THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

REVIVING A HEALTHY GEORGIA

WHEREAS: On March 14, 2020, due to the impact of COVID-19 on the State of Georgia, I issued Executive Order No. 03.14.20.01, declaring a Public Health State of Emergency in Georgia; and

WHEREAS: The Georgia General Assembly concurred with Executive Order 03.14.20.01 by joint resolution on March 16, 2020; and

WHEREAS: On April 8, 2020, I renewed the Public Health State of Emergency until May 13, 2020 by issuing Executive Order 04.08.20.02; and

WHEREAS: Code Section 38-3-51(c)(4) vests the Governor with the power to perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS: Code Section 38-3-51(d)(1) vests the Governor with the power to suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and

WHEREAS: Code Sections 31-2A-4 and 31-12-4 vests the Department of Public Health with the power to segregate and isolate certain individuals with certain communicable diseases or conditions when said individuals' exposure to the general population is likely to endanger the health of others; and

WHEREAS Executive Order No. 03.20.20.02 as issued applies to Georgia Business Corporations (governed by Code Title 14, Chapter 2), and it is in the best interests of the State to extend such order to also apply to Georgia Nonprofit Corporations (governed by Code Title 14, Chapter 3); and

WHEREAS: Corporations that are calling and holding meetings of shareholders pursuant to Code Sections 14-2-701 or 14-2-702 are required to deliver advance notice and meet other legal requirements under the laws of the State of Georgia, as well as the federal securities laws of the United States, in advance of convening such meetings; and

WHEREAS: In consultation with the Governor's Coronavirus Task Force and health and emergency preparedness officials, I have determined that the following actions are necessary and appropriate to protect the strength of Georgia's economy and provide for the health, safety, and welfare of Georgia's residents and visitors.

NOW, THEREFORE, PURSUANT TO THE AFOREMENTIONED GEORGIA LAW, CODE SECTION 38-3-51, AND THE AUTHORITY VESTED IN ME AS THE GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

I. GENERAL PROVISIONS

ORDERED: That unless otherwise noted, the provisions contained in this Order shall be effective from May 1, 2020 at 12:00 A.M. until May 13, 2020 at 11:59 P.M.

IT IS FURTHER

ORDERED: That all residents and visitors of the State of Georgia shall practice Social Distancing as defined herein and refrain from Gathering as defined herein.

IT IS FURTHER

ORDERED: That all residents and visitors of the State of Georgia are strongly encouraged to wear face coverings as practicable while outside their homes or place of residence, except when eating, drinking, or exercising outdoors.

IT IS FURTHER

ORDERED: All residents and visitors of the State of Georgia shall practice sanitation in accordance with the guidelines published by the Centers for Disease Control and Prevention.

IT IS FURTHER

ORDERED: That no business, establishment, corporation, non-profit corporation, organization, or county or municipal government shall

allow Gatherings of persons. This provision shall not apply to cohabitating persons, family units, or roommates residing together in private homes, whether inside or outside of their homes or place of residence. This provision shall also not apply to entities defined as "Critical Infrastructure."

IT IS FURTHER

ORDERED: That Executive Order 04.08.20.04 shall be extended for thirteen days, until Wednesday, May 13, 2020, at 11:59 P.M.

II. DEFINITIONS

IT IS FURTHER

ORDERED: That the following definitions shall apply to this Order:

1. "Critical Infrastructure" shall include all workers, businesses, establishments, corporations, non-profit corporations, and organizations included in versions 1.0, 2.0, and 3.0 of Guidance on Essential Critical Infrastructure Workers released by the U.S. Department of Homeland Security on March 19, 2020, March 28, 2020, and April 17, 2020, respectively. The term "Critical Infrastructure" shall also include those suppliers which provide essential goods and services to the Critical Infrastructure workforce as well as entities that provide legal services, home hospice, and non-profit corporations or non-profit organizations that offer food distribution or other health or mental health services.
2. "Essential Services" shall include those activities outlined below.
    A. Obtaining necessary supplies and services for family or household members, such as food and supplies for household consumption and use, medical supplies or medication, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence. Preference should be given to online ordering, home delivery, and curbside pick-up services wherever possible as opposed to in-store shopping.
    B. Engaging in activities essential for the health and safety of family or household members.
    C. Seeking medical, behavioral health, or emergency services.
    D. Activities that may preserve the health and welfare of persons within this State.

E. The transport, visitation, and regular care of family members and persons dependent on the services of others, and similar actions that ensure the welfare and best interests of persons in the State of Georgia, specifically including the elderly, children, and disabled populations.
F. Children obtaining public internet access to fulfill educational obligations.
G. Engaging in outdoor exercise activities so long as Social Distancing is practiced during such activities between all persons who are not occupants of the same household or residence.

3. "Gathering" shall mean more than ten (10) persons physically present at a Single Location if, to be present, persons are required to stand or be seated within six (6) feet of any other person. Therefore, groups of more than ten (10) people are permitted if their grouping is transitory or incidental, or if their grouping is the result of being spread across more than one Single Location.
4. "Necessary Travel" shall mean such travel as is required to conduct or participate in Essential Services or Critical Infrastructure as defined by this Order.
5. "Personal Protective Equipment" shall mean surgical masks, N95 masks, respirators, other facemasks, protective gloves, protective clothing, protective garments, and shoe coverings.
6. "Shelter in Place" shall mean a person is required to remain in their home or place of residence and take every possible precaution to limit social interaction to prevent the spread or infection of COVID-19 to themselves or any other person, subject to the provisions and exceptions of this Order.
7. "Single Location" shall mean a space where all persons gathered cannot maintain at least six (6) feet of distance between themselves and any other person.
8. "Social Distancing" means keeping space between yourself and other people outside of your home or place of residence. Persons practicing Social Distancing should stay at least six (6) feet from other people, avoid assembling in groups, avoid crowded places, and avoid large crowds.

