

**ORDER NO. 200422-01**

**AN ORDER OF THE COMMISSIONERS COURT OF GAINES COUNTY, TEXAS: (1) APPROVING AND ADOPTING THE GAINES COUNTY, TEXAS DISASTER DECLARATION NO. 5 REGARDING THE COVID-19 PUBLIC HEALTH EPIDEMIC AND EMERGENCY, AND THE EXECUTION AND IMPLEMENTATION THEREOF BY THE COUNTY JUDGE; AND (2) ESTABLISHING AN EFFECTIVE DATE AND COMPLIANCE WITH THE TEXAS OPEN MEETING ACT.**

**WHEREAS**, Gaines County, Texas ("County") is a county of the State of Texas, having been duly created and organized under the constitution and laws of Texas, and further, the Gaines County Commissioners Court ("Commissioners Court") is the governing body of said County; and

**WHEREAS**, it is recognized by the national and international public health professions that a novel coronavirus currently exists called Severe Acute Respiratory Syndrome Coronavirus 2 (currently designated in those professions as SARS-CoV2) which causes the disease now recognized worldwide as "COVID-19;" and

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death, and further, the COVID-19 virus is highly contagious and primarily is transmitted between people in close contact through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, COVID-19 has been declared an epidemic and global pandemic by the World Health Organization, and further, the Centers for Disease Control and Prevention ("CDC," an administrative agency of the United States Department of Health and Human Services) advised that person to person contact presents great risk of COVID-19 transmission between humans; and

**WHEREAS**, the Governor of Texas has issued prior and active disaster declarations for the State of Texas regarding the existing COVID-19 epidemic, pursuant to Chapter 418 of the Texas Government Code and other authority, containing among other things (1) provisions stating that COVID 19 is recognized globally as a contagious respiratory virus and is an imminent threat to all counties in Texas, (2) provisions stating that COVID-19 was recognized by the Texas Department of Health Services as a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code, and (3) certain conduct restrictions and prohibitions designed to improve public health and prevent or decrease the transmission of COVID-19 in Texas; and

**WHEREAS**, the Commissioners Court by this order, and pursuant to Chapter 418 and other authority, desires in the public interest to approve, adopt, implement, and enforce the County's **Disaster Declaration No. 5** regarding the existing COVID-19 epidemic and public health emergency, in the form and scope described in the attached **Exhibit A ("Disaster**

**Declaration No. 5**”), among other things to (1) prevent or decrease the transmission of COVID-19 in Gaines County, Texas, and (2) protect the public, including County staff, from the devastating effects of COVID-19 on public health, community welfare, and the local economy; and

**WHEREAS**, the approval, adoption, implementation, and enforcement of **Disaster Declaration No. 5** and this order shall accomplish or substantially achieve all public purposes therein described.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Gaines County Commissioners Court, for and on behalf of said County and in the public interest, as follows:


- (1) Unless otherwise designated, the past, present, or future tense shall each include the other, the masculine, feminine, or neuter gender shall each include the other, and the singular and plural number shall each include the other, where necessary for a correct meaning.
- (2) The caption and preliminary recitals of this order, and all attached documents, are incorporated by reference.
- (3) The Commissioners Court hereby approves and adopts in all things the execution, implementation, and enforcement of the County’s **Disaster Declaration No. 5** regarding the existing COVID-19 epidemic and public health emergency, in the form and scope described in **Exhibit A**.
- (4) The Commissioners Court orders that: (a) the Gaines County Judge shall (i) properly execute and implement **Disaster Declaration No. 5** in the form and scope described in **Exhibit A**, and (ii) timely initiate and complete on behalf of the County and as allowed by law all tasks necessary or desired to accomplish the filing, distribution, and implementation of the **Disaster Declaration No. 5** in the public interest; and (b) the County’s staff and legal counsel shall assist the County Judge in the timely initiation and completion of all necessary or desired tasks described in this instrument.
- (5) All notice and conditions precedent for the lawful enactment, approval, and adoption of the **Disaster Declaration No. 5** have been timely accomplished.
- (6) This order shall take effect immediately from and after its passage.

