

## LOUISIANA – COVID-19 – Back to Business Proclamation No. 58 JBE 2020 – Issued 5/14/20

### BACK TO BUSINESS PHASE I

<https://gov.louisiana.gov/assets/Proclamations/2020/58-JBE-2020.pdf>

GENERAL TOPIC	SUMMARY	SECTION #
Effective Period	Friday, May 15, 2020, until Friday, June 5, 2020, or as extended by subsequent Proclamation. Replaces Proclamation No 52, which expired May 15, 2020.	§6
Intent	To move safely into Phase 1 of recovery effective May 15, 2020.	
Stay at Home - Lifted	The mandatory stay at home order is lifted. All individuals “should” stay at home as much as possible to avoid unnecessary exposure to COVID-19. Individuals who are at higher risk “should” stay at home unless travelling for an <b>essential activity</b> .	§2A)
Gatherings – No restrictions	The mandatory restrictions on gatherings are eliminated. All individuals “should avoid” groups of any size that do not allow for strict social	§2C)
Essential businesses - Open	<b>Essential businesses</b> may remain open. All owners and employees shall maintain strict social distancing between themselves and members of the public and shall wear face coverings at all times interacting with the public	§2F)
Closed Businesses – Revised List	Certain <b>non-essential businesses</b> shall remain closed to the public and members. See list in Appendix below. [Note that hair salons, barbers, fitness centers, and malls are no longer on the closed list, and may reopen as of 5/15/20.]  Businesses closed to the public pursuant to this provision shall not be prohibited from conducting necessary activities such as payroll, cleaning, maintenance or upkeep as necessary.	§2B)
Restaurants, Cafes, and Coffee Shops	Shall continue to allow drive-up or curbside delivery service. Effective 5/15/20, also allowed to begin dine-in service, subject to certain conditions including 25% capacity, social distancing, closing of waiting areas, etc. Guidelines from the state fire marshal to be followed.	§2G)(1)
All other Nonessential Businesses	Effective 5/15/20, all other nonessential businesses shall be allowed to operate, subject to certain listed requirements, including capacity limits and social distancing protections. Specific requirements listed for beauty shops, barber shops, malls, churches, casinos, gyms, fitness centers, and other non-essential businesses.	§2G)(2)-(7)
Face Masks	All businesses shall require that any owner or employee having interaction or contact with the public shall wear a mask or a face covering. [This is the same as in the prior stay at home order.]	§2D)
Other	The Resilient Louisiana Commission and industry task forces are authorized to develop further guidance, and upon written approval by the Governor such guidance shall be considered incorporated into the Proclamation by reference	§3
APPENDIX/DEFINITIONS		

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Essential Activity	An activity is essential if the purpose of the activity is one of the following: A. Obtaining food, medicine, and other similar goods necessary for the individual or a family member of the individual. B. Obtaining non-elective medical care and treatment and other similar vital services for an individual or a family member of the individual. C. Going to and from an individual's workplace to perform a job function necessary to provide goods or services being sought in Subsections (A) and (B) of this Section, or as otherwise deemed essential worker functions. D. Going to and from a place of employment remaining open under Section 2(C) of this order, provided that the employee has been designated as essential. E. Going to and from the home of a family member. F. Going to and from an individual's place of worship. G. Engaging in outdoor activity, provided individuals maintain a distance of six feet from one another and abide by the 10-person limitation on gathering size established in this proclamation.	§2B)
Essential businesses/ essential worker functions	See Guidance provided by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) on what workers are essential. <a href="https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19">https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19</a> .	§2B)
Continued Closed Businesses	<ul style="list-style-type: none"> <li>All <b>places of public amusement</b>, whether indoors or outdoors, including but not limited to: locations with amusement rides, carnivals, amusement parks, water parks, trampoline parks, aquariums, zoos, museums, arcades, fairs, pool halls, children's play centers, playgrounds, theme parks, any theaters, concert and music halls, adult entertainment venues, racetracks, casinos, video poker establishments, movie theaters, bowling alleys, bars, and other similar businesses.</li> <li>Certain <b>personal care and grooming businesses</b>, including massage establishments, tattoo parlors and other similar businesses.</li> <li>[Note that the earlier list of closed businesses including beauty shops, barber shops, malls, gyms and fitness centers. They are now being permitted to open, subject to compliance with certain conditions.]</li> </ul>	§2E)

**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.

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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