NEW JERSEY – Back to Business – COVID-19 –
Executive Order Nos. 142 and Subsequent Orders –
Issued beginning 5/13/20
Updated 8/5/20

Stage One: Exec. Order No. 142
Stage Two: Exec. Order 150

Link to all Other Executive Orders
https://nj.gov/infobank/eo/056murphy/approved/eo_archive.html

Reopen NJ Website, with Links to Specific Industry Guidance
https://covid19.nj.gov/pages/reopen

“The Road Back” Plan
http://d31hzlhk6di2h5.cloudfront.net/20200518/ff/c9/8c/41/1917eaf623c02595b9225209/Strategic_Restart_Plan.jpg

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<tr>
<th>GENERAL TOPIC</th>
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<tbody>
<tr>
<td>Effective</td>
<td>Different effective dates for different orders. Effective date for EO 142 was 5/13/20.</td>
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<tr>
<td>General</td>
<td>NJ had required nonessential businesses to close, pursuant to EO 107 and other orders. NJ is reopening in stages, pursuant to The Road Back plan. Exec Order 142 implemented Phase One of reopenings, starting 5/13/20, followed by other orders with incremental lifting of restrictions. Exec Order 150 implemented Phase Two, starting 6/15/20. Also see industry guidance and administrative orders for specific business sectors from State Director of Emergency Management, at <a href="https://covid19.nj.gov/pages/reopen">https://covid19.nj.gov/pages/reopen</a>.</td>
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<td>Shelter in Place</td>
<td>Stay at home provisions of EO 107 were rescinded effective 6/9/20.</td>
<td>EO 153</td>
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| Gatherings    | Effective 5/13/20: individuals are permitted to participate in gatherings in cars and attend recreational events in cars, subject to certain restrictions set forth in EO 142 Paragraph 4. Gatherings of up to 10 persons are permitted. Effective 5/22/20: Outdoor gatherings permitted up to 25 people. Effective 6/9/20: Expands limits on indoor gatherings to up to 50 people and outdoor gatherings of up to 100 people, subject to certain rules set forth in Exec. Order 152. | EO 142
EO 148
EO 152 |
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|                       | **Effective 6/22/20:** Expands prior orders to permit indoor gatherings up to max of 25% of capacity or 100 persons, and outdoor gatherings of up to 250 people.  
**Effective 7/3/20:** Expands limits on outdoor gatherings to 500 or fewer.  
**Effective 8/4/20:** Indoor gatherings rolled back to 25% of room capacity with a 25 people maximum, except for religious services, political activities, wedding ceremonies, and funerals, which are limited to 25% of capacity with a 100 person maximum |        |
| Essential Retail      | Essential retail stores remain open subject to the provisions of EO 122.                                                                                                                                                                                                                                                                  | EO 122 |
| Non-Essential Retail  | **Effective 5/18/20:** Non-Essential Retail Businesses permitted to reopen to the public for curbside pickup, subject to certain requirements set forth in EO 142.  
**Effective 6/15/20:** Non-essential retail may open to in-store operations, following the same rules as required of essential retail under EO 122  
**Effective 6/26/20:** All retail may operate indoor and outdoor premises, following rules set forth in order.                                                                                                                                                                    | EO 142, paragraph 9  
EO 150, paragraph 8  
EO 157 |
| Restaurants/Bars      | **Effective 6/15/20:** Restaurants, cafeterias, dining establishments, and foods courts can offer on-site outdoor dining following rules set forth in Exec. Order 150, and Dept of Health rules. Takeout and delivery service continues.  
**Effective 6/26/20:** Indoor dining permitted, following rules set forth in order.  
**Effective 7/2/20:** Rescinds Exec. Order 157’s provision allowing indoor dining.  
**Effective 7/8/20:** “Outdoor areas,” as defined in Exec. Order 156 and Exec. Order 157 is superseded. “Outdoor areas” is now defined as open air spaces that either (i) have no roof or cover; or (ii) have a fixed roof or temporary seasonal awning or cover with at least two open sides that would comprise over 50% of the total wall space if the space were fully enclosed. | EO 150  
EO 157  
EO 158  
EO 163 |
| Personal care (hair salons, barbers, etc) | **Effective 6/13/20:** Reopens personal care businesses, including barber shops, beauty salons, hair braiding shops, nail salons, electrology facilities, cosmetology shops, and spas, subject to the provisions of EO 154, and requirements from DOH and Division of Consumer Affairs | EO 154  
EO 157 |