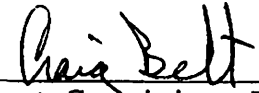
- (7) This matter was ordered, approved, and adopted at a public meeting held in compliance with Chapter 551 of the Texas Government Code, the Texas Open Meetings Act.

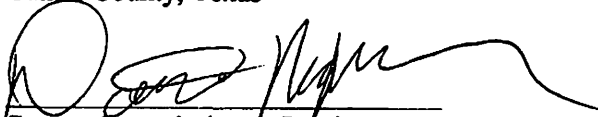
**ORDERED, APPROVED, AND ADOPTED** on the 22<sup>nd</sup> day of April, 2020.

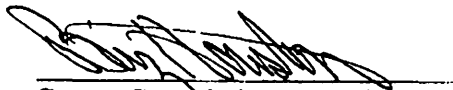
**THE COMMISSIONERS COURT OF  
GAINES COUNTY, TEXAS**

  
\_\_\_\_\_  
County Judge  
Gaines County, Texas


  
\_\_\_\_\_  
County Commissioner, Precinct 1  
Gaines County, Texas

  
\_\_\_\_\_  
County Commissioner, Precinct 2  
Gaines County, Texas

  
\_\_\_\_\_  
County Commissioner, Precinct 3  
Gaines County, Texas

  
\_\_\_\_\_  
County Commissioner, Precinct 4  
Gaines County, Texas

**ATTEST:**

  
\_\_\_\_\_  
County Clerk  
Gaines County, Texas

**EXHIBIT A**  
**(Gaines County, Texas COVID-19 Disaster Declaration No. 5)**

**GAINES COUNTY TEXAS**  
**DECLARATION OF LOCAL DISASTER DUE TO**  
**PUBLIC HEALTH EMERGENCY REGARDING COVID-19 EPIDEMIC,**  
**ORDER NO. 5**

(Effective at 12:01 a.m. Local Time on April 23, 2020)

**WHEREAS**, it is recognized by the national and international public health professions that a novel coronavirus currently exists called Severe Acute Respiratory Syndrome Coronavirus 2 (currently designated in those professions as SARS-CoV2) which causes the disease now recognized worldwide as "COVID-19;" and

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death, and further, the COVID-19 virus is highly contagious and primarily is transmitted between people in close contact through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, COVID-19 has been declared an epidemic and global pandemic by the World Health Organization, and further, the Centers for Disease Control and Prevention ("CDC," an administrative agency of the United States Department of Health and Human Services) advised that person to person contact presents great risk of COVID-19 transmission between humans; and

**WHEREAS**, on March 16, 2020, the CDC requested the public to decrease the spread of COVID-19, among other things, by (1) avoiding social gatherings in groups of more than ten (10) people, (2) using drive-through, pick-up or delivery options at restaurants and bars, and (3) avoiding visitation at nursing homes and other facilities; and

**WHEREAS**, the Governor of Texas has issued prior and active disaster declarations for the State of Texas regarding the existing COVID-19 epidemic, pursuant to Chapter 418 of the Texas Government Code ("Chapter 418") and other authority, containing among other things (1) provisions stating that COVID 19 is recognized globally as a contagious respiratory virus and is an imminent threat to all counties in Texas, (2) provisions stating that COVID-19 was recognized by the Texas Department of Health Services as a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code, and (3) certain conduct restrictions and prohibitions designed to improve public health and prevent or decrease the transmission of COVID-19 in Texas; and

**WHEREAS**, on April 17, 2020, the Governor of Texas, pursuant to Chapter 418 and other authority, issued Executive Order No. GA-16 ("EO-GA-16") regarding the COVID-19 epidemic and public health emergency, a copy of which is attached as **Exhibit 1** and incorporated by reference, said order being effective on a statewide basis beginning April 17, 2020 and continuing through April 30, 2020; and

