March 18, 2020

The State of Tennessee notified the Cheatham County Health Department today of the first confirmed case of COVID-19 in our county.

Additional details have not been released at this time.

In response, beginning Thursday, March 19, all Cheatham County Government buildings will be closed to the public. The courts will continue to operate and include the public per directive from the State Supreme Court. The Health Department will remain open to the public. All emergency services will continue as normal.

All other services will be suspended with no public access to county buildings through Friday, April 17, 2020. I will work to keep you posted as information is available.

Please take care of those in need around you and keep you and your family safe as we weather this challenge.

Kerry R. McCarver
Cheatham County Mayor Kerry R. McCarver
March 18, 2020

To whom it may concern

Re: COVID-19 virus

Effective immediately, I am declaring a State of Emergency for Cheatham County in response to the COVID-19 virus for the next seven days.

Effective Thursday, March 19, all county buildings and offices will restrict public access until Friday, April 3, 2020. Employees of the county will be allowed into the buildings to conduct county business during the time of limited public access.

We will work with local, state, and federal departments as needed to coordinate efforts and resources to keep our county and our citizens as safe as possible in light of this medical outbreak.

If you have any questions, please do not hesitate to call my office for assistance.

Sincerely,

Kerry R. McCarver, Cheatham County Mayor
March 25, 2020

To whom it may concern

Re: COVID-19 virus

Effective immediately, I am declaring an additional seven-day extension of State of Emergency for Cheatham County in response to the COVID-19 virus. This order continues with the same conditions and contingencies from the original order issued March 18, 2020.

Effective Thursday, March 19, all county buildings and offices will restrict public access until Friday, April 3, 2020. Employees of the county will be allowed into the buildings to conduct county business during the time of limited public access.

We will work with local, state, and federal departments as needed to coordinate efforts and resources to keep our county and our citizens as safe as possible in light of this medical outbreak.

If you have any questions, please do not hesitate to call my office for assistance.

Sincerely,

Kerry R. McCarver, Cheatham County Mayor
April 3, 2020

To whom it may concern

Re: COVID-19 virus

Effective immediately, I am declaring an additional seven-day extension until April 10, 2020 of the State of Emergency for Cheatham County in response to the COVID-19 virus. This order continues with the same conditions and contingencies from the original order issued March 18, 2020.

Effective Wednesday, March 31, all county buildings and offices will restrict public access until Friday, April 17, 2020. Employees of the county will be allowed into the buildings to conduct county business during the time of no general public access.

We will work with local, state, and federal departments as needed to coordinate efforts and resources to keep our county and our citizens as safe as possible in light of this medical outbreak.

If you have any questions, please do not hesitate to call my office for assistance.

Sincerely,

Kerry R. McCarver, Cheatham County Mayor
April 10, 2020

To whom it may concern

Re: COVID-19 virus

Effective immediately, I am declaring an additional seven-day extension until April 17, 2020 of the State of Emergency for Cheatham County in response to the COVID-19 virus. This order continues with the same conditions and contingencies from the original order issued March 18, 2020.

Effective Wednesday, March 31, all county buildings and offices will restrict public access until Friday, April 17, 2020. Employees of the county will be allowed into the buildings to conduct county business during the time of no general public access.

We will work with local, state, and federal departments as needed to coordinate efforts and resources to keep our county and our citizens as safe as possible in light of this medical outbreak.

If you have any questions, please do not hesitate to call my office for assistance.

Sincerely,

Kerry R. McCarver, Cheatham County Mayor
April 17, 2020

To whom it may concern

Re: COVID-19 virus

Effective immediately, I am declaring an additional seven-day extension until April 24, 2020 of the State of Emergency for Cheatham County in response to the COVID-19 virus. This order continues with the same conditions and contingencies from the original order issued March 18, 2020.

Effective Wednesday, March 31, all county buildings and offices will restrict public access until Thursday, April 30, 2020. Employees of the county will be allowed into the buildings to conduct county business during the time of no general public access. This extension parallels with the Executive Order from Tennessee Governor Bill Lee issued on April 13, 2020, to extend the stay at home order through April 30, 2020.

We will work with local, state, and federal departments as needed to coordinate efforts and resources to keep our county and our citizens as safe as possible in light of this medical outbreak.

If you have any questions, please do not hesitate to call my office for assistance.

Sincerely,

Kerry R. McCarver, Cheatham County Mayor
April 24, 2020

To whom it may concern

Re: COVID-19 virus

Effective immediately, I am declaring an additional seven-day extension until April 30, 2020 of the State of Emergency for Cheatham County in response to the COVID-19 virus. This order continues with the same conditions and contingencies from the original order issued March 18, 2020.

Effective Wednesday, March 31, all county buildings and offices will restrict public access until Thursday, April 30, 2020. Employees of the county will be allowed into the buildings to conduct county business during the time of no general public access. This extension parallels with the Executive Order from Tennessee Governor Bill Lee issued on April 13, 2020, to extend the stay at home order through April 30, 2020.

We will work with local, state, and federal departments as needed to coordinate efforts and resources to keep our county and our citizens as safe as possible in light of this medical outbreak.

If you have any questions, please do not hesitate to call my office for assistance.

Sincerely,

[Signature]

Kerry R. McCarver, Cheatham County Mayor
As an elected official, the residents of our state need your help to stay safe and healthy during the COVID-19 crisis.

Governor Bill Lee issued a “Safer at Home” executive order closing non-essential businesses and urging Tennesseans to stay home as much as possible to stop the spread of the Coronavirus.

This document is to give you guidance regarding what to communicate to your constituents and how you and your staff can help Tennessee defeat COVID-19. We have also included answers to frequently asked questions about Executive Order 22.

Thank you for your service to our state and your leadership. You are vitally important to this fight against COVID-19.
**How Elected Officials Can Help**

**Spread the Word on Social Media**
Help your constituents by disseminating accurate and timely information on social media.

We will be sending a toolkit with draft posts, graphics, and scripts by Monday 4/6.

- Encourage Tennesseans to stay at home whenever possible on Facebook, Twitter, and any other social media account you have.
- Post a 30 second video to social media encouraging individuals to stay at home using the #TNStayApart hashtag.
- Share the governor’s social media content on [Facebook](#) and [Twitter](#).
- Share the governor’s daily briefings which can be viewed [here](#).
- Highlight local businesses and individuals that are finding creative ways give back during this time.

It is very important to share accurate information with the public about the virus. Here are links to reputable resources online that you can read and share.

- [www.cdc.gov](#)
- [www.tn.gov/health](#)
- [www.tn.gov/covid19](#)
- [www.tn.gov/smallbusiness](#)

**Support Local Business**
It’s essential that we establish new habits to responsibly support local businesses during this difficult economic time.

- Encourage folks to order take-out, buy restaurant gift cards for later use, and shop locally online.
- Post a picture of your take-out from a small local business on social media.

**Use and Encourage Creative Interaction**
Social distancing doesn’t have to mean total isolation. We have technological resources that can enable us to connect with friends, family and neighbors in a responsible manner.

- Use platforms like Zoom and WebEx to communicate with your voters, local business owners, and other leaders.
- Encourage your faith communities to host Zoom or WebEx meetings to maintain a sense of community and faith.
Engage local civic groups and ask them to start phone trees to check in on elderly neighbors.

**Participate in and Encourage Creative Service Projects**
- Encourage individuals to grocery shop for the elderly in your community.
- Identify someone within your circle who may be adversely affected by isolation and serve them through this season, whether it is a regular phone call, food delivery or financial support.
- Encourage responsible and healthy adults to donate to their local [blood bank](https://www.blood.org).
Frequently Asked Questions

What is the safer at home guidance?

- On March 30, 2020, Gov. Lee issued Executive Order 22, implementing safer at home guidelines in every Tennessee county to further mitigate the spread of COVID-19. The order went into effect Tuesday, March 31 at 11:59 p.m. CDT and will extend to April 14, 2020 at 11:59 p.m. CDT.
- EO21 closes certain close-contact businesses and entertainment and recreational venues that cannot safely operate during COVID-19 including businesses like barbershops, salons, recreational and entertainment outfits. A full list of these businesses can be found here.
- EO22 permits the continuation of essential businesses identified in the Attachment to EO22, while temporarily closing businesses that are not essential.
- EO22 is not a mandated shelter in place, but instead urges Tennesseans who are not engaging in essential activity and/or working in businesses performing essential services to remain at home.
- EO22 further requires businesses and persons performing essential services to follow CDC health guidelines and practices to the greatest extent possible, and to utilize telework and work from home where possible.