III. SHELTERING IN PLACE

IT IS FURTHER

ORDERED: That all residents and visitors of the State of Georgia who meet the following criteria for higher risk of severe illness as defined by the

Centers for Disease Control and Prevention are required to Shelter in Place within their homes or places of residence:

1. Those persons who are 65 years of age or older.
2. Those persons who live in a nursing home or long-term care facility, including inpatient hospice, assisted living communities, personal care homes, intermediate care homes, community living arrangements, and community integration homes.
3. Those persons who have chronic lung disease.
4. Those persons who have moderate to severe asthma.
5. Those persons who have severe heart disease.
6. Those persons who are immunocompromised. Many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medication.
7. Those persons, of any age, with class III or severe obesity.
8. Those persons diagnosed with the following underlying medical conditions: diabetes, liver disease, and persons with chronic kidney disease undergoing dialysis.

IT IS FURTHER

ORDERED: That persons required to Shelter in Place shall be permitted to engage in the following activities:

1. Conducting or participating in Essential Services;
2. Performing Necessary Travel;
3. Engaging in the performance of, or travel to and from the performance of minimum necessary activities to maintain the value of a business, establishment, corporation, non-profit corporation, or organization not classified as Critical Infrastructure; or
4. Working in or for Critical Infrastructure and are actively engaging in the performance of, or travel to and from, their respective employment.

IT IS FURTHER

ORDERED: That persons required to Shelter in Place shall not receive visitors, except as follows:

1. Visitors providing medical, behavioral health, or emergency services or medical supplies or medication, including home hospice;
2. Visitors providing support for the person to conduct activities of daily living or instrumental activities of daily living;

3. Visitors providing necessary supplies and services, such as food and supplies for household consumption and use, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence; or
4. Visitors received during end-of-life circumstances.

To the extent practicable under the circumstances, visitors shall maintain a minimum distance of six (6) feet between themselves and all other occupants of the person's home or residence. Any visitors visiting for the sole purpose of delivering medication, supplies, or other tangible goods shall, to the extent practicable, deliver such items in a manner that does not require in-person contact or require the deliverer to enter the person's home or residence.

IT IS FURTHER

ORDERED: That the provisions of this Order related to visitors listed in the immediately preceding paragraph shall be strictly enforced against nursing homes or other long-term care facilities, including inpatient hospice, assisted living communities, personal care homes, intermediate care homes, community living arrangements, and community integration homes.

IT IS FURTHER

ORDERED: That an exception to any Shelter in Place requirement set forth hereunder applies in the event of an emergency. In such cases, persons are encouraged to leave their homes or residences and Shelter in Place in accordance with the rules included in this Order at a safe alternate location. Persons experiencing homelessness are urged to obtain shelter and contact governmental and other entities for assistance.

IV. RESTAURANTS & DINING SERVICES

IT IS FURTHER

ORDERED: That the provisions of Section IV of this Order, titled "Restaurants & Dining Services," shall become effective at 12:00 A.M. on Monday, April 27, 2020, and shall be subject to enforcement as provided herein and in Section X of this Order, titled "Enforcement."

IT IS FURTHER

ORDERED: That for the purposes of Section IV of this Order, titled "Restaurants & Dining Services," the term "Single Location" as used in the definition of "Gatherings" in Section I of this Order shall mean 500 square feet of public space. This formula shall only apply to patrons. Therefore, for restaurants, no more than ten (10) patrons should be allowed in the facility per 500 square feet of public space. In calculating the total number of public space square feet, such calculation shall include waiting and bar areas, if any, but shall not include hallways, restrooms, and spaces closed to patrons.

IT IS FURTHER

ORDERED: That restaurants and dining rooms, including those at private social clubs, are hereby permitted to resume providing dine-in services. All restaurants and dining rooms that operate during the effective dates of this Order ***shall*** implement measures which mitigate the exposure and spread of COVID-19 among its patrons and workforce. Such measures ***shall*** include the following:

1. Screen and evaluate workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
2. Require workers who exhibit signs of illness to not report to work or to seek medical attention. Per existing U.S. Food and Drug Administration Food Code requirements, employees who are sick should remain home. If an employee becomes ill or presents signs of illness at work, the operator should identify the employee's condition during a pre-work screening and send the employee home. Restaurants shall create, maintain, and follow established policies regarding when employees who have become ill are permitted to return to work. An employee with known or suspected COVID-19 must follow Centers for Disease Control and Prevention guidelines to self-isolate for at least seven (7) days after symptom onset and end isolation only after symptoms have improved and the employee has been fever-free and/or symptom-free for three (3) consecutive days without medication before returning to work;
3. Implement teleworking for all possible workers;
4. Implement staggered shifts for all possible workers;
5. Hold all meetings and conferences virtually, whenever possible;
6. Train all employees on the importance and expectation of increased frequency of handwashing, the use of hand sanitizers with at least 60% alcohol, and provide clear instruction to avoid touching hands to face;

