

# Holland & Knight

**GEORGIA – COVID-19 – Executive Order 04.02.20.01– Issued 4/2/20, amended by Executive Order 4.03.20.01, issued 4/3/20, supplemented by Executive Order 4.08.20.02, issued 4/8/20 and 4.20.20.01, issued 4/20/20**

## SHELTER IN PLACE ORDER

*\*Rescinds and replaces Executive Order 03.23.20.01*

<https://gov.georgia.gov/document/2020-executive-order/04022001/download>

All orders: <https://gov.georgia.gov/executive-action/executive-orders/2020-executive-orders>

GENERAL TOPIC	SUMMARY	SECTION # of EO 4.02.20.01
Effective	Beginning at 6:00 PM EST on 4/3/2020. <b><i>This series of orders was superseded by EO 4.23.20.02 and subsequent orders. See separate summary of those orders</i></b>	p. 9
Intent	Implement certain measures to slow the spread of COVID-19 and protect the health, safety, and welfare of Georgia's residents and visitors.	Preamble p. 1 & 2
Failure to Comply	Violators will be charged with a misdemeanor pursuant to Code Section 38-3-7. However, enforcement officers should take reasonable steps to provide notice prior to making an arrest or issuing a citation.	p. 9
Shelter in Place	Residents are to stay at home or in place of residence unless for Essential Services, Necessary Travel, performance of <u>Minimum Basic Operations</u> , or are included in <u>Critical Infrastructure</u> workforce.	p. 2 & 3
Business Closures/Restrictions; Reopenings	<ul style="list-style-type: none"> <li>• Businesses that are not Critical Infrastructure shall only engage in Minimum Basic Operations</li> <li>• Prohibits restaurants and private social clubs from providing dine-in services. Takeout, curb side pick-up, and delivery are still permitted.</li> <li>• Initially required certain businesses to cease operations, including gyms or fitness centers, bowling alleys, theatres, live performance venues, amusement rides, body art studios, businesses registered pursuant to Code Section 43-10-11 and 43-10-18, estheticians, hair designers, individuals licensed to practice massage therapy, and bars. Effective 4/24/20, under EO 4.20.20.02, those businesses are permitted to begin in-person Minimum Basic Operations. Must institute certain measures.</li> </ul>	p. 4, 6 & 7 (EO 4.02)
Travel	See definition of Necessary Travel below.	p. 3
Other	Per EO 4.08.20.02, no Vacation Rental for a period beginning at 12:00 AM on Thursday, April 9, 2020, until Thursday, April 30, 2020, at 11:59 P.M.	
Local Orders; Effect on other Orders	Suspends enforcement of local ordinances issued since 3/1/2020 that conflict with EO 04.02.20.01. EO 4.02.20.01 supersedes Executive Order 03.23.20.01	p. 8
Interpretations/Guidance	Georgia Dep't of Economic Development is authorized to provide guidance to businesses as to status as Critical Infrastructure. Shall be in writing and constitute an agency	p.6

Disclaimer: The information provided in this handout is general information and not designed to be and should not be relied on as your sole source of information when analyzing and resolving a specific legal issue. Each fact situation is different; the laws are constantly changing. If you have specific questions regarding a particular fact situation, we urge you to consult with legal counsel.

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GENERAL TOPIC	SUMMARY	SECTION # of EO 4.02.20.01
	finding. Per Order 4.03.20.01, the Office of the Governor may continue to issue guidance on the scope of "Essential Services" as needed through communication media, including social media, without need for further Executive Orders.	
<b>DEFINITIONS (SUMMARY)</b>		
Essential Services	<p>Essential Services include:</p> <ul style="list-style-type: none"> <li>Obtaining necessary supplies, such as food, medicine or medical supplies, materials to work from home, and products in order to maintain safety and sanitation of home</li> <li>Activities that ensure health and safety of household, such as medical care</li> <li>Outdoor exercise as long as six feet of distance is maintained between individuals</li> </ul> <p>[Additional services added in EO 4.03.20.01 include care of family members, children, and the elderly.]</p>	p. 3
Essential Businesses/Critical Infrastructure-See Order for details	<p>Critical Infrastructure refers to:</p> <ul style="list-style-type: none"> <li>Businesses, establishments, corporations, non-profit corporations, and organizations defined by the U.S. Department of Homeland Security as "essential critical infrastructure workforce" in <a href="#">CISA Version 3.0</a> (as updated 4/17/20)</li> <li>Suppliers who provide essential goods and services to critical infrastructure workforce</li> <li>Non-profit corporations that provide food distribution or other health or mental services</li> </ul> <p>In-person operations of Critical Infrastructure must implement measures to prevent the spread and exposure of COVID-19 among workforce. See EO 04.02.20.01 full list of measures.</p>	p. 5 & 6
Minimum Basic Operations-See Order for details	<p>Limited to necessary activities to:</p> <ul style="list-style-type: none"> <li>Maintain value of business, establishment, corporation, non-profit corporation, or organization, provide services, manage inventory, ensure security, or process payroll or employee benefits</li> <li>Facilitate remote working operations for employees or volunteers from place of residence</li> <li>Instances where outside contact with other individuals is necessary, such as delivery services, contractors, landscape, or agricultural services</li> </ul> <p>In addition to engaging in Minimum Basic Operations, all non-Critical Infrastructure entities must implement measures to prevent the spread and exposure of COVID-19. See EO 04.02.20.01 for full list of measures.</p>	p. 3, 4, 5
Essential Travel	Defined as travel necessary to complete Essential Services, Minimum Basic Operations, or Critical Infrastructure.	p. 3

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GENERAL TOPIC	SUMMARY	SECTION # of EO 4.02.20.01
Social Distancing Requirements	<p>No business, establishment, corporation, non-profit corporation, organization, or county or municipal government can allow more than ten people to gather at a single location if six feet of distance between individuals cannot be maintained. Excludes private residences.</p> <p>Individuals who are required to shelter in place may only receive visitors in certain cases, such as:</p> <ul style="list-style-type: none"> <li>• Visitors providing medical or health services, supplies, or medications</li> <li>• Visitors who provide support of daily living activities</li> <li>• Visitors who are providing essential supplies and services (defined above)</li> <li>• Visitors during end-of-life circumstances</li> </ul>	p. 2, 7

**DISCLAIMER:** *This information is provided for convenience only, and should not be relied upon in making decisions for your business. As this is a rapidly changing area, reference should always be made to the official order and related interpretative guidance. If you have specific questions about how any particular jurisdiction's Order affects your business, or other COVID-19 topics, please contact a member of the Holland & Knight's COVID-19 Response Team – State and Local Orders and Regulations.*

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