Why did the governor implement ‘safer at home’ guidance?

- COVID-19 is an unprecedented crisis. The Governor's goal is to keep the public, and especially vulnerable populations, safe while maintaining access to essential services and activities.
- These measures will implement safer at home guidelines in every county in our state to better our approach to social distancing while also protecting the livelihood of Tennesseans.

How do I know if a business is “essential”?

- You can find a list of essential businesses here.
STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 16

AN ORDER ENSURING GOVERNMENT CONTINUES TO FUNCTION OPENLY AND TRANSPARENTLY DURING THE COVID-19 EMERGENCY WHILE TAKING APPROPRIATE MEASURES TO PROTECT THE HEALTH AND SAFETY OF CITIZENS AND GOVERNMENT OFFICIALS

WHEREAS, on March 12, 2020, I issued Executive Order No. 14, which declared a state of emergency and waived certain laws to facilitate the response to Coronavirus Disease 2019 (COVID-19), and on March 19, 2020, I issued Executive Order No. 15, which superseded Executive Order No. 14 and, in addition to reiterating the existence of a state of emergency, took a number of additional measures in furtherance of the treatment and containment of COVID-19; and

WHEREAS, the findings in Executive Order No. 15 are incorporated herein by reference; and

WHEREAS, it is critical to limiting the community spread of COVID-19 that private and governmental entities of all types eliminate large public gatherings and conduct business remotely by electronic means to the greatest extent possible; and

WHEREAS, to this end, guidance from the White House and Centers for Disease Control and Prevention (CDC) advises that Americans should “avoid social gatherings in groups of more than 10 people” and advises that older persons and persons with serious underlying health conditions should remain at home; and

WHEREAS, state, county, and municipal governing bodies must continue to meet to carry out essential functions, including, but not limited to, considering annual budgets or special budgetary items in response to COVID-19 or measures providing regulatory flexibility or other means to treat and contain COVID-19; and
WHEREAS, in accordance with state and federal guidance, during this continuing emergency, the interest of public health and safety requires avoiding large gatherings of people in the same physical location; and

WHEREAS, despite these constraints on holding public meetings, maintaining open, public access to government proceedings, as guaranteed by Article I, Section 19 of the Tennessee Constitution and the Open Meetings Act, codified in Tennessee Code Annotated, Title 8, Chapter 44, Part 1, is of critical importance; and

WHEREAS, in a March 20, 2020, letter, the Tennessee Coalition for Open Government acknowledged the need to balance these interests, stating that, in light of the COVID-19 outbreak, governing bodies should be able to meet electronically regarding essential business, so long as they provide electronic access to the public and reasonable safeguards to ensure transparency; and

WHEREAS, other state entities have recently taken measures balancing the protection of public health and safety with the need to ensure that government continues to function and remains open to the public, including:

On March 13, 2020, the Supreme Court of Tennessee issued an order suspending in-person court proceedings through March 31, 2020, subject to certain narrow exceptions for essential proceedings, and, even in those exceptional cases, limited attendees to attorneys, parties, witnesses, security officers, and other necessary parties. The Supreme Court’s order further “urged [judges] to limit in-person courtroom contact as much as possible by utilizing available technologies, including alternative means of filing, teleconferencing, email, and video conferencing” and suspended “[a]ny Tennessee state or local rule, criminal or civil, that impedes a judge’s or court clerk’s ability to utilize available technologies to limit in-person contact.”

Beginning March 16, 2020, the Lieutenant Governor and Speaker of the House of Representatives limited access to the Cordell Hull Building, while ensuring that the General Assembly’s proceedings remained open to the public through the livestreaming services on its website, and I announced that the State Capitol would likewise be closed to tours and visitors; and

WHEREAS, in addition to the other powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, utilize all available state and local resources and state departments and personnel to combat the emergency, order evacuations, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

WHEREAS, pursuant to this authority and the general emergency management powers of the Governor under law, the temporary suspension of selected state laws and rules and the other
measures contained herein are necessary to facilitate the response to the current public health emergency.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, in light of the continuing state of emergency to facilitate the response to COVID-19, do hereby order the following:

1. As a reasonable measure to protect the safety and welfare of Tennesseans while ensuring that government business may continue in a manner that is open and accessible to the public, the provisions of Tennessee Code Annotated, Title 8, Chapter 44, Part 1, are hereby suspended to the extent necessary to allow a governing body, as defined in Tennessee Code Annotated, Section 8-44-102, to meet and conduct its essential business by electronic means, rather than being required to gather a quorum of members physically present at the same location, if the governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans in light of the COVID-19 outbreak, subject to the following conditions:

   a. All governing body meetings conducted by electronic means under this Order shall remain open and accessible to public attendance by electronic means, as follows: Each governing body must make reasonable efforts to ensure that the public access to the meeting via electronic means is live access, but if the governing body cannot provide such live public access despite reasonable efforts, the governing body must make a clear audio or video recording of the meeting available to the public as soon as practicable following the meeting, and in no event more than two business days after the meeting; and

   b. This Order does not in any way limit existing quorum, meeting notice, or voting requirements under law, and governing bodies are urged to provide the public with clear notice of the meeting agenda and how the public can access the meeting electronically at a time and location reasonably accessible to all members of the public; and

   c. The provisions of Tennessee Code Annotated, Section 8-44-108(c), remain in effect; and

   d. All such meetings shall be conducted in a manner consistent with Article I, Section 19 of the Tennessee Constitution.

2. Pursuant to Tennessee Code Annotated, Sections 58-2-107 and 58-2-118, I hereby authorize all governing bodies, state departments and agencies, and political subdivisions of the state, and other agencies designated or appointed by the governor to make, amend, and rescind orders and rules as necessary to conduct electronic meetings adhering to the provisions and spirit of the Tennessee Constitution and Open Meetings Act.
3. Given the findings underlying, and general applicability of, this Order, Tennessee Code Annotated, Section 8-44-108(b)(3), which requires each governing body to provide findings to the Secretary of State concerning the need for a meeting where a quorum is not physically present, is hereby suspended.

4. Any law, order, rule, or regulation inconsistent with this Order is hereby suspended.

5. This Order shall remain in effect until 12:01 a.m., Central Daylight Time, on May 18, 2020, at which time the suspension of any state laws and rules and my authorization pursuant to Tennessee Code Annotated, Section 58-2-118, shall cease and be of no further force or effect.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 20th day of March, 2020.

[Signature]
GOVERNOR

ATTEST:

[Signature]
SECRETARY OF STATE
April 1, 2020

Sheriffs, Police Chiefs, District Attorneys General
c/o their respective associations

RE: Executive Order Nos. 17 and 21 regarding restaurants, bars, food and drink establishments, gyms, exercise/fitness facilities, and close-contact personal services businesses, and entertainment and recreational gathering venues

Dear Sirs/Madams:

By now you are aware that Executive Order Nos. 17 and 21 have been issued pursuant to emergency authority under Tenn. Code Ann. § 58-2-107 to limit the spread of the COVID-19 pandemic. These Orders have the force of law and are in effect until 11:59 p.m. on Tuesday, April 14, 2020. Copies of the Orders are attached for your convenience.

The Orders permit restaurants, bars, and similar food and drink establishments to offer only drive-through, pickup, carry-out, or delivery service. *In contrast*, the Orders expressly prohibit establishments from being open for eating or drinking anywhere onsite.

The Orders require closure of gyms, fitness/exercise centers, and substantially similar facilities.

The Orders also require closure of businesses that perform close-contact personal services and entertainment and recreational venues. A sample list of such businesses can be found in Executive Order No. 21.

Under Tenn. Code. Ann. § 58-2-107(f), a governor may “give such direction to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with this chapter and the orders and rules made pursuant thereto.” Further, violation of an emergency Executive Order is also a Class A misdemeanor under Tenn. Code Ann. § 58-2-120.