7. Require all employees to wear face coverings at all times. Such coverings shall be cleaned or replaced daily;
8. Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment;
9. Where possible, stagger workstations to avoid employees standing adjacent to one another or next to each other. Where six (6) feet of separation is not possible, consider spacing options that include other mitigation efforts with increased frequency of cleaning and sanitizing surfaces;
10. Establish limit numbers to reduce contact in employee breakrooms;
11. Prohibit handshaking and other unnecessary person-to-person contact in the workplace;
12. Enforce Social Distancing of non-cohabitating persons while present on such entity's leased or owned property;
13. Increase physical space between workers and patrons;
14. Limit contact between wait staff and patrons;
15. Discard all food items that are out of date;
16. Discontinue use of salad bars and buffets;
17. If providing a "grab and go" service, stock coolers to no more than minimum levels;
18. Ensure the Food Safety Manager certification of the person in charge is up-to-date and provide food handler training to refresh employees;
19. Thoroughly detail, clean, and sanitize the entire facility prior to resuming dine-in services and continue to do so regularly, focussing such cleaning and sanitation on high contact areas that would be touched by employees and patrons;
20. Between diners, clean and sanitize table condiments, digital ordering devices, check presenters, self-service areas, tabletops and commonly touched areas, and discarding single-use items;
21. Use rolled silverware and eliminate table presets;
22. Remove items from self-service drink, condiment, utensil, and tableware stations and have workers provide such items to patrons directly wherever practicable;
23. The use of disposable paper menus is strongly encouraged, which should be discarded after each patron use. Otherwise, businesses subject to this Section shall clean and sanitize reusable menus between each use by a patron. Non-touch menus are also acceptable for use.
24. Clean and sanitize restrooms regularly, check restrooms based on the frequency of use, and ensure adequate supply of soap and paper towels at all times;
25. Implement procedures to increase cleaning and sanitizing frequency of surfaces in the back-of-house. Avoid all food contact surfaces when using disinfectants;

26. Check restrooms regularly and clean and sanitize based on frequency of use;
27. Update floor plans for common dining areas, redesigning seating arrangements to ensure at least six (6) feet of separation from seating to seating. Utilize physical barriers on booth seating when available;
28. Limit party size at tables to no more than six;
29. Where practical, consider a reservations-only business model or call-ahead seating;
30. Remind third-party delivery drivers and any suppliers of your internal distancing requirements;
31. Post signage on entrances that no one with a fever or symptoms of COVID-19 is permitted in the facility;
32. Where practicable, physical barriers such as partitions or Plexiglas at registers should be used;
33. Use technological solutions where possible to reduce person-to-person interaction: mobile ordering, mobile access to menus to plan in advance, text on arrival for seating, and contactless payment options;
34. Provide hand sanitizer for use by patrons, including contactless hand sanitizing stations when available;
35. Do not allow patrons to congregate in waiting areas or bar areas. Design a process to ensure patron separation while waiting to be seated that can include floor markings, outdoor distancing, or waiting in cars;
36. If possible, use an exit from the facility separate from the entrance;
37. Mark ingress/egress to and from restrooms to establish paths that mitigate proximity for patrons and staff;
38. Where practicable, take-out and curbside pick-up services should be prioritized over dine-in services; and
39. All restaurant or dining room playgrounds shall be closed.

IT IS FURTHER

ORDERED: That none of the provisions of Section IV of this Order, titled "Restaurants & Dining Services," shall apply to the operation of dine-in services in hospitals, healthcare facilities, nursing homes, or other long-term care facilities.

IT IS FURTHER

ORDERED: To the extent that the provisions of Section IV of this Order, titled "Restaurants & Dining Services," conflict with the provisions of Section V of this Order, titled "Industry & Commerce," the provisions of Section IV shall control.

V. INDUSTRY, COMMERCE, ORGANIZATIONS, & NON-PROFITS

IT IS FURTHER

ORDERED: That the Georgia Department of Economic Development is authorized to issue guidance to any business, corporation, organization, or industry trade group regarding its status as Critical Infrastructure. This guidance shall not require a finding of fact but shall be in writing and shall be considered a final agency action for the purpose of proceedings under Code Section 50-13-19.

IT IS FURTHER

ORDERED: Critical Infrastructure that continue in-person operation during the effective dates of this Order ***shall*** implement measures which mitigate the exposure and spread of COVID-19 Such measures ***may*** include, but shall not be limited to the following, which shall be implemented to the maximum extent practicable:

1. Screening and evaluating workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
2. Requiring workers who exhibit signs of illness to not report to work or to seek medical attention;
3. Enhancing sanitation of the workplace as appropriate;
4. Disinfecting common surfaces regularly;
5. Requiring handwashing or sanitation by workers at appropriate places within the business location;
6. Prohibiting Gatherings of workers during working hours;
7. Permitting workers to take breaks and lunch outside, in their office or personal workspace, or in such other areas where proper social distancing is attainable;
8. Implementing teleworking for all possible workers;
9. Implementing staggered shifts for all possible workers;
10. Holding all meetings and conferences virtually, whenever possible;
11. Delivering intangible services remotely, whenever possible;
12. Discouraging workers from using other workers' phones, desks, offices, or other work tools and equipment;
13. Prohibiting handshaking and other unnecessary person-to-person contact in the workplace;
14. If in use, open sales registers must be at least six (6) feet apart;
15. Point of sale equipment should be frequently cleaned and sanitized;
16. Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen; and

17. Suspending the use of Personal Identification Number ("PIN") pads, PIN entry devices, electronic signature capture, and any other credit card receipt signature requirements to the extent such suspension is permitted by agreements with credit card companies and credit agencies.