**WHEREAS, Gaines County, Texas ("County") desires by this instrument ("Declaration") to take extraordinary measures as allowed by law, including without limitation all applicable provisions of Chapter 418 not inconsistent with EO-GA-16, in order to:**

- (1) declare that a local state of disaster exists in Gaines County, Texas due to the threat and existence of COVID-19;
- (2) declare that COVID-19 constitutes an epidemic, public health emergency, and local disaster pursuant to Chapter 418;
- (3) prevent or decrease the transmission of COVID-19 in Gaines County, Texas through approval and adoption of EO-GA-16, a copy of which is attached as **Exhibit 1**, as well as other conduct restrictions and prohibitions, not inconsistent with EO-GA-16, designed to improve public health in Gaines County, Texas and prevent or decrease the transmission of COVID-19;
- (4) protect the public, including County staff, from the devastating effects of COVID-19 on public health, community welfare, and the local economy; and
- (5) implement and/or reserve all powers, actions, rights, and remedies afforded to the County, including its elected or appointed public officials, pursuant to all applicable legal authority not inconsistent with EO-GA-16, in order to deal with, defeat, and recover from the effects of COVID-19.

**NOW, THEREFORE, BE IT DECLARED, RESOLVED, AND ORDERED BY THE COUNTY JUDGE OF GAINES COUNTY, TEXAS, FOR AND ON BEHALF OF SAID COUNTY AND IN THE PUBLIC INTEREST, AS FOLLOWS:**

**Interpretation**

**SECTION 1.** Unless otherwise designated, the past, present, or future tense shall each include the other, the masculine, feminine, or neuter gender shall each include the other, and the singular and plural number shall each include the other where necessary for a correct meaning in this Declaration.

**SECTION 2.** All statements made in the preliminary recitals of this Declaration and all attached documents are incorporated by reference and constitute fact findings to support this Declaration.

**Effective Date, Duration, and Amendment**

**SECTION 3.** This COVID-19 Disaster Declaration No. 5 shall take effect at 12:01 a.m. local time on April 23, 2020, and thereafter shall supersede all previous declarations or orders regarding this matter that are in conflict or inconsistent with its terms and provisions.

**SECTION 4.** This Declaration shall not be continued or renewed for more than seven (7) days from its effective date, subject to being extended, revised, or terminated as allowed by law.

**Disaster Declaration, Activation of Emergency Management Plan and County  
Action Plan, Prohibited Conduct, and Enforcement**

**SECTION 5.** A local state of disaster for a public health emergency is hereby declared and exists for Gaines County, Texas pursuant to Chapter 418 and other applicable authority not inconsistent with EO-GA-16, due to the existence and threat of the COVID-19 epidemic as herein described.

**SECTION 6.** This disaster Declaration activates the emergency management plan of Gaines County, Texas and authorizes the furnishing of aid and assistance pursuant to this Declaration, Chapter 418, and other applicable authority.

**SECTION 7.** Pursuant to the applicable provisions of Chapter 418 and other authority, this Declaration authorizes the County to take action authorized by law, not inconsistent with EO-GA-16, and deemed necessary or advisable to protect public health and suppress the transmission of COVID-19 including the: (a) establishment of quarantine stations or centers; (b) quarantine of persons and occupied structures or areas; (c) regulation of ingress and egress to occupied structures or areas; (d) regulation of medical and healthcare facilities to insure compliance with the state and County regulations and directives relating to the declared COVID-19 disaster; (e) evacuation of persons and the regulation of ingress and egress of persons to or from the County or parts thereof where COVID-19 or its related virus are reasonably suspected to exist; (f) prohibition of certain conduct and activities to prevent or decrease the transmission of COVID-19; and (g) all matters stated in this Declaration and their lawful enforcement.