While it is my hope and expectation that Tennesseans—in order to protect themselves, their loved ones, their customers, and their communities from the spread of COVID-19—will comply with these Orders, please interpret this letter as authority to take reasonable steps to implement the provisions of Executive Order Nos. 17 and 21 in your jurisdiction. I ask you to utilize sound judgment, restraint, and discretion to first educate and warn your local businesses and establishments in order to provide them all reasonable opportunity to comply. Enforcement
measures should be used as a last and final option only if they become necessary due to a refusal to voluntarily comply after all other reasonable means have been exhausted.

Thank you for your cooperation in this regard. This is a grave and unusual matter, and I value greatly your service and the critical role and duty vested in you to preserve the safety and health of your community and your state.

Sincerely,

[Signature]

Governor Bill Lee

cc: City and County Mayors
State of Tennessee
Executive Order
By the Governor

No. 17

An order to mitigate the spread of COVID-19 by limiting social gatherings, dine-in service, and gym use, and exposure at nursing and retirement homes, and providing flexibility for restaurants regarding the sale of alcohol

Whereas, local, state, and federal officials have taken numerous actions to limit the spread of Coronavirus Disease 2019 (COVID-19), including a series of statewide executive orders, a nationwide emergency declaration by President Trump, and many local health and emergency orders and actions; and

Whereas, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and 370 additional cases of COVID-19 have been identified in Tennessee in the ensuing two-and-a-half weeks, indicating that the number of cases continues to increase and presents a serious risk to the health, safety, and welfare of Tennesseans; and

Whereas, the Centers for Disease Control and Prevention (CDC) has stated that COVID-19 is frequently spread “[b]etween people who are in close contact with one another (within about 6 feet),” and on March 16, 2020, President Trump issued the President’s Coronavirus Guidelines for America, which encourage people to contribute to the containment of COVID-19 by taking various precautions, including:

a. Working from home whenever possible;
b. Avoiding social gatherings of ten (10) or more people;
c. Avoiding eating or drinking at restaurants, bars, and food courts, and instead using drive-thru, pick-up, or delivery options;
d. Avoiding discretionary travel and social visits;
e. Avoiding discretionary visits to nursing homes, retirement homes, or long-term care facilities;
f. Avoiding close contact with people who are sick, and distancing oneself from others, especially those who are at higher risk of getting sick, including in particular older adults and persons with serious chronic medical conditions; and

1
g. Practicing good personal hygiene, including washing hands, especially after touching any frequently used item or surface, avoiding touching the face, and disinfecting frequently used items and surfaces as much as possible; and

WHEREAS, consistent with this guidance, Tennesseans, businesses, places of worship, and governmental and nongovernmental entities and organizations of all types are making sacrifices to limit the spread of COVID-19, and the provisions of this Order are designed to support such sensible and compassionate efforts, which will protect Tennesseans and allow normal activities to resume sooner; and

WHEREAS, restaurants have been uniquely damaged by the COVID-19 outbreak, and it is important to provide them and the many Tennesseans they employ with tools to weather these unique circumstances and continue serving customers in an innovative, safe way; and

WHEREAS, Tennesseans are encouraged to continue to engage in the healthy and essential activities of daily life, including supporting local businesses and their employees while adhering to the health and safety measures set forth in this Order, so that we will safeguard to the greatest extent possible the economic well-being of so many Tennesseans whose lives and work have been disrupted by the COVID-19 outbreak and ensure that Tennessee is best positioned to recover following this outbreak; and

WHEREAS, in addition to the other emergency management powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, order evacuations from certain areas, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

WHEREAS, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the current emergency.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, in light of the continuing state of emergency to facilitate the response to COVID-19, do hereby order the following statewide:

1. In accordance with the President’s Coronavirus Guidelines for America and the guidance from the CDC, to limit the spread of COVID-19 so that normal life and activities may resume as soon as possible:
   a. Persons in the State of Tennessee shall not participate in social gatherings of ten (10) or more people.
   b. Persons in the State of Tennessee shall not eat or drink onsite at restaurants, bars, or other similar food or drink establishments, and
shall not visit gyms or fitness/exercise centers or substantially similar facilities.

c. Restaurants, bars, and similar food or drink establishments, including nightclubs, shall not be open to persons, except only to offer drive-through, pickup, carry-out, or delivery service for food or drink, and persons are highly encouraged to use such drive-through, pickup, carry-out, or delivery options to support such businesses during this emergency.

d. Gyms or fitness/exercise centers or substantially similar facilities shall not be open to members or the public, although persons are highly encouraged to use any available electronic or virtual fitness options to support such businesses during this emergency.

e. Persons in the State of Tennessee shall not visit nursing homes, retirement homes, or long-term care or assisted-living facilities, unless to provide essential assistance or to visit residents receiving imminent end-of-life care, provided such visits may be accomplished without unreasonable risk to other residents. Persons are highly encouraged to use available electronic or virtual communication to spend time with their family members, friends, loved ones, and other persons in those facilities.

f. Persons and businesses should take particular care to protect the well-being of those populations especially vulnerable to COVID-19, including older adults and persons with compromised immune systems or serious chronic medical conditions, by, among other things, taking care to adhere to all precautions advised by the President and the CDC and refraining to the extent practicable from physical contact and association. Businesses should further consider implementing measures to protect our most vulnerable populations by, for example, offering delivery service or special opportunities for members of vulnerable populations to shop in retail establishments exclusive of the general population.

2. This Order does not mandate sheltering in place and does not prohibit persons from visiting places necessary to maintain health and economic well-being, including grocery stores, gas stations, parks, and banks, among other places, so long as they observe the necessary precautions advised by the President and the CDC to reduce the spread of COVID-19.

3. All critical infrastructure remains operational, and government entities and businesses will continue providing important and essential services.
4. For offices, workplaces, and businesses that remain open, employees should work from home where feasible, and employees and their customers should practice good hygiene and observe the necessary precautions advised by the President and the CDC to reduce the spread of COVID-19.

5. The provisions of Tennessee Code Annotated, Title 57, and related rules and other state or local laws, orders, rules, or regulations are temporarily suspended to the extent necessary to allow restaurants and limited service restaurants, as defined in Tennessee Code Annotated, Section 57-4-102, and wine-only restaurants, as permitted by Tennessee Code Annotated, Section 57-4-101(c), to sell for take-out or delivery alcoholic beverages or beer, so long as the following conditions are met:

a. Any sale of an alcoholic beverage or beer is for consumption off of the premises of the restaurant, limited service restaurant, or wine-only restaurant (collectively referred to hereafter as "restaurant") and is accompanied by the sale of food in the same order;

b. An alcoholic beverage or beer sold under this Paragraph 5 must be packaged in a container or bottle with a secure lid or cap and in a manner designed to prevent consumption without removal of the lid or cap, and customers shall not remove such lids or caps while operating a motor vehicle;

c. Single servings of alcoholic beverages or beer and multi-serving bottles or containers of beer or wine normally sold by the restaurant may be sold under this Paragraph 5, but not bottles of spirits or liquor;

d. A restaurant selling alcoholic beverages or beer under this Paragraph 5 shall prominently post a warning in a manner reasonably calculated to provide notice to customers of open container laws, which must include the following language from Tennessee Code Annotated, Section 55-10-416: "No driver shall consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer while operating a motor vehicle in this state."

e. An employee or contractor of a restaurant providing or delivering alcoholic beverages or beer to a customer under this Paragraph 5 shall not provide or deliver such beverages to any person under twenty-one (21) years of age and may not provide or deliver such beverages to a person who is visibly intoxicated. Any such employee providing or delivering alcoholic beverages or beer must visually inspect a valid government-issued document deemed acceptable to the restaurant that includes the photograph and birth date of the adult consumer attempting to make an alcoholic beverage purchase and confirms that the person is at least twenty-one (21) years of age;
f. A person delivering alcoholic beverages or beer under this Paragraph 5 must be at least twenty-one (21) years of age and must have a valid driver license; and


g. An alcoholic beverage or beer sold under this Paragraph 5 must be sold during current operating hours.