IT IS FURTHER

ORDERED: That all businesses, establishments, corporations, non-profit corporations, or organizations that are *not* Critical Infrastructure that continue in-person operations during the effective dates of this Order ***shall*** implement measures which mitigate the exposure and spread of COVID-19 among its workforce. Such measures ***shall*** include the following:

1. Screening and evaluating workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
2. If a retail business, posting a sign on the storefront stating that individuals who have a fever or other symptoms of COVID-19 shall not enter the store;
3. Requiring workers who exhibit signs of illness to not report to work or to seek medical attention;
4. Enhancing sanitation of the workplace as appropriate;
5. Disinfecting common surfaces regularly;
6. Requiring hand washing or sanitation by workers at appropriate places within the business location;
7. Prohibiting Gatherings of workers during working hours;
8. Permitting workers to take breaks and meals outside, in their office or personal workspace, or in such other areas where proper Social Distancing is attainable;
9. Implementing teleworking for all possible workers;
10. Implementing staggered shifts for all possible workers;
11. Holding all meetings and conferences virtually, whenever possible;
12. Delivering intangible services remotely, whenever possible;
13. Discouraging workers from using other workers' phones, desks, offices, or other work tools and equipment;
14. Prohibiting handshaking and other unnecessary person-to-person contact in the workplace;
15. Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen;
16. Enforcing Social Distancing of non-cohabitating persons while present on such entity's leased or owned property;
17. For retailers and service providers, providing for alternative points of sale outside of buildings, including curbside pick-up

or delivery of products and/or services if an alternative point of sale is permitted under Georgia law;
18. Open sales registers must be at least six (6) feet apart;
19. Point of sale equipment should be frequently cleaned and sanitized;
20. Increasing physical space between workers and patrons; and
21. Suspending the use of Personal Identification Number ("PIN") pads, PIN entry devices, electronic signature capture, and any other credit card receipt signature requirements to the extent such suspension is permitted by agreements with credit card companies and credit agencies.

IT IS FURTHER

ORDERED: That Critical Infrastructure and all other businesses, establishments, corporations, non-profit corporations, or organizations that continue in-person operation during the effective dates of this Order ***should*** implement the following measures if practicable:

1. Providing Personal Protective Equipment as available and appropriate to the function and location of the worker within the business location;
2. Providing disinfectant and sanitation products for workers to clean their workspace, equipment, and tools; and
3. Increasing physical space between workers' worksites to at least six (6) feet.

IT IS FURTHER

ORDERED: That all live public swimming pools, performance venues, operators of amusement rides as defined by Code Section 25-15-51, and businesses which possess a license to operate as or otherwise meet the definition of "bar" as defined by Code Section 3-1-2(2.1) ***shall not*** engage in in-person operations and shall remain closed to the public while this Order is in effect.

IT IS FURTHER

ORDERED: That all retail businesses, including Food Establishments (such as retail and wholesale grocery stores), as defined by Ga. Comp. R. & Regs. R. 40-7-1-.02 but not to include food processing plants or wholesale sandwich and salad manufacturers, ***shall*** implement additional measures to prevent the spread of COVID-19, as practicable. Such measures ***shall*** include:

1. Limiting the number of patrons inside the store to 50% of fire capacity occupancy or eight (8) patrons per 1,000 square feet;
2. Encouraging patrons to use hand sanitizer upon entering;

3. Encouraging non-cash payments when possible;
4. Sanitizing entrance and exit doors at least three times per day;
5. Encouraging workers to report any safety and health concerns to the employer;
6. Installing protective screens or other mitigation measures where worker-patron interactions are likely; and
7. Providing additional hand sanitizer within the business.

IT IS FURTHER

ORDERED: That in addition to the applicable requirements above, Food Establishments (such as retail and wholesale grocery stores), as defined by Ga. Comp. R. & Regs. R. 40-7-1-.02 but not to include food processing plants or wholesale sandwich and salad manufacturers, ***shall*** implement additional measures to those listed above as practicable. Such measures ***may*** include, but shall not be limited to the following, which shall be implemented to the maximum extent practicable:

1. Scheduling specific hours of operation for vulnerable populations to shop without other patrons;
2. Reducing store hours to allow for increased cleaning and sanitation while the store is closed;
3. Enacting policies and procedures to encourage Social Distancing for patrons and employees. Measures may include:
    a. Protective Plexiglass screens at service counters and at cash registers;
    b. Decals on the floor or aisles with messaging on Social Distancing;
    c. Signs throughout the store giving visuals on Social Distancing;
    d. Limited occupancy if store becomes too crowded; and
    e. Use of one-way aisles
4. Providing Personal Protective Equipment as available and appropriate to the function and location of the worker within the business location;
5. Encouraging patrons to wear face coverings;
6. Utilizing in-store messaging to educate and remind patrons and employees on recommended hygiene and Social Distancing;
7. Discontinuing sampling or cooking stations;
8. Closing self-serve salad bars and buffets;
9. Adding additional staff to specifically oversee increased sanitation of grocery carts, and other high-touch areas such as door handles, point of sales equipment, conveyor belts, and other surfaces;

10. Checking restrooms regularly, cleaning and sanitizing based on frequency of use, and ensuring adequate supply of soap and paper towels at all times;
11. Allowing time for frequent hand washing for employees, including cashiers, that interact directly with patrons;
12. Increasing or add hand sanitizing stations around stores for patrons and employees; and
13. Procuring options with third-party cleaning companies to assist with the increased cleaning demands as needed.