**SECTION 8.** Pursuant to said EO-GA-16 order and the applicable authority granted to the County by Chapter 418, the following conduct and activity prohibitions are hereby enacted for Gaines County, Texas in order to protect public health and prevent or decrease the transmission of COVID-19:

- (a) In accordance with the guidance, authority, and references cited in EO-GA-16, every person in Gaines County, Texas shall, except where necessary to provide or obtain Essential Services or Reopened Services, minimize and avoid social gatherings of more than 10 people, and minimize in-person contact with people who are not in the same household.
- (b) The "Essential Services" described in EO-GA-16 are adopted as described in Exhibit 1, including (i) all Essential Services listed by the United States

Department of Homeland Security and the Texas Department of Emergency Management, and (ii) religious services conducted in churches, congregations, and houses of worship.

- (c) The "Reopened Services" described in EO-GA-16 are adopted as described in **Exhibit 1**, to start at 12:01 a.m. local time on Friday, April 24, 2020 involving retail services that are not "Essential Services," but that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep in strict compliance with the terms required by the Texas Department of State Health Services at [www.dshs.texas.gov/coronavirus](http://www.dshs.texas.gov/coronavirus).
- (d) In providing or obtaining Essential Services or Reopened Services, people and businesses should follow the guidelines, authority, and references recited in EO-GA-16 by practicing good hygiene, environmental cleanliness, and sanitation, implementing social distancing, and working from home if possible. In particular, all such services should be provided through remote telework from home unless they cannot be provided through remote telework. Religious services should be conducted in accordance with the Guidelines for Houses of Worship during the COVID-19 Crisis, as promulgated by the Attorney General and Governor.
- (e) In accordance with the guidelines, authority, and references recited in EO-GA-16, people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons; provided, however, that the use of drive-through, pickup, or delivery options for food and drinks are allowed and highly encouraged throughout the limited duration of this Declaration.
- (f) This Declaration does not prohibit people from accessing Essential Services or Reopened Services, or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other Essential Services or Reopened Services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.
- (g) In accordance with the guidelines, authority, and references recited in EO-GA-16, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission ("HHSC"). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by



HHSC, including minimizing the movement of staff between facilities whenever possible.

- (h) In accordance with the guidelines, authority, and references recited in EO-GA-16, schools shall remain temporarily closed to in-person classroom attendance by students and shall not recommence before the end of the 2019-2020 school year. Public education teachers and staff are encouraged to continue to work remotely from home if possible, but may return to schools to conduct remote video instruction, as well as perform administrative duties, under strict terms required by the Texas Education Agency. Private schools and institutions of higher education should establish similar terms to allow teachers and staff to return to schools to conduct remote video instruction and perform administrative duties when it is not possible to do so remotely from home.

**SECTION 9.** This Declaration does not constitute a Shelter in Place or Stay at Home order, and does not mandate sheltering in place.

**SECTION 10.** Regarding the provision of essential government services by Gaines County, Texas to the public during the COVID-19 disaster, the following procedures are enacted:

- (a) The County will continue to provide Essential Services to the public, but will do so pursuant to a **County Action Plan (approved and enacted April 1, 2020 by the Commissioners Court)** for limited or reduced public access to certain County services, offices, and staff due to the COVID-19 emergency, using public health guidelines authority, and references described in EO-GA-16, this Declaration, and the action plan. The County Action Plan is posted on the County's website at [www.gaines.co.tx.us](http://www.gaines.co.tx.us) and may be amended or revised at County discretion.
- (b) Some of the County's public offices and properties will be closed for unlimited public access, and the scheduling for the provision of Essential Services by appointment will be required.
- (c) The scheduling and holding of the public meetings of the Commissioners Court will continue pursuant to Chapter 551 of the Texas Government Code (the Texas Open Meetings Act), including telephonic or videoconference public meetings to be conducted at the discretion of said Court.
- (d) The provision and/or coordination by the County of law enforcement and emergency services to the public will be continued and maintained, including law enforcement services, jail operation services, and fire, ambulance, EMS, and 911 emergency call operations.