6. Any state or local law, order, rule, or regulation inconsistent with this Order is hereby suspended.

7. This Order shall be effective and enforceable at 12:01 a.m., Central Daylight Time, on March 23, 2020, and shall remain in effect until 12:01 a.m., Central Daylight Time, on April 6, 2020, at which time the suspension of any state laws and rules and the other provisions of this Order shall cease and be of no further force or effect.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 22nd day of March, 2020.

[Signature]
GOVERNOR

ATTEST:

[Signature]
SECRETARY OF STATE

RECEIVED
MAR 22 2020
Secretary of State
Tre Hargett
STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 21

AN ORDER AMENDING EXECUTIVE ORDER NO. 17 TO FURTHER MITIGATE THE SPREAD OF COVID-19 BY LIMITING NON-ESSENTIAL SERVICES AND GATHERINGS

WHEREAS, on March 22, 2020, I issued Executive Order No. 17, which prohibited social gatherings of 10 or more people, directed restaurants, bars, and similar food and drink establishments to offer take-out or delivery options only, directed gyms and fitness/exercise centers to temporarily close and suspend in-person services, and restricted visitation in nursing homes, retirement homes, and long-term care or assisted-living facilities; and

WHEREAS, taking further measures to limit the opportunities for community spread is necessary to contain COVID-19; and

WHEREAS, expanding Executive Order No. 17 to cover similar services and venues is necessary to minimize the continued spread of COVID-19; and

WHEREAS, in addition to the other emergency management powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, order evacuations from certain areas, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

WHEREAS, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the current emergency.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby declare that a state of emergency continues to exist in Tennessee and order the following:
Effective immediately, Executive Order No. 17, dated March 22, 2020, is amended by adding the following new subdivisions g. and h. to Paragraph 1:

**g. Businesses or organizations that perform close-contact personal services shall not be open to members or the public. Such businesses or organizations include, but are not limited to:**

i. Barber shops;
ii. Hair salons;
iii. Waxing salons;
iv. Threading salons;
v. Nail salons or spas;
vi. Spas providing body treatments;
vii. Body-art facilities or tattoo services;
viii. Tanning salons; or
ix. Massage-therapy establishments or massage services.

**h. Entertainment and recreational gathering venues shall not be open to members or the public. Such venues include, but are not limited to:**

i. Night clubs;
ii. Bowling alleys;
iii. Arcades;
iv. Concert venues;
v. Theaters, auditoriums, performing arts centers, or similar facilities;
vii. Racetracks;
ix. Indoor children’s play areas;
viii. Adult entertainment venues;
ix. Amusement parks; or
x. Roller or iceskating rinks.

Effective immediately, Paragraph No. 7 of Executive Order No. 17, dated March 22, 2020, is hereby deleted and the following language is substituted instead:

**7. This Order shall be effective and enforceable at 12:01 a.m., Central Daylight Time, on March 23, 2020, and shall remain in effect until 11:59 p.m., Central Daylight Time, on April 14, 2020, at which time the suspension of any state laws and rules and the other provisions of this Order shall cease and be of no further force or effect.**

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 30th day of March, 2020.

GOVERNOR

ATTEST:

SECRETARY OF STATE
STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 22

AN ORDER DIRECTING TENNESSEANS TO STAY HOME UNLESS ENGAGING IN ESSENTIAL ACTIVITIES TO LIMIT THEIR EXPOSURE TO AND SPREAD OF COVID-19

WHEREAS, local, state, and federal officials have taken numerous actions to limit the spread of Coronavirus Disease 2019 (COVID-19), including a series of statewide executive orders, a nationwide emergency declaration by President Trump, and many local health and emergency orders and actions; and

WHEREAS, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and now there are 1,834 total cases of COVID-19 in Tennessee, resulting in 148 hospitalizations and 13 deaths; and

WHEREAS, despite the numerous actions taken in recent weeks to limit the spread of COVID-19, in the last five (5) days, the number of cases in Tennessee has more than doubled, and there are now at least 72 counties with cases, indicating that COVID-19 is spreading throughout all areas of the State and presents a serious risk to the health, safety, and welfare of all Tennesseans, which requires further statewide action to contain the spread of COVID-19 and preserve the State’s health care resources; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has stated that COVID-19 is frequently spread “[b]etween people who are in close contact with one another (within about 6 feet),” and on March 16, 2020, President Trump issued the President’s Coronavirus Guidelines for America, which have been extended through April 30, 2020, and encourage people to contribute to the containment of COVID-19 by taking various precautions, including:

a. Working from home whenever possible;
b. Avoiding social gatherings of ten (10) or more people;
c. Avoiding eating or drinking at restaurants, bars, and food courts, and instead using drive-thru, pick-up, or delivery options;
d. Avoiding discretionary travel and social visits;
e. Avoiding discretionary visits to nursing homes, retirement homes, or long-term care facilities;

f. Avoiding close contact with people who are sick, and distancing oneself from others, especially those who are at higher risk of getting sick, including in particular older adults and persons with serious chronic medical conditions; and

g. Practicing good personal hygiene, including washing hands, especially after touching any frequently used item or surface, avoiding touching the face, and disinfecting frequently used items and surfaces as much as possible; and

WHEREAS, the CDC advises that “[t]he best way to prevent illness is to avoid being exposed to this virus,” and the best way to avoid being exposed to the virus is to remain home except as necessary to engage in essential activities, in which case the following health guidelines consistent with the President’s and CDC’s guidance above (hereafter referred to as “Health Guidelines”) should be followed: (1) Maintaining a distance of at least six (6) feet between themselves and others, except for family or household members; and (2) Practicing good personal hygiene, including washing hands, especially after touching any frequently used item or surface, avoiding touching the face, and disinfecting frequently used items and surfaces as much as possible; and

WHEREAS, because protecting personal liberty is deeply important, this Order is not a shelter-in-place mandate and instead strongly urges Tennesseans to stay at home when at all possible for the protection of themselves and their community; and

WHEREAS, because with personal liberty comes great personal responsibility, all Tennesseans must do their part by staying at home whenever possible for a limited period of time to avoid exposure to, and slow the spread of, this virus, which will limit the burden on health care resources and allow normal activities to resume sooner; and

WHEREAS, in addition to the other emergency management powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, order evacuations from certain areas, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

WHEREAS, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the current emergency.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, in light of the continuing state of emergency to facilitate the response to COVID-19, and to keep the citizens of the State of Tennessee safe and healthy, do hereby order the following statewide:

1. Safer at home. Because staying at home as much as possible for a temporary period of time will protect the health and safety of Tennesseans by limiting the spread of
COVID-19 and preserving health care resources, all persons in Tennessee are urged to stay at home, except for when engaging in Essential Activity or Essential Services as defined in this Order.

2. **Closure of non-essential businesses for public use.** Businesses or organizations that do not perform Essential Services shall not be open for access or use by the public or its members. Such businesses or organizations are strongly encouraged to provide delivery, including delivery curbside outside of the business or organization, of online or telephone orders, to the greatest extent practicable, and persons are encouraged to use any such options to support such businesses during this emergency.

3. **Essential Activity and Essential Services should be limited.** Even though Essential Activity and Essential Services are permitted under this Order, all persons are strongly encouraged to limit to the greatest extent possible the frequency of engaging in Essential Activity or Essential Services. For example, all persons are strongly encouraged, among other things, to use thoughtful planning, careful coordination, and consideration of others when engaging in Essential Activity or Essential Services in order to minimize the need and frequency for leaving their place of residence or property. When engaged in Essential Activity or Essential Services, persons shall at all times follow the Health Guidelines to the greatest extent practicable.

4. **Essential Services businesses should follow Health Guidelines.** For those offices, workplaces, and businesses that remain open as permitted by this Order, employers should take steps to the greatest extent practicable to equip and permit employees to work from home, and employees and their customers should practice good hygiene and observe the Health Guidelines and necessary precautions advised by the President and the CDC to reduce the spread of COVID-19.

5. **Employers shall not require or allow employees with COVID-19 to work.** An employer, through its supervisors or appropriate management personnel, shall not require or allow an employee who the employer knows has tested positive for COVID-19 to report to work until that employee has satisfied the conditions for discontinuing home isolation under CDC guidelines, which are available at the following web address: https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html.