IT IS FURTHER

ORDERED: That, effective immediately, in addition to the applicable requirements above, gyms and fitness centers ***shall*** implement additional measures to prevent the spread of COVID-19, as practicable. Such measures ***shall*** include:

1. Placing signage at any entrance to instruct patrons that they cannot enter if they have been diagnosed with COVID-19, had symptoms of COVID-19, or had contact with a person that has or is suspected to have COVID-19;
2. Placing signage at any entrance and throughout the facility to instruct patrons of the enhanced sanitation procedures, Social Distancing requirements, and other instructions and limitations, as applicable, set forth below;
3. Screening patrons at entrance. Patrons exhibiting a temperature greater than 100.4 degrees Fahrenheit, cough, shortness of breath, or other respiratory symptoms shall not be permitted to enter;
4. Limiting occupancy to enforce Social Distancing requirements and to prohibit Gatherings;
5. Utilizing contactless forms of patron check-in;
6. Providing hand sanitizer stations for patrons and encouraging use;
7. Providing sanitation wipes at or near each piece of equipment and requiring users to wipe down the equipment before and after use;
8. Requiring workers to patrol patron areas to enforce the equipment wipe-down policy and conduct additional cleanings during times when equipment is not being used;
9. Limiting use of cardio machines to every other machine to maintain acceptable Social Distancing between users;
10. Enforcing Social Distancing and prohibiting congregating between non-cohabitating patrons. Patrons should be encouraged to conduct their workout and exit the facility without unnecessary delay;
11. Halting the provision of group classes;

12. Halting the provision of in-facility child care services;
13. Closing the following facilities and equipment within a gym or fitness center: pools, basketball courts and other group sport areas, hot-tubs, saunas, steam rooms, and tanning beds;
14. Limit locker room use and avoid use if possible;
15. Requiring patrons to spray showers with a provided cleaning spray after use; and
16. Requiring workers to clean and sanitize bathrooms and locker rooms regularly throughout the opening hours in addition to the regular cleaning schedule.

IT IS FURTHER

ORDERED: That, effective immediately, in addition to the applicable requirements above, body art studios permitted pursuant to Code Section 31-40-2, businesses registered pursuant to Code Sections 43-10-11 and 43-10-18, estheticians as defined by Code Section 43-10-1(8), hair designers as defined by Code Section 43-10-1(9), persons licensed to practice massage therapy pursuant to Code Section 43-24A-8, and tanning facilities as defined by Code Section 31-38-1(6) ***shall*** implement additional measures to prevent the spread of COVID-19, as practicable. Such measures ***shall*** include:

1. Providing services by appointment only. Walk-in patrons should not be allowed;
2. Patrons should be required to sanitize their hands upon entering the facility and before any treatment;
3. Providing hand sanitizer or sanitization wipes to patrons upon arrival;
4. Posting signs at the entrance and at eye-level at each workstation stating that any patron who has symptoms of COVID-19 must reschedule their appointment;
5. Allowing only one patron per service provider in the business at any one time;
6. Allowing one parent to be within a facility if a minor child is receiving a haircut;
7. Requiring patrons to wait in car their until service provider is ready;
8. Staggering use of every-other workstation or spacing workstations more than ten (10) feet apart, whichever option is practicable given the facility's configuration;
9. Staggering work schedules so that no more than 50% of the normal number of employees providing services will be in the business at a time;
10. Requiring all employees to wear Personal Protective Equipment as available and appropriate to the function and location of the worker within the business location;

11. Sanitizing all equipment, chairs, and tables used by employees and patrons between each client visit;
12. Utilizing disposable materials and supplies as much as practicable according to state rules and regulations; and
13. Training all employees on additional measures both verbally and in writing.

IT IS FURTHER

ORDERED: That in addition to the applicable requirements above, indoor movie theaters and cinemas choosing to operate during the effective dates of this Order ***shall*** implement additional measures to prevent the spread of COVID-19. Such measures ***shall*** include:

1. Each party of patrons must be seated at least six (6) feet apart. No party seated together may number more than six (6) individuals;
2. At least one usher must be used in each theater room before and at some point, during each showing to ensure that proper Social Distancing protocol is enforced;
3. Seats, armrests, handrails, doors, doorknobs, and door handles in each theater must be thoroughly sanitized before and after each showing;
4. Tape must be applied to floors at ticket counters and concession stands to enforce proper Social Distancing protocol for patrons who are waiting in line;
5. Restrooms must be cleaned and disinfected regularly, and touchpoints must cleaned no less than once per hour;
6. Food service areas must adhere to the same guidelines set forth in Section IV, titled "Restaurants & Dining Services", above;
7. Party rooms located at theaters may not host parties or Gatherings; and
8. Closing playgrounds and arcade rooms, if any.