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 | EO #
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**Effective 7/2/20:** Allows resumption of personal care services requiring removal of face covering, so long as face covering is worn before and after service.
**Entertainment venues** | **Effective 7/2/20:** Recreational and entertainment businesses can reopen indoor and outdoor premises following rules set forth in order, except for businesses enumerated at paragraph 8 (health clubs, theatres and concert venues, and indoor amusement and water parks).
**Effective 7/8/20:** Businesses may operate “outdoor areas” as newly defined. | EO 157
**Outdoor recreation and entertainment** | **Effective 5/2/20:** Exec. Order 133 previously permitted State Parks and Golf Courses to reopen on 5/2/20, subject to certain requirements set forth in such Executive Order.
**Effective 5/22/20:** Public and private beaches, boardwalks, lakes, and lakeshores may open but must implement capacity restrictions, follow social distancing, and follow requirements for keeping public and employees safe as outlined in Exec. Order 143. [Restaurants, cafeterias, dining establishments, food courts, and bars located on beaches, boardwalks, and lakeshores can only provide take-out or delivery.]
**Effective 5/17/20:** Charter fishing services and for-hire vessels may reopen to the public, but must follow operating requirements outlined at EO 146, Paragraph 1. Employees, customers, and individuals engaging in fishing activities should wear face coverings.
**Effective 5/19/20:** Reopens additional recreational businesses subject to their following operating requirements including: archery ranges, batting cages, golf driving ranges, horseback riding, shooting ranges, tennis clubs. However, certain areas at these recreational businesses must remain closed, including: Picnic areas, Playgrounds, Pavilions, Fitness centers, Locker rooms, other amenities and buildings, except restrooms.
**Effective 6/3/20:** Picnic areas and pavilions were opened
**Effective 7/2/20:** Heath clubs, theatres, and concert venues may open outdoor premises. | EO 163
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| **Construction Projects** | **Effective 5/18/20:** Physical operations of all construction projects are permitted to resume; provided that, all business engaged in construction projects (whether or not designated as essential), must adopt policies that include, at a minimum, the following requirements:  
  • Prohibit non-essential visitors from entering worksite;  
  • Appropriate social distancing measures to be implemented and maintained at all times;  
  • Limit worksite meetings to fewer than 10 individuals;  
  • Stagger work start and stop times, lunch breaks and work times, where practicable;  
  • Identify congested and “high-risk areas” and limit the number of individuals at those sites concurrently where practicable;  
  • Requires workers and visitors to wear a cloth face covering, in accordance with CDC recommendations, while on premises and workers to wear gloves while on premises;  
  • Require infection control practices;  
  • Limit sharing of equipment;  
  • Provide portable washing stations where running water is not available;  
  • Require frequent sanitation of high touch areas;  
  • If worksite is occupied residence, workers required to sanitize work areas and maintain social distance from occupants; and  
  Place conspicuous signage at entrance and throughout worksite detailing the above mandates. | EO 142 |
| **Facemask Requirements** | **Acknowledges CDC recommendation that all individuals wear face coverings where social distance cannot be maintained.**  
  Employees on construction projects must wear face coverings, and visitors must wear face coverings.  
  Employees of Non-Essential Retail Business must wear face coverings, and wear gloves when in contact with customers or goods.  
  Individuals organizing or maintaining recreational gatherings allowed under EO 142 Paragraph 4, who are not in closed vehicles, must wear face coverings.  
  Employees, customers, and individuals engaging in fishing activities should wear face coverings. | EO 142 |
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<td>Effective 7/8/20:</td>
<td>All individuals must wear facemasks when not possible to social distance.</td>
<td>EO 163</td>
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<td>Elective Surgeries</td>
<td>Effective 5/26/20: suspension on elective surgeries and invasive procedures is rescinded, with the Department of Health tasked with issuing policies to address, <em>inter alia</em>, issues outlined at EO 145, Paragraph 3.</td>
<td>EO 145</td>
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<td>Effect on Other Orders</td>
<td>See orders for specific provisions on amendments of prior orders.</td>
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<td>Travel</td>
<td>Effective 7/15/20: lifts capacity restrictions on NJ Transit, and private transportation carriers, and sets forth guidelines for cleaning, protective barriers, and face masks. &lt;br&gt;Updated 7/22/20: travel advisory in cooperation with New York and Connecticut advising incoming travelers from states with COVID-19 test rates higher than 10 per 100,000 resident or a 10% or higher positivity rate over a seven-day rolling average to quarantine for 14-days upon arrival to New Jersey</td>
<td>EO 165</td>
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**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.