6. **List of Essential Services detailed in Attachment A.** Essential Services are defined in Attachment A to this Order. Nothing in this Order precludes an employer from encouraging, allowing, or requiring an employee to work remotely or via telework as a method of conducting Essential Services, where practicable.

7. **Executive Order Nos. 17 and 21 remain in full force and effect.** Defining Essential Services in Attachment A does not repeal, by implication or otherwise, the terms and conditions of Executive Order Nos. 17 and 21 relative to restaurants, bars, and
similar food and drink establishments, gyms, fitness/exercise centers, and similar facilities, close-contact personal services, and entertainment and recreational gathering venues, and visiting nursing homes, retirement homes, or long-term care or assisted-living facilities, the provisions of which are incorporated herein and remain in full force and effect.

8. **Essential Activity.** For purposes of this Order, Essential Activity means:

a. Engaging in activities essential to a person’s health and safety or the health and safety of family or household members, persons who are unable or should not leave their home, or pets, including, but not limited to, seeking emergency services, obtaining medical supplies or assistance, obtaining medication, obtaining non-elective medical care or treatment or other similar vital services, or visiting a health care professional;

b. Obtaining necessary services or supplies for persons and their family or household members, persons who are unable or should not leave their home, or pets or delivering those services or supplies to others, including, but not limited to, groceries and food, household consumer products, supplies required to work from home, automobile supplies (including dealers, parts, supplies, repair, and maintenance), and products necessary to maintain the safety, sanitation, and essential operation of residences;

c. Providing, facilitating, or receiving delivery or curbside carry-out delivery of online or telephone orders from businesses or organizations that do not perform or are not necessary for the performance of Essential Activity;

d. Engaging in outdoor activity, provided that persons the Health Guidelines to the greatest extent practicable, including, but not limited to, driving or riding in a vehicle, walking, hiking, running, biking, swimming, kayaking, canoeing, golf, tennis, or other sports or recreational activities that can be performed while maintaining the aforementioned precautions or utilizing public parks and outdoor recreation areas; provided, however, that congregating or playing on playgrounds presents a unique risk for the spread of COVID-19 and is therefore not covered as an Essential Activity;

e. Caring for or visiting a family member, friend, or pet in another household, or transporting or traveling with family members, friends, or pets as allowed by this Order; provided, that the Health Guidelines are followed to the greatest extent practicable;

f. Visiting a place of worship or attending a wedding or funeral; provided, that the Health Guidelines are followed to the greatest extent practicable. However, it is strongly encouraged that the public celebration component of weddings and funerals be postponed or attended only by close family members; or
g. Engaging in Essential Travel, as defined below.

9. **Essential Travel.** For purposes of this Order, Essential Travel means:
   a. Travel related to Essential Activity or otherwise permitted by this Order;
   b. Travel related to performing Essential Services;
   c. Travel to care for the elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
   d. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
   e. Travel to and from outside of the State of Tennessee; or
   f. Travel required by law, law enforcement, or court order, including to transport children pursuant to a custody agreement.

10. **Critical infrastructure remains open and operational.** All critical infrastructure remains operational, and government entities and businesses will continue providing important and essential services.

11. **Special care should be taken to protect vulnerable populations.** Persons and businesses should take particular care to protect the well-being of those populations especially vulnerable to COVID-19, including older adults and persons with compromised immune systems or serious chronic medical conditions, by, among other things, taking care to adhere to all precautions advised by the President and the CDC and refraining to the extent practicable from physical contact and association. Businesses should further consider implementing measures to protect our most vulnerable populations by, for example, offering delivery service or special opportunities for members of vulnerable populations to shop in retail establishments exclusive of the general population.

12. **Suspension of laws that would limit application of this Order.** Any law, order, rule, or regulation that would otherwise limit the enforceability of this Order is hereby suspended, pursuant to Tennessee Code Annotated, Section 58-2-107.

13. **No repeal of local orders.** Nothing herein repeals, preempts, or otherwise limits the authority, if any, of a locality to issue further orders or measures on these same subjects.

14. **Severability.** If any provision of this Order or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Order which can be given effect without the invalid provision or application, and to that end the provisions of this Order are declared to be severable.

15. **Term and effective date.** This Order shall be effective and enforceable at 11:59 p.m., Central Daylight Time, on March 31, 2020, and shall remain in effect until
11:59 p.m., Central Daylight Time, on April 14, 2020, at which time the suspension of any state laws and rules and the other provisions of this Order shall cease and be of no further force or effect.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 30th day of March, 2020.

[Signature]
GOVERNOR

ATTEST:

[Signature]
SECRETARY OF STATE
ATTACHMENT A TO EXECUTIVE ORDER NO. 22

For purposes of Executive Order No. 22, Essential Services include:


2. Health Care and Public Health Operations. This includes, but is not limited to: hospitals; clinics; medical practices and services; mental health and substance abuse services; dental offices; pharmacies; public health entities, including those that compile, model, analyze, and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain components); organizations collecting blood, platelets, plasma, and other necessary materials; obstetricians and gynecologists; eye care centers, including those that sell glasses and contact lenses; home health care services providers; mental health and substance use providers; other health care facilities and suppliers; providers of any related and/or ancillary health care services; entities that transport and dispose of medical materials and remains; manufacturers, technicians, logistics, and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood, platelets, and plasma products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products; veterinary care and all health care services provided to animals. This also includes any medical or administrative personnel necessary to operate those functions in this paragraph. Health Care and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of health care, broadly defined. Health Care and Public Health Operations does not include any procedures that would violate Executive Order No. 18, which remains in effect;

3. Human Services Operations. This includes, but is not limited to: government or government-funded human services to the public through state-operated, institutional, or community-based settings; long-term care facilities; day care centers, day care homes, or group day care homes; residential settings and shelters for adults, seniors, children, or people with developmental disabilities, intellectual disabilities, substance use disorders, or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, or developmental disabilities, seniors, adults, or children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or individuals otherwise in need. Human Services
Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined;

4. **Essential Infrastructure Operations.** This includes, but is not limited to: food production, distribution, and sale; construction-related services, including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, school construction, construction related to Essential Activity or Essential Services, and housing construction; building management and maintenance; landscape management; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical services, including power generation, distribution, and production of raw materials; distribution centers; oil and biofuel refining; services related to roads, highways, railroads, ports, and public transportation; cybersecurity operations; flood control; solid waste and recycling collection, removal, and processing; and internet, video, and telecommunications systems and services, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services. Essential Infrastructure Operations shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined;

5. **Essential Government Functions.** This includes, but is not limited to: first responders, emergency management personnel, emergency dispatchers, and those supporting 911 and emergency services; legislators and legislative branch officials and employees, as determined by the Legislative Branch; judges, judicial branch employees, court personnel, jurors, and grand jurors, as determined by the Judicial Branch; law enforcement personnel; corrections and community supervision personnel; hazardous materials responders; election officials and operations; child protection and child welfare personnel; housing and shelter personnel; park personnel that provide admission, maintenance, and operation of park facilities that provide outdoor recreation; military; and other governmental employees working for or to support Essential Activity or Essential Services. Essential Government Functions also means all services provided by the State, the political subdivisions of the State, and boards, commissions, or agencies of government needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety, and welfare of the public. Essential Government Functions also includes contractors performing or supporting such functions. Each branch of government and government entity shall determine its Essential Government Functions and ensure a plan is in place for the performance of these functions. This paragraph does not apply to the United States government; provided, however, that any employee, official, or contractor of the United States government shall not be restricted from performing their functions under law;

6. **Food and Medicine Stores.** This includes, but is not limited to: stores that sell groceries and medicine; grocery stores; pharmacies; certified farmers’ markets; farm and produce stands; supermarkets; convenience stores; and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, prepared food, alcoholic
and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products); and the supply chain and administrative support operations for Food and Medicine Stores. Food and Medicine Stores also includes stores that sell groceries or medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products and products necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activity, and Essential Services;

7. **Food and Beverage Production and Agriculture.** This includes, but is not limited to: food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other agricultural production, including cultivation, marketing, production, and distribution of animals and goods for consumption; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;

8. **Organizations that Provide Charitable and Social Services.** This includes, but is not limited to: businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, social services, and other necessities of life for economically disadvantaged or individuals otherwise in need, individuals who need assistance as a result of this emergency, or persons with disabilities;