IT IS FURTHER

ORDERED: That in addition to the applicable requirements above, bowling alleys choosing to operate during the effective dates of this Order ***shall*** implement additional measures to prevent the spread of COVID-19. Such measures ***shall*** include:

1. Placing signage at entrance and throughout the facility to instruct patrons of Social Distancing requirements and other instructions and limitations, as applicable;
2. Providing hand sanitizer stations for patrons throughout the facility;

3. Food service areas must adhere to the same guidelines set forth in Section IV, titled "Restaurants & Dining Services", above;
4. Tape must be applied to floors at ticket counters and rental stations to enforce proper Social Distancing protocol for patrons who are waiting in line;
5. Removing items from all self-service bowling ball, bowling shoe, and other bowling accessory stations and have workers provide such items to patrons directly;
6. Allowing groups of six (6) patrons or less per lane;
7. Staggering use of lanes so that only every other lane or every third lane is in use to maintain proper Social Distancing between groups of patrons. Each party of patrons must be seated at least six (6) feet apart;
8. Score keeping machines, ball returns, tables, seats, and other fixtures at each bowling lane must be thoroughly sanitized before and after each use;
9. Bowling balls and bowling shoes must be thoroughly sanitized before and after each use;
10. Party rooms located at bowling alleys may not host parties or Gatherings; and
11. Closing playgrounds and arcade rooms, if any.

IT IS FURTHER

ORDERED: That in instances where persons are working outdoors without regular contact with other persons, such as delivery services, contractors, landscape businesses, and agricultural industry services, such persons ***shall*** only be required to practice Social Distancing and implement sanitation processes in accordance with the guidelines published by the Centers for Disease Control and Prevention.

IT IS FURTHER

ORDERED: That the authorizations to hold meetings of shareholders by remote communications during the Public Health State of Emergency in Georgia in Executive Order No. 03.20.20.02 is hereby extended to apply to meetings being held by remote communication pursuant to Code Sections 14-2-701, 14-2-702, 14-3-701, and 14-3-702 regardless of whether such meeting is to occur during the Public Health State of Emergency. In each case, the notice of meeting required by Code Section 14-2-705 or Code Section 14-3-705 must be duly provided or given during the Public Health State of Emergency.

VI. HEALTHCARE

IT IS FURTHER

ORDERED: That, effective immediately, any person, service, or entity delivering healthcare during the effective dates of this Order shall adhere to the guidelines listed in Section V for Critical Infrastructure in addition to the guidelines listed in this Section.

IT IS FURTHER

ORDERED: That, effective immediately, in addition to compliance with the guidelines for Critical Infrastructure, dental practices, and clinics that continue in-person operation during the effective dates of this Order ***shall*** adhere to the American Dental Association's Interim Guidance for Minimizing Risk of COVID-19 Transmission and Interim Mask and Face Shield Guidelines and that any previous Executive Order or rule which would prevent dental practices and clinics from providing the full scope of their services subject to the above requirements is hereby suspended.

IT IS FURTHER

ORDERED: That, effective immediately, in addition to compliance with the guidelines for Critical Infrastructure, licensed optometrists and their staff that continue in-person operation during the effective dates of this Order ***shall*** adhere to the American Optometric Association's Practice Reactivation Preparedness Guide and the Georgia Optometric Association's COVID-19 guidelines for practices issued March 17, 2020 and updated April 20, 2020. Any previous executive order or departmental rule which would prevent optometrists from providing the full scope of their services subject to the above requirements is hereby suspended.

IT IS FURTHER

ORDERED: That, effective immediately, in addition to compliance with the guidelines for Critical Infrastructure, licensed opticians and their staff that continue in-person operation during the effective dates of this Order ***shall*** adhere to the Centers for Disease Control and Prevention's Recommendations for Office Disinfection and Recommendations for Employers. Any previous executive order or departmental rule which would prevent opticians from providing the full scope of their services subject to the above requirements is hereby suspended.

IT IS FURTHER

ORDERED: That, effective immediately, in addition to compliance with the guidelines for Critical Infrastructure, Ambulatory Surgical Centers that continue in-person operation during the effective dates of this Order ***shall*** implement additional measures to prevent the spread of COVID-19 as practicable. Such measures ***may*** include, but shall not be limited to the following, which shall be implemented to the maximum extent practicable:

1. Screening patients before visits and monitoring their health prior to starting surgery as part of the pre-operative procedure;
2. Requiring staff to self-monitor and screen for viral symptoms daily;
3. Continuing to use Personal Protective Equipment per the latest Centers for Disease Control and Prevention recommendations for all procedures;
4. Following waiting room spacing guidelines, Social Distancing, face masking, and other recommended procedures for patients and visitors prior to entering the facility;
5. Ensuring heightened disinfection to prevent and mitigate risk of spread;
6. Ensuring patients have been medically cleared by their primary care physician where applicable;
7. Balancing the needs of patient care with the risk of providing that care by prioritizing procedures for patients who have lower co-morbidities and surgical risks and procedures accompanied by lower risk with regard to airborne transmission and those with minimal risk of unintended hospital admissions;
8. Performing regular rapid COVID-19 testing on providers and employees where feasible; and
9. Performing COVID-19 testing on patients suspected to be experiencing COVID-19 and factoring the results of such testing into clinical decisions as to whether or not to proceed with procedures.

IT IS FURTHER

ORDERED: Any previous executive order or departmental rule which would prevent ambulatory surgical centers from providing the full scope of their services subject to the above requirements is hereby suspended.