- (e) For the safety of the public, all authorized interaction occurring between the public and the elected officials, appointed officials, employees, and representatives of the governmental entities herein described, for or relating to the provision of government services, will occur in compliance with the public health guidelines, guidance, authority, and references described by EO-GA-16, this Declaration, and the County Action Plan. The denial of public access to government services will occur if an unreasonable risk of COVID-19 transmission or exposure exists pursuant to the public health guidelines, guidance, authority, and references described in EO-GA-16, this Declaration, or the County Action Plan, including the guidance documents of the South Plains Public Health District ("SPPHD") provided to the County regarding the practice of good workplace hygiene, environmental cleanliness and sanitation, social distancing, and screening protocol.

#### **Filing and Posting**

**SECTION 11.** This Declaration shall be given prompt and general publicity by: (a) prompt filing with the County Clerk of Gaines County, Texas; (b) posting at the Gaines County Courthouse at the physical location where Commissioners Court meeting agendas are posted; (c) posting on the County's internet website at [www.gaines.co.tx.us](http://www.gaines.co.tx.us); and (d) submission to all state and/or local governmental entities, or agencies thereof, if required by law.

#### **Conditions Precedent**

**SECTION 12.** All conditions precedent and notice for the lawful approval and adoption of this Declaration have been accomplished, and the form, scope, and content of the Declaration is in compliance with the applicable provisions of Chapter 418.

#### **Notice**

**SECTION 13.** Any necessary or desired notice or document submission to the County Judge of Gaines County, Texas regarding or related to this Declaration shall be sent to: Hon. Tom Keyes, County Judge, Gaines County, Texas, Gaines County Courthouse, 101 South Main Street, Room 201, Seminole, Texas 79360; telephone (432) 758-5411; facsimile (432) 758-4031; e-mail [tom.keyes@co.gaines.tx.us](mailto:tom.keyes@co.gaines.tx.us).

#### **Partial Invalidity**

**SECTION 14.** Should any part of this Declaration, or the application or enforcement thereof, be determined or adjudged invalid by any court, tribunal, administrative agency, or governmental office, the remainder of the Declaration shall remain fully effective and operable.

#### **Headings**

**SECTION 15.** The separate headings contained in this Declaration are for reference and convenience only, and shall not limit or otherwise affect in any way the meaning of this Declaration.

**Adopted Authority**

**SECTION 16.** The following legal authority, as amended, including the express and implied powers and authority therein granted to the County, its Commissioners Court, and/or its County Judge, are hereby approved and adopted to support the enactment, interpretation, implementation, and enforcement of this Declaration: Chapter 418 and other applicable authority.

**Enforcement**

**SECTION 17.** The following enforcement provisions are approved and adopted:

- (a) The County reserves all rights to pursue, and shall implement and pursue, all actions and remedies allowed by law or equity to address a violation or threatened violation of this Declaration, the Gaines County emergency management plan, or a rule, order, or ordinance adopted under said plan, including without limitation civil litigation and criminal prosecution.
- (b) A person who knowingly or intentionally violates or fails to comply with this Declaration, the Gaines County emergency management plan, or a rule, order, or ordinance adopted under said plan commits an offense which is punishable by a fine not to exceed \$1,000.00 or confinement in jail for a term not to exceed one hundred-eighty (180) days.

**Execution**

**EXECUTED** at 9:30 o'clock a.m. local time on the 22<sup>nd</sup> day of April, 2020.


**EFFECTIVE** at 12:01 o'clock a.m. local time on the 23<sup>rd</sup> day of April, 2020.



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Tom Keyes, County Judge  
Gaines County, Texas.

**ATTEST:**

  
Terri Berry, County Clerk  
Gaines County, Texas

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Deputy County Clerk  
Gaines County, Texas

**EXHIBIT 1**  
**(EO-GA-16, Dated April 17, 2020)**



GOVERNOR GREG ABBOTT

April 17, 2020

The Honorable Ruth R. Hughs  
Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

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SECRETARY OF STATE  
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Secretary of State

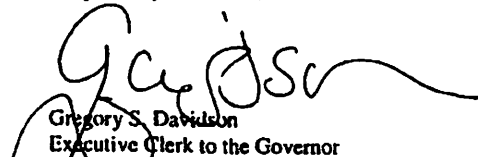
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-16 relating to the safe, strategic reopening of select services as the first step to Open Texas in response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor  
GSD/gsd