9. **Religious and Ceremonial Functions.** This includes, but is not limited to: religious facilities, entities, groups, personnel, services, rites, and gatherings, including weddings and funerals, provided that the Health Guidelines set forth in Executive Order No. 22 are followed to the greatest extent practicable;

10. **Media.** This includes, but is not limited to: newspapers, books, television, radio, publishing, and other media services and related supply chain operations;

11. **Gas Stations and Businesses Needed for Transportation.** This includes, but is not limited to: gas stations, travel centers, and truck stops; automotive suppliers, manufacturers, repair services, and related facilities; roadside assistance operations; farm and construction equipment related services; boat repair services; bicycle shops; and related facilities;

12. **Financial Institutions and Insurance Entities.** This includes, but is not limited to: banks, currency exchanges, consumer lenders, including but not limited to payday lenders, pawnbrokers, consumer installment lenders, sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, institutions selling financial products, insurance companies, underwriters, insurance agents, insurance brokers, and related insurance claims and agency services;

13. **Hardware and Supply Stores.** This includes, but is not limited to: Hardware stores and businesses that sell electrical, plumbing, and heating materials;
14. **Critical Trades.** This includes, but is not limited to: building and construction tradesmen and tradeswomen and other trades, including, but not limited to, plumbers, electricians, exterminators and pest control, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other manufacturing, distribution, retail or service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activity, and Essential Services, including electronic security and life safety services to assist with fire prevention and response, security, and emergency management and response;

15. **Mail, Post, Shipping, Logistics, Delivery, and Pick-up Services.** This includes, but is not limited to: post offices and other businesses that provide shipping and delivery services and businesses that ship or deliver groceries, food, alcoholic or non-alcoholic beverages, goods, vehicles, or services to end users or through commercial channels;

16. **Educational Institutions.** This includes, but is not limited to: public and private pre-K schools, K-12 schools, colleges, and universities for purposes of facilitating distance learning, providing food or shelter, performing critical research, or performing essential functions, provided that the Health Guidelines set forth in Executive Order No. 22 are followed to the greatest extent practicable. Schools providing food services to students or members of the public shall provide the food on a carry-out basis only and shall not permit the food to be eaten at the site where it is provided, consistent with Executive Order Nos. 17 and 21;

17. **Laundry Services.** This includes, but is not limited to: laundromats, dry cleaners, industrial laundry services, and laundry service providers;

18. **Restaurants for Off-Premises Consumption.** This includes, but is not limited to: restaurants, bars, or other similar food or drink establishments that prepare and serve food, but only for consumption off-premises, consistent with Executive Order Nos. 17 and 21. Entities providing food services to members of the public shall provide the food on a carry-out basis only and shall not permit the food to be eaten at the site where it is provided or at any other gathering site. This paragraph is consistent with and does not supersede Executive Order Nos. 17 and 21;

19. **Supplies to Work from Home.** This includes, but is not limited to: businesses that sell, manufacture, or supply products necessary for persons to work from home or engage in distance learning;

20. **Supplies for Essential Businesses and Operations.** This includes, but is not limited to: businesses that sell, manufacture, or supply other Essential Services with the support or materials necessary to operate, including computers; audio and video electronics; household appliances; IT and telecommunication equipment; hardware; paint; flat glass; electrical, plumbing, and heating material; sanitary equipment; personal hygiene products; food and food additives, ingredients, and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food, and
beverages, chemicals, soaps, and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;

21. **Transportation.** This includes, but is not limited to: airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, marinas, docks, boat storage, and other private, public, and commercial transportation and logistics providers necessary for Essential Activity or Essential Services under Executive Order No. 22;

22. **Home-based Care and Services.** This includes, but is not limited to: home-based care for adults, seniors, children, or persons with developmental disabilities, intellectual disabilities, substance use disorders, or mental illness; and caregivers, including nannies, who may travel to a home to provide care or other in-home services, including meal delivery;

23. **Residential Facilities and Shelters.** This includes, but is not limited to: Residential facilities and shelters for adults, seniors, children, pets, or persons with developmental disabilities, intellectual disabilities, substance use disorders, or mental illness;

24. **Professional Services.** This includes, but is not limited to: legal services, accounting services, insurance services, or real estate services (including appraisal and title services);

25. **Manufacturing, Distribution and Supply Chain for Critical Products and Industries.** This includes, but is not limited to: manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, health care, chemicals, sanitation, waste pickup and disposal, agriculture and agricultural products, food and beverage, household consumer products, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, defense and national defense, and communications, as well as products used by or component parts of other Essential Services;

26. **Hotels and Motels.** This includes, but is not limited to: hotels, motels, lodges, dormitories, and short-term rentals, to the extent used for lodging and delivery or carry-out food and beverage services;

27. **Funeral Services.** This includes, but is not limited to: funeral, mortuary, cremation, burial, cemetery, and related services;

28. Any business related to Essential Activity, as defined in Executive Order No. 22, including any outdoor recreation area, park, site, or trail that provides opportunities for outdoor recreation while maintaining adherence to the Health Guidelines;

29. Any other business or organization that operates at all times with ten (10) or fewer persons accessing the premises of the business or organization at a time, including
employees, customers, and other visitors; provided, that the premises allows for operation within the Health Guidelines and that such Health Guidelines are followed at all times; or

30. The minimum necessary activities required to maintain any business or organization, whether otherwise essential or not, including:
   a. Maintaining the value of the business’s or organization’s inventory;
   b. Preserving the condition of the business’s or organization’s physical plant and equipment, livestock, or other assets;
   c. Ensuring the security of the business or organization;
   d. Processing the business’s or organization’s mail, payroll, and employee benefits;
   e. Facilitating employees of the business or organization being able to continue to work remotely from their residences; or
   f. Conducting any functions related to these activities.
As of April 8, 2020

**PAYCHECK PROTECTION PROGRAM LOANS**  
Frequently Asked Questions (FAQs)

The Small Business Administration (SBA), in consultation with the Department of the Treasury, intends to provide timely additional guidance to address borrower and lender questions concerning the implementation of the Paycheck Protection Program (PPP), established by section 1102 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act or the Act). This document will be updated on a regular basis.

Borrowers and lenders may rely on the guidance provided in this document as SBA’s interpretation of the CARES Act and of the Paycheck Protection Program Interim Final Rule (“PPP Interim Final Rule”) (link). The U.S. government will not challenge lender PPP actions that conform to this guidance,¹ and to the PPP Interim Final Rule and any subsequent rulemaking in effect at the time.

1. **Question:** Paragraph 3.b.iii of the PPP Interim Final Rule states that lenders must “[c]onfirm the dollar amount of average monthly payroll costs for the preceding calendar year by reviewing the payroll documentation submitted with the borrower’s application.” Does that require the lender to replicate every borrower’s calculations?

**Answer:** No. Providing an accurate calculation of payroll costs is the responsibility of the borrower, and the borrower attests to the accuracy of those calculations on the Borrower Application Form. Lenders are expected to perform a good faith review, in a reasonable time, of the borrower’s calculations and supporting documents concerning average monthly payroll cost. For example, minimal review of calculations based on a payroll report by a recognized third-party payroll processor would be reasonable. In addition, as the PPP Interim Final Rule indicates, lenders may rely on borrower representations, including with respect to amounts required to be excluded from payroll costs.

If the lender identifies errors in the borrower’s calculation or material lack of substantiation in the borrower’s supporting documents, the lender should work with the borrower to remedy the issue.

2. **Question:** Are small business concerns (as defined in section 3 of the Small Business Act, 15 U.S.C. 632) required to have 500 or fewer employees to be eligible borrowers in the PPP?

**Answer:** No. Small business concerns can be eligible borrowers even if they have more than 500 employees, as long as they satisfy the existing statutory and regulatory definition of a “small business concern” under section 3 of the Small Business Act, 15 U.S.C. 632. A business can qualify if it meets the SBA employee-based or revenue-

¹ This document does not carry the force and effect of law independent of the statute and regulations on which it is based.
As of April 8, 2020

Based size standard corresponding to its primary industry. Go to www.sba.gov/size for the industry size standards.