IT IS FURTHER

ORDERED: That to the extent possible, hospitals, healthcare institutions, medical facilities, nursing homes, and other long-term care facilities should offer in-room dining.

VII. EDUCATION & CHILDREN

IT IS FURTHER

ORDERED: Nothing in this Order shall prevent any school, technical school, college, or university from requiring faculty and staff to attend meetings or other necessary activities at a school or facility for the purpose of supporting distance learning, research, administration, maintenance, or preparation for the 2020-2021 school year.

IT IS FURTHER

ORDERED: That, effective immediately, for the purposes of all Child Care Learning Centers and Family Child Learning Homes under the jurisdiction of the Georgia Department of Early Care and Learning (hereinafter, "childcare facilities"), the term "Single Location" shall mean a single classroom.

IT IS FURTHER

ORDERED: That, effective immediately, all childcare facilities shall cease transporting children for any purpose other than transporting children between their place of residence and the childcare facility. To the greatest extent possible, all permissible transports shall be conducted in such a way that maintains Social Distancing.

IT IS FURTHER

ORDERED: That, effective immediately, in addition to the requirements for businesses, establishments, corporations, non-profit corporations, or organizations that are not Critical Infrastructure set forth in Section V above and the standard hygiene, sanitation, and disinfection licensing rules promulgated by the Georgia Department of Early Care and Learning, all childcare facilities that operate during the effective dates of this Order ***shall*** implement additional measures to prevent the spread of COVID-19. Such measures ***shall*** include the following:

1. Screening and evaluating all children prior to them entering the classroom for signs of illness or exhibiting a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
2. Prohibiting children from entering a classroom if they exhibit any of the symptoms in paragraph 1;
3. Prohibiting unnecessary visitors;
4. Provide meals in classrooms rather than in a congregated or communal setting;
5. Restrict families' access to the front door of the facility or the door of their respective child's classroom only;
6. Surfaces and objects that are frequently touched must be sanitized regularly, including, but not limited to, toys, games, and objects or surfaces not ordinarily cleaned daily;
7. Toys and games that cannot be cleaned and sanitized should not be used;
8. Toys that children have placed in their mouths or that are otherwise contaminated by body secretions or excretions should be set aside until they are cleaned by hand by a person wearing gloves;
9. Machine-washable cloth toys should be used by one individual at a time or should not be used at all and should be laundered before being used by another child;
10. Toys used by a group of children must be washed and sanitized before they may be used by children in a different group or classroom;
11. Items that need to be cleaned should be set aside in a dish pan with soapy water or in a separate container marked for soiled toys;
12. Only bedding (sheets, pillows, blankets, and sleeping bags) that can be washed may be used. Each child's bedding must be kept separate and, to the extent practicable, should be stored in individually labeled bins, cubbies, or bags. Cots and mats should be labeled for each child, and any bedding that touches a child's skin should be cleaned weekly or before use by any other child; and
13. Workers should sign children in and out of the facility for families if a computer or keypad system inside the facility is used. If a tablet located outside the facility is used by families during drop-off and pick-up, the tablet must be disinfected after each use. If a paper sign-in system is used for sign-in, writing utensils should be sanitized after each use if families are permitted to sign children in themselves.

IT IS FURTHER

ORDERED: That, effective immediately, Code Section 15-11-2(10) relating to the definition of "child" is suspended for the limited purpose of ensuring

that persons in the care of the Georgia Division of Family & Children Services who age out of the definition of "child" during the Public Health State of Emergency shall be eligible to remain in their placement and continue to receive services for a duration of ninety (90) days following the termination of the Public Health State of Emergency or any extension thereof. This suspension shall apply to Code Section 15-11-2(10), effective until July 1, 2020, and upon expiration to Code Section 15-11-2(10), effective July 1, 2020. That any Georgia Division of Family & Children Services policies shall also align with this provision.

IT IS FURTHER

ORDERED: That, effective immediately, no provision of this Order shall limit, infringe, suspend, or supplant any custodial arrangements created pursuant to the laws or constitution of this State or the laws or constitution of the United States, nor shall any person use any provision this Order as a defense to an action in violation of a custodial arrangement by any court created pursuant to the laws or constitution of this State or the laws or constitution of the United States.

VIII. COUNTY AND MUNICIPAL GOVERNMENTS

IT IS FURTHER

ORDERED: That, effective immediately, the requirements of Code Section 36-70-27 and 50-8-8 are hereby suspended to the extent that they would prevent local governments from being eligible to receive state funding for expenditures made during the current Public Health State of Emergency related to the prevention, treatment, or mitigation of COVID-19.

IT IS FURTHER

ORDERED: That, effective immediately, the audit reporting deadline imposed upon local governments by Code Section 36-81-7(d) is hereby extended by ninety (90) days for any local government that by virtue of their fiscal year end date will have an audit due at any time during the Public Health State of Emergency or within ninety (90) days after the Public Health State of Emergency is terminated or ceases to be renewed by the Governor.

IT IS FURTHER

ORDERED: That, effective immediately, the deadline for submission of the local government finances reports and local government indebtedness reports required of local governments under Code Section 36-81-8 shall hereby be extended by ninety (90) days for any local government that by virtue of their fiscal year end date will have such reports due during the Public Health State of Emergency or within 90 days after the Public Health State of Emergency is terminated or ceases to be renewed by the Governor.

