

## NEW HAMPSHIRE – COVID-19 – Emergency Order 17 – Issued 4/28/20 as extended by Executive Orders 2020-05 and 2020-08

### CLOSURE OF NON-ESSENTIAL BUSINESSES AND STAY AT HOME

Order 17: <https://www.governor.nh.gov/news-media/emergency-orders/documents/emergency-order-37.pdf>

Exhibit A: <https://www.governor.nh.gov/news-media/emergency-orders/documents/emergency-order-17-ex-a.pdf>

GENERAL TOPIC	SUMMARY	SECTION #
Effective Period	11:59 p.m. on 3/27/20, until 5/15/20 or until the public health threat is eliminated	§ 2, 4
Intent	To prepare for and respond to suspected or confirmed COVID-19 cases in New Hampshire, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization.	Recitals
Failure to Comply	The Division of Public Health and State or local police shall have the authority to enforce this order.	§ 8
Shelter in Place/Stay at Home	New Hampshire citizens shall stay at home or in their place of residence, except for provision of Essential Services, and certain other listed essential activities.	§ 4
Nonessential Services Business Closures	All businesses that do not provide Essential Services shall close their physical facilities to workers, customers, and the public and cease all in person operations as of 11:59 p.m. on 3/27/20.  The Order does not apply to any church, synagogue, mosque, or other house of worship. Those organizations must still comply with Emergency Order #16.	§2, 7
Essential Services	All businesses providing Essential Services shall develop social distancing protocols, consistent with CDC and Dep't of Public Health.	§ 3
DEFINITIONS (SUMMARY)		
Essential Activities (see Order for details)	Leaving home to do the following activities are considered <u>essential activities</u> (subject in some cases to social distancing protocols): <ul style="list-style-type: none"><li>• getting fresh air or exercise;</li><li>• certain types of outdoor recreation;</li><li>• running essential errands (e.g. going to the grocery store, pharmacy, laundromat, etc.);</li><li>• visiting a spouse, parent, or child;</li><li>• providing care for another person;</li><li>• going to the gas station;</li><li>• ordering and picking up take-out food;</li></ul>	§ 4

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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# Holland & Knight

GENERAL TOPIC	SUMMARY	SECTION #
	<ul style="list-style-type: none"> <li>receiving deliveries from Amazon, UPS, Fedex, the U.S. Postal Service, etc.;</li> <li>receiving essential medical care or essential medical services;</li> <li>for purposes of an individual's employment if the individual is employed at a business or organization that provides Essential Services or a business or organization to whom the order does not apply (i.e. K-12 schools, the State Government, the local and county governments, the local and county legislative bodies, the General Court, the Judicial Branch, churches, synagogues, mosques, or other houses of worship); and</li> <li>for purposes of employment in cases where an individual is working remotely for a business that does not provide <u>Essential Services</u>.</li> </ul>	
Essential Services (see Exhibit A for details)	<p>See <a href="#">Exhibit A</a> to Order for industry sectors included as Essential Services. Examples of the sectors included are as follows: law enforcement, public safety and first responders; food and agriculture; health care, public health and human services; energy; waste and wastewater; transportation and logistics; public works; communications and information technology; manufacturing; hazardous materials; financial services; chemical; defense industrial base; real estate transactions, agents and brokers; and other curbside pick or delivery retail.</p> <p>Additional services may be designated as Essential and added to EXHIBIT A with written approval of the Commissioner of Business and Economic Affairs and the Governor.</p>	Exhibit A
Essential Travel	If an individual is employed at a business or organization that provides <u>Essential Services</u> , such individual will continue to have the ability to cross state borders for work related travel (e.g., traveling to and from work/home, transporting products to distribution facilities, etc.).	Exhibit A
Social Distancing Protocols	Social distancing protocols consistent with guidance from the Division of Public Health	§ 3, 4; Exhibit A

**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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