Additionally, a business can qualify for the Paycheck Protection Program as a small business concern if it met both tests in SBA’s “alternative size standard” as of March 27, 2020: (1) maximum tangible net worth of the business is not more than $15 million; and (2) the average net income after Federal income taxes (excluding any carry-over losses) of the business for the two full fiscal years before the date of the application is not more than $5 million.

A business that qualifies as a small business concern under section 3 of the Small Business Act, 15 U.S.C. 632, may truthfully attest to its eligibility for PPP loans on the Borrower Application Form, unless otherwise ineligible.

3. **Question:** Does my business have to qualify as a small business concern (as defined in section 3 of the Small Business Act, 15 U.S.C. 632) in order to participate in the PPP?

   **Answer:** No. In addition to small business concerns, a business is eligible for a PPP loan if the business has 500 or fewer employees whose principal place of residence is in the United States, or the business meets the SBA employee-based size standards for the industry in which it operates (if applicable). Similarly, PPP loans are also available for qualifying tax-exempt nonprofit organizations described in section 501(c)(3) of the Internal Revenue Code (IRC), tax-exempt veterans organization described in section 501(c)(19) of the IRC, and Tribal business concerns described in section 31(b)(2)(C) of the Small Business Act that have 500 or fewer employees whose principal place of residence is in the United States, or meet the SBA employee-based size standards for the industry in which they operate.

4. **Question:** Are lenders required to make an independent determination regarding applicability of affiliation rules under 13 C.F.R. 121.301(f) to borrowers?

   **Answer:** No. It is the responsibility of the borrower to determine which entities (if any) are its affiliates and determine the employee headcount of the borrower and its affiliates. Lenders are permitted to rely on borrowers’ certifications.

5. **Question:** Are borrowers required to apply SBA’s affiliation rules under 13 C.F.R. 121.301(f)?

   **Answer:** Yes. Borrowers must apply the affiliation rules set forth in SBA’s Interim Final Rule on Affiliation. A borrower must certify on the Borrower Application Form that the borrower is eligible to receive a PPP loan, and that certification means that the borrower is a small business concern as defined in section 3 of the Small Business Act (15 U.S.C. 632), meets the applicable SBA employee-based or revenue-based size standard, or meets the tests in SBA’s alternative size standard, after applying the affiliation rules, if applicable. SBA’s existing affiliation exclusions apply to the PPP, including, for example the exclusions under 13 CFR 121.103(b)(2).
6. **Question:** The affiliation rule based on ownership (13 C.F.R. 121.301(f)(1)) states that SBA will deem a minority shareholder in a business to control the business if the shareholder has the right to prevent a quorum or otherwise block action by the board of directors or shareholders. If a minority shareholder irrevocably gives up those rights, is it still considered to be an affiliate of the business?

**Answer:** No. If a minority shareholder in a business irrevocably waives or relinquishes any existing rights specified in 13 C.F.R. 121.301(f)(1), the minority shareholder would no longer be an affiliate of the business (assuming no other relationship that triggers the affiliation rules).

7. **Question:** The CARES Act excludes from the definition of payroll costs any employee compensation in excess of an annual salary of $100,000. Does that exclusion apply to all employee benefits of monetary value?

**Answer:** No. The exclusion of compensation in excess of $100,000 annually applies only to cash compensation, not to non-cash benefits, including:

- employer contributions to defined-benefit or defined-contribution retirement plans;
- payment for the provision of employee benefits consisting of group health care coverage, including insurance premiums; and
- payment of state and local taxes assessed on compensation of employees.

8. **Question:** Do PPP loans cover paid sick leave?

**Answer:** Yes. PPP loans covers payroll costs, including costs for employee vacation, parental, family, medical, and sick leave. However, the CARES Act excludes qualified sick and family leave wages for which a credit is allowed under sections 7001 and 7003 of the Families First Coronavirus Response Act (Public Law 116–127). Learn more about the Paid Sick Leave Refundable Credit [here](#).

9. **Question:** My small business is a seasonal business whose activity increases from April to June. Considering activity from that period would be a more accurate reflection of my business’s operations. However, my small business was not fully ramped up on February 15, 2020. Am I still eligible?

**Answer:** In evaluating a borrower’s eligibility, a lender may consider whether a seasonal borrower was in operation on February 15, 2020 or for an 8-week period between February 15, 2019 and June 30, 2019.

10. **Question:** What if an eligible borrower contracts with a third-party payer such as a payroll provider or a Professional Employer Organization (PEO) to process payroll and report payroll taxes?

**Answer:** SBA recognizes that eligible borrowers that use PEOs or similar payroll providers are required under some state registration laws to report wage and other data on
the Employer Identification Number (EIN) of the PEO or other payroll provider. In these cases, payroll documentation provided by the payroll provider that indicates the amount of wages and payroll taxes reported to the IRS by the payroll provider for the borrower’s employees will be considered acceptable PPP loan payroll documentation. Relevant information from a Schedule R (Form 941), Allocation Schedule for Aggregate Form 941 Filers, attached to the PEO’s or other payroll provider’s Form 941, Employer’s Quarterly Federal Tax Return, should be used if it is available; otherwise, the eligible borrower should obtain a statement from the payroll provider documenting the amount of wages and payroll taxes. In addition, employees of the eligible borrower will not be considered employees of the eligible borrower’s payroll provider or PEO.

11. **Question:** May lenders accept signatures from a single individual who is authorized to sign on behalf of the borrower?

**Answer:** Yes. However, the borrower should bear in mind that, as the Borrower Application Form indicates, only an authorized representative of the business seeking a loan may sign on behalf of the business. An individual’s signature as an “Authorized Representative of Applicant” is a representation to the lender and to the U.S. government that the signer is authorized to make the certifications, including with respect to the applicant and each owner of 20% or more of the applicant’s equity, contained in the Borrower Application Form. Lenders may rely on that representation and accept a single individual’s signature on that basis.

12. **Question:** I need to request a loan to support my small business operations in light of current economic uncertainty. However, I pleaded guilty to a felony crime a very long time ago. Am I still eligible for the PPP?

**Answer:** Yes. Businesses are only ineligible if an owner of 20 percent or more of the equity of the applicant is presently incarcerated, on probation, on parole; subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction; or, within the last five years, for any felony, has been convicted; pleaded guilty; pleaded nolo contendere; been placed on pretrial diversion; or been placed on any form of parole or probation (including probation before judgment).

13. **Question:** Are lenders permitted to use their own online portals and an electronic form that they create to collect the same information and certifications as in the Borrower Application Form, in order to complete implementation of their online portals?

**Answer:** Yes. Lenders may use their own online systems and a form they establish that asks for the same information (using the same language) as the Borrower Application Form. Lenders are still required to send the data to SBA using SBA’s interface.

14. **Question:** What time period should borrowers use to determine their number of employees and payroll costs to calculate their maximum loan amounts?
Answer: In general, borrowers can calculate their aggregate payroll costs using data either from the previous 12 months or from calendar year 2019. For seasonal businesses, the applicant may use average monthly payroll for the period between February 15, 2019, or March 1, 2019, and June 30, 2019. An applicant that was not in business from February 15, 2019 to June 30, 2019 may use the average monthly payroll costs for the period January 1, 2020 through February 29, 2020.

Borrowers may use their average employment over the same time periods to determine their number of employees, for the purposes of applying an employee-based size standard. Alternatively, borrowers may elect to use SBA’s usual calculation: the average number of employees per pay period in the 12 completed calendar months prior to the date of the loan application (or the average number of employees for each of the pay periods that the business has been operational, if it has not been operational for 12 months).

15. Question: Should payments that an eligible borrower made to an independent contractor or sole proprietor be included in calculations of the eligible borrower’s payroll costs?

Answer: No. Any amounts that an eligible borrower has paid to an independent contractor or sole proprietor should be excluded from the eligible business’s payroll costs. However, an independent contractor or sole proprietor will itself be eligible for a loan under the PPP, if it satisfies the applicable requirements.

16. Question: How should a borrower account for federal taxes when determining its payroll costs for purposes of the maximum loan amount, allowable uses of a PPP loan, and the amount of a loan that may be forgiven?