IT IS FURTHER

ORDERED: That, effective immediately, the grant certification form reporting deadlines imposed upon local governments by Code Section 36-81-8.1 are hereby extended by ninety (90) days for any local government that by virtue of their fiscal year end date will have a grant certification form due at any time during the Public Health State of Emergency or within ninety (90) days after the Public Health State of Emergency is terminated or ceases to be renewed by the Governor.

IT IS FURTHER

ORDERED: That county and municipal governments are authorized and empowered to make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes and to supplement the carrying out of this Order, but such orders, rules, and regulations shall not be inconsistent with this Order or any other orders, rules, or regulations promulgated by the Governor or by any state agency exercising a power derived from the Public Health State of Emergency declaration. For the purpose of this provision, orders, rules, and regulations that are promulgated by county and municipal governments that are more or less restrictive than the terms of this Order shall be considered inconsistent with this Order.

IT IS FURTHER

ORDERED: That the operation of Critical Infrastructure shall not be impeded by county, municipal, or local ordinance.

IX. DRIVERS' SERVICES

IT IS FURTHER

ORDERED: That, effective immediately, the provision of Code Section 40-5-27(a) requiring the Department of Driver Services to examine every applicant for a driver's license with a comprehensive on-the-road driving test is hereby suspended and applicants for a driver's license shall not be required to complete a comprehensive on-the-road driving test, provided all other requirements outlined in Code Section 40-5-27 are met. This provision shall expire at the conclusion of the Public Health State of Emergency declared in Executive Order 03.14.20.01 and renewed by Executive Order 04.08.20.02. If the Public Health State of Emergency is renewed, this provision shall carry forward with the Public Health State of Emergency until such State of Emergency is terminated or ceases to be renewed by the Governor.

IT IS FURTHER

ORDERED: That, effective immediately, the provision of Code Section 40-5-24(a)(2) requiring holders of valid instruction permits, which are not under suspension, to hold the valid instruction permit for a period of not less than twelve (12) consecutive months before being eligible for a Class D driver's license is hereby suspended, and drivers turning fifteen (15) years of age from March 14, 2020 until the expiration of the Public Health State of Emergency declared by Executive Order 03.14.20.01 and renewed by Executive Order 04.08.20.02., or any extension thereof, shall be eligible for a Class D driver's license upon turning sixteen (16) years of age, provided all other requirements outlined in Code Sections 40-5-22(a.2) and 40-5-24(a)(2) are met. This provision shall expire at the conclusion of the Public Health State of Emergency declared in Executive Order 03.14.20.01 and renewed by Executive Order 04.08.20.02. If the Public Health State of Emergency is renewed, this provision shall carry forward with the Public Health State of Emergency until such State of Emergency is terminated or ceases to be renewed by the Governor.

X. ENFORCEMENT

IT IS FURTHER

ORDERED: That the state agencies with primary regulatory authority over the entities listed in this Order and the Commissioner of the Department of Public Safety shall provide resources as requested to assist in the enforcement of this Order.

IT IS FURTHER

ORDERED: That pursuant to Code Section 38-3-7, any person who violates this Order shall be guilty of a misdemeanor. Officials enforcing this Order should take reasonable steps to provide notice prior to issuing a citation or making an arrest. No provision of this Order shall limit the ability of law enforcement officers to enforce the laws of this State. Particularly, the provisions of Code Section 38-3-4 remain in effect, and all law enforcement is authorized to enforce the Orders issued pursuant to Title 38, Chapter 3.

IT IS FURTHER

ORDERED: That any law enforcement officer, after providing reasonable notice and issuing at least two citations for violations of Code Section 38-3-7, is authorized to mandate the closure of any business, establishment, corporation, non-profit corporation, or organization not in compliance with this Order for a period not to extend beyond the term of this Order.

IT IS FURTHER

ORDERED: That pursuant to Executive Order 04.02.20.01 and Code Section 38-3-51, enforcement of any county or municipal ordinance or order that is more or less restrictive than this Order is hereby suspended.

XI. MISCELLANEOUS

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall conflict with the provisions of any previous Executive Order or Agency Administrative Order, the provisions of this Order shall control. Further, in the event of any conflict, the provisions of any Quarantine or Isolation Order issued to a specific person by the Department of Public Health shall control.

IT IS FURTHER

ORDERED: That nothing in this Order shall be construed to suspend or limit the sale, dispensing, or transportation of firearms or ammunition, or any component thereof.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

IT IS FURTHER

ORDERED: That no provision of this Order shall limit, infringe, suspend, or supplant any judicial order, judgment, or decree issued pursuant to the laws or constitution of this State or the laws or constitution of the United States, nor shall any person use any provision this Order as a defense to an action in violation of a judicial order, judgment, or decree by any court created pursuant to the laws or constitution of this State or the laws or constitution of the United States.

IT IS FURTHER

ORDERED: This Order does not attempt, nor shall it be construed, to imply that the Governor, in any instance, has the unilateral authority to overturn any judicial order, judgment, or decree.

IT IS FURTHER

ORDERED: The Office of the Governor may continue to issue guidance on the scope of this Order as needed through communication media, including social media, without need for further Executive Orders.

XII. EFFECTIVE DATE & SIGNATURE

IT IS FURTHER

ORDERED: That this Order shall be effective upon signature.

This 23rd day of April 2020, at 5:51 P.M.

B:PL

GOVERNOR