Attachment

# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
April 17, 2020

EXECUTIVE ORDER  
GA 16

*Relating to the safe, strategic reopening of select services as the first step to  
Open Texas in response to the COVID-19 disaster.*

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WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, on April 12, 2020, I issued a proclamation renewing the disaster declaration for all counties in Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued numerous executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating certain obligations for Texans in accordance with the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC) on March 16, 2020, which called upon Americans to take actions to slow the spread of COVID-19 for 15 days; and

WHEREAS, shortly before Executive Order GA-08 expired, I issued Executive Order GA-14 on March 31, 2020, based on the President's announcement that the restrictive social-distancing Guidelines should extend through April 30, 2020, in light of advice from Dr. Anthony Fauci and Dr. Deborah Birx, and also based on guidance by DSHS Commissioner Dr. Hellerstedt and White House Coronavirus Response Coordinator Dr. Birx that the spread of COVID-19 can be reduced by minimizing social gatherings; and

WHEREAS, Executive Order GA-14 superseded Executive Order GA-08 and expanded the social-distancing restrictions and other obligations for Texans that are aimed at slowing the spread of COVID-19, including by limiting social gatherings and in-person contact with people (other than those in the same household) to providing or obtaining "essential services," and by expressly adopting the U.S. Department of Homeland Security's March 28, 2020 Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, which provides a list of critical-infrastructure sectors, workers, and functions that should continue as "essential services" during the COVID-19 response; and

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WHEREAS, Executive Order GA-14 therefore restricts non-essential services during the COVID-19 disaster; and

WHEREAS, although many lives have been saved because of social-distancing restrictions like those required by Executive Order GA-14, more than 400 Texans have lost their lives because of COVID-19, and the disease still presents a serious threat across Texas that could persist in certain areas; and

WHEREAS, apart from the threats to health and safety, COVID-19 has also wrought havoc on the many Texas businesses and workers affected by social-distancing restrictions that were necessary to protect human life; and

WHEREAS, over one million unemployment claims have been filed during the COVID-19 disaster by conscientious Texans who want to get back to work as soon as it is safe to do so; and

WHEREAS, Texas must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, today I am also issuing Executive Order GA-17, creating the Governor's Strike Force to Open Texas to study and make recommendations on safely and strategically restarting and revitalizing all aspects of the Lone Star State—work, school, entertainment, and culture; and

WHEREAS, the "governor is responsible for meeting ... the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the "governor may issue executive orders ... hav[ing] the force and effect of law;" and

WHEREAS, under Section 418.016(a), the "governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;" and

WHEREAS, under Section 418.017(a), the "governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster;" and

WHEREAS, under Section 418.018(c), the "governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;" and

WHEREAS, under Section 418.173, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately, and continuing through April

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SECRETARY OF STATE  
11:45AM O'CLOCK  
APR 17 2020



30, 2020, subject to extension based on the status of COVID-19 in Texas and the recommendations of the CDC and the White House Coronavirus Task Force:

In accordance with guidance from DSHS Commissioner Dr. Hellerstedt, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in Texas shall, except where necessary to provide or obtain essential services or reopened services, minimize social gatherings and minimize in-person contact with people who are not in the same household.

"Essential services" shall consist of everything listed by the U.S. Department of Homeland Security (DHS) in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0 or any subsequent version, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this executive order and any approved additions. Requests for additions should be directed to TDEM at [EssentialServices@tdem.texas.gov](mailto:EssentialServices@tdem.texas.gov) or by visiting [www.tdem.texas.gov/essentialservices](http://www.tdem.texas.gov/essentialservices).

"Reopened services" shall consist of:

- Starting at 12:01 a.m. on Friday, April 24, 2020, retail services that are not "essential services," but that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep in strict compliance with the terms required by DSHS. The DSHS requirements may be found at [www.dshs.texas.gov/coronavirus](http://www.dshs.texas.gov/coronavirus).
- Such additional services as may be enumerated by future executive orders or proclamations by the governor.

