pursuant to the relevant provisions of the Alabama Emergency Management Act of 1955, as amended, Ala. Code §§ 31-9-1, *et seq.*, do hereby proclaim the existence of conditions that warrant implementation of additional extraordinary measures and relief during the state public health emergency now in effect in order to guard public health and protect human life. I therefore proclaim and direct all of the following:

I. Facilitating remote meetings of nonprofit corporations

Because person-to person contact increases the risk of transmitting COVID-19, I find that it would promote the safety and protection of the civilian population to ensure that nonprofit corporations may avail themselves of remote-meeting procedures similar to the ones I adopted in section V of my fifth supplemental emergency proclamation dated April 2, 2020. To that end:

A. Notwithstanding any other provision of law, nonprofit corporations governed by Chapter 3 of Title 10A of the Code of Alabama (1975) may provide an alternate means of meeting for eligible members via remote participation pursuant to guidelines and procedures adopted through a process approved by the corporation's trustees or directors.

B. Members remotely participating in a meeting authorized under this section shall be deemed present and may vote at the meeting if:

   1. The corporation has implemented reasonable measures to verify membership of each person participating; and

   2. The corporation has provided members participating remotely a reasonable opportunity to participate in the meeting and to vote on matters submitted to the members, including an opportunity to communicate, and to read or hear

the proceedings of the meeting, substantially concurrently with the proceedings.

C. Any guidelines and procedures adopted under this section must provide for pre-meeting notice to the members that describes the means of remote communication to be used during the meeting and the notice must include the record date for determining the members entitled to vote at the meeting, if that date is different from the record date for determining members entitled to notice of the meeting.

D. The corporation shall maintain a list of members entitled to vote at the meeting and any member is entitled to inspect the list upon written request received by the corporation within five days of the meeting.

II. Extending the public health emergency

Under the Emergency Management Act, a state of emergency expires sixty days after the date on which it was proclaimed unless the Governor extends the emergency by proclamation. *See* Ala. Code § 31-9-8(a). On May 8, 2020, I extended the state of emergency initially proclaimed on March 13, 2020, by sixty days, from May 12, 2020, until July 11, 2020.

Due to the continuing impact of COVID-19, conditions of disaster or extreme peril to the safety of persons and property continue to exist within the State of Alabama. Therefore, I hereby extend the state of emergency proclaimed on March 13, 2020, by an additional sixty days from July 11, 2020, until September 9, 2020.

At this time, it is impossible to predict how long the COVID-19 pandemic will require the existence of a state of emergency. Nevertheless, I understand and appreciate the substantial reliance that many people, businesses, and government entities have come to place on the measures adopted in the various emergency proclamations I have issued as part of the State's COVID-19 response. To assist these people, businesses, and government entities in planning for the future, I intend to give ample advance notice of any decision to terminate the state of emergency, whenever that date may be.

FURTHER, to the extent a provision in this supplemental proclamation conflicts with any provision of state law, that law is hereby suspended for the duration of this state of emergency, and this proclamation shall control.

FURTHER, I declare that this proclamation and all subsequent orders, laws, rules, or regulations issued pursuant hereto shall remain in full force and effect for the duration of the public health emergency unless rescinded or extended by proclamation.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused the Great Seal to be affixed by the Secretary of State at the State Capitol in the City of Montgomery on this 2nd of July, 2020.

Kay Ivey

Kay Ivey
Governor

ATTEST:

John H. Merrill

John H. Merrill
Secretary of State