In providing or obtaining essential services or reopened services, people and businesses should follow the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, implementing social distancing, and working from home if possible. In particular, all such services should be provided through remote telework from home unless they cannot be provided through remote telework. Religious services should be conducted in accordance with the Guidelines for Houses of Worship During the COVID-19 Crisis, as promulgated by the attorney general and governor.

In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons; provided, however, that the use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of this executive order.

This executive order does not prohibit people from accessing essential or reopened services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential or reopened services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.

FILED IN THE  
SECRETARY OF STATE  
11:45 A.M. O'CLOCK  
APR 17 2020

In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities whenever possible.

In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance by students and shall not recommence before the end of the 2019-2020 school year. Public education teachers and staff are encouraged to continue to work remotely from home if possible, but may return to schools to conduct remote video instruction, as well as perform administrative duties, under the strict terms required by the Texas Education Agency. Private schools and institutions of higher education should establish similar terms to allow teachers and staff to return to schools to conduct remote video instruction and perform administrative duties when it is not possible to do so remotely from home.

This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services or reopened services allowed by this executive order or allows gatherings prohibited by this executive order. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

This executive order supersedes Executive Order GA-14, but does not supersede Executive Orders GA-09, GA-10, GA-11, GA-12, GA-13, or GA-15. This executive order shall remain in effect and in full force until 11:59 p.m. on April 30, 2020, unless it is modified, amended, rescinded, or superseded by the governor.



Given under my hand this the 17th  
day of April, 2020.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT  
Governor

ATTESTED BY:

Handwritten signature of Ruth R. Hughs in black ink.

RUTH R. HUGHS  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
11:42 AM, O'CLOCK

APR 17 2020



## **COVID-19: Guidance for Employers, Employees, and Customers of Reopened Retail Services**

This guidance is based on the best information currently available and will be updated when appropriate. Please visit [dshs.texas.gov/coronavirus](https://dshs.texas.gov/coronavirus) and [cdc.gov/coronavirus](https://cdc.gov/coronavirus) for updates. This guidance is intended for employers, employees, and customers of retail businesses reopening under the Governor's Executive Order issued on April 17, 2020. This guidance does not apply to businesses considered essential. This guidance is based on recommendations from the Centers for Disease Control and Prevention (CDC).

### **I am an Employee of a retail business re-opening. What should I do to keep myself and our customers safe?**

- All employees must be trained on environmental cleaning and disinfection, hand hygiene, and respiratory etiquette.
- All employees must be screened before coming into the business for new or worsening cough; shortness of breath; sore throat; loss of taste or smell; feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit; or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria should be sent home.
- Upon entering the business, employees must wash or sanitize hands.
- All employees must wear face coverings.
- Employees must maintain at least 6 feet separation from one another.

### **I am a Customer. How do I purchase and obtain goods from a retail store that has just re-opened?**

- Customers may purchase items from a retail location for pickup, delivery by mail, or delivery to the customer's doorstep, but may not enter the premises.



**TEXAS**  
Health and Human  
Services

- Retail to-go:
  - All payments should be done over the phone or internet if possible, and contact should be minimized if remote payment is not available.
  - Purchased items should be delivered by the employee to the backseat or trunk of the customer's vehicle whenever possible to minimize physical contact with the customer.
  - Employees must wash or sanitize their hands after each interaction with a customer, and whenever possible, must disinfect any item that came into contact with the customer.
- Retail delivery to customer's doorstep:
  - All payments should be done over the phone or internet if possible, and contact should be minimized if remote payment is not available.
  - Purchased items should be delivered by an employee or third-party carrier and delivered to the customer's doorstep. The employee or third-party carrier may not enter the customer's house or business.
- Retail delivery by mail:
  - All payments must be done over the phone or internet.
  - Purchased items should be delivered by mail without customer contact.
- The customer should wash or sanitize their hands after the transaction.