Answer: Under the Act, payroll costs are calculated on a gross basis without regard to (i.e., not including subtractions or additions based on) federal taxes imposed or withheld, such as the employee’s and employer’s share of Federal Insurance Contributions Act (FICA) and income taxes required to be withheld from employees. As a result, payroll costs are not reduced by taxes imposed on an employee and required to be withheld by the employer, but payroll costs do not include the employer’s share of payroll tax. For example, an employee who earned $4,000 per month in gross wages, from which $500 in federal taxes was withheld, would count as $4,000 in payroll costs. The employee would receive $3,500, and $500 would be paid to the federal government. However, the employer-side federal payroll taxes imposed on the $4,000 in wages are excluded from payroll costs under the statute.2

2 The definition of “payroll costs” in the CARES Act, 15 U.S.C. 636(a)(36)(A)(viii), excludes “taxes imposed or withheld under chapters 21, 22, or 24 of the Internal Revenue Code of 1986 during the covered period,” defined as February 15, 2020, to June 30, 2020. As described above, the SBA interprets this statutory exclusion to mean that payroll costs are calculated on a gross basis, without subtracting federal taxes that are imposed on the employee or withheld from employee wages. Unlike employer-side payroll taxes, such employee-side taxes are ordinarily expressed as a reduction in employee take-home pay; their exclusion from the definition of payroll costs means payroll costs should not be reduced based on taxes imposed on the employee or withheld from employee wages. This interpretation is consistent with the text of the statute and advances the legislative purpose of ensuring workers
17. **Question:** I filed or approved a loan application based on the version of the PPP Interim Final Rule published on April 2, 2020. Do I need to take any action based on the updated guidance in these FAQs?

**Answer:** No. Borrowers and lenders may rely on the laws, rules, and guidance available at the time of the relevant application. However, borrowers whose previously submitted loan applications have not yet been processed may revise their applications based on clarifications reflected in these FAQs.

18. **Question:** Are PPP loans for existing customers considered new accounts for FinCEN Rule CDD purposes? Are lenders required to collect, certify, or verify beneficial ownership information in accordance with the rule requirements for existing customers?

**Answer:** If the PPP loan is being made to an existing customer and the necessary information was previously verified, you do not need to re-verify the information.

Furthermore, if federally insured depository institutions and federally insured credit unions eligible to participate in the PPP program have not yet collected beneficial ownership information on existing customers, such institutions do not need to collect and verify beneficial ownership information for those customers applying for new PPP loans, unless otherwise indicated by the lender’s risk-based approach to BSA compliance.

19. **Question:** Do lenders have to use a promissory note provided by SBA or may they use their own?

**Answer:** Lenders may use their own promissory note or an SBA form of promissory note.

20. **Question:** The amount of forgiveness of a PPP loan depends on the borrower’s payroll costs over an eight-week period; when does that eight-week period begin?

**Answer:** The eight-week period begins on the date the lender makes the first disbursement of the PPP loan to the borrower. The lender must make the first disbursement of the loan no later than ten calendar days from the date of loan approval.

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As of April 8, 2020

remain paid and employed. Further, because the reference period for determining a borrower’s maximum loan amount will largely or entirely precede the period from February 15, 2020, to June 30, 2020, and the period during which borrowers will be subject to the restrictions on allowable uses of the loans may extend beyond that period, for purposes of the determination of allowable uses of loans and the amount of loan forgiveness, this statutory exclusion will apply with respect to such taxes imposed or withheld at any time, not only during such period.
Coronavirus (COVID-19) Pandemic Messaging and Resource Links

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CDC Public Guidance

- Following state, tribal and local officials’ instructions to stay at home is an important way to help. Social distancing not only protects you, but it protects the people you care about.
  - COVID-19 spreads between people who are in close contact with one another—that’s why the CDC recommends staying at least 6 feet away from other people.
  - Staying home and limiting your interactions with people can break the chain of transmission and halt the spread of this new virus.
  - Wearing a cloth face mask in public is recommended when safe social distancing is difficult to maintain.
  - People who are infected but do not have symptoms likely play an important role in the spread of COVID-19.

- Recent studies indicate that the virus can be spread by people before they develop symptoms (pre-symptomatic) or people who never develop symptoms (asymptomatic).
  - CDC’s recent article about an outbreak in a skilled nursing facility in King County, Washington, underscores the importance of social distancing to break the train of COVID-19 transmission, especially when there is spread from people who have no symptoms.

  - See CDC’s map to stay up to date on what is happening in your state.

- On April 8, the U.S. government announced new guidance to help the most critical workers serving on the front lines to quickly return to work after potential exposure to someone with COVID-19, provided those workers are symptom-free.

- CDC has recommendations for things you can do to support anxiety and stress management.

CDC Respirator Guidance

- CDC recognizes that—when N95 respirators are running low—crisis capacity or alternate strategies to optimize the supply of respirators in healthcare settings may be considered.
  - These strategies to conserve supply would come after the use of conventional and contingency capacity strategies.
  - These measures may include respirator use approved under international standards, similar to NIOSH-approved N95 respirators.
  - CDC has not approved methods to decontaminate disposable respirators prior to reuse.

Combating Disinformation and Rumors

- To help the American public distinguish between rumors and facts regarding the response to COVID-19, FEMA has created a Rumor Control page on FEMA.gov. The public can help control the spread of rumors by sharing our page: fema.gov/coronavirus.

- Check the sources of information you see about COVID-19 by seeking out trusted, verified sources like www.coronavirus.gov or your state and local government’s official accounts.

- Everyone can do their part to stop the spread of disinformation by doing three things; don’t believe rumors, don’t pass them along, and go to trusted sources of information to get the facts.
Community-Based Testing Sites

- Federal officials and the U.S. Public Health Service have been working closely with state, local and private sector partners to bolster testing capabilities and supplies.
- The CBTS program was created to bring testing capabilities to vulnerable areas across the country.
  - CBTSs are another tool for states, local public health systems and healthcare systems to use as they work together to stop the spread of COVID-19 in their communities.
  - As state and local public health departments increase testing capacity, the federal role will diminish.
  - The federal government is poised to ensure states are fully supported until they are ready to take over management of the CBTS program.
  - Now that the FDA has given approval for individuals to self-administer COVID-19 nasal swab tests at testing sites, the demand for PPE and trained health care providers will be significantly reduced.
- CBTS are focused on testing test healthcare facility workers, first responders and Americans who need it most first.
  - To date, federal Community-Based Testing Sites (CBTS) across 12 states have screened more than 80,000 individuals.
  - People without symptoms who have not been exposed to COVID-19 should not be tested.

Defense Production Act

- On April 8, the Department of Health and Human Services announced the first contract for ventilator production rated under the Defense Production Act, to General Motors.
  - The rating of this contract under the DPA follows President Trump’s direction to HHS Secretary Alex Azar to invoke the Defense Production Act with regard to GM’s production of ventilators on March 27.
  - The invocation of the DPA demonstrates that the President will not hesitate to use the full authority of the federal government to combat this crisis.
- On April 2, President Trump invoked the Defense Production Act to increase ventilator production. The order directed the supply of materials to make ventilators to six companies.
- The President also signed an Executive Order on March 27 which clarifies and updates Presidential delegations to federal agencies under the Defense Production Act (DPA).
  - For the purposes of COVID-19 response, the EO delegates a number of DPA authorities jointly to the Secretary of Health and Human Services (HHS) and the Secretary of Homeland Security (DHS).
  - The EO also assigns the Assistant to the President for Trade and Manufacturing Policy (Peter Navarro) as the National Defense Production Act Policy Coordinator.
- On March 18, President Trump issued an Executive Order outlining use of the Defense Production Act (DPA) in response to COVID-19 and supplementing Executive Order 13603, which delegates DPA authority to federal agencies.
  - The order provided federal departments with the authority to take actions implementing the DPA, if and as necessary. More information is available in the DPA Fact Sheet.
Defense Production Act – Export of Critical PPE

- On April 3, President Trump issued “Memorandum on Allocating Certain Scarce or Threatened Health and Medical Resources to Domestic Use” directing DHS and FEMA, in consultation with the U.S. Department of Health and Human Services to use the Defense Production Act to keep scarce medical resources within the United States for domestic use.

- Personal Protective Equipment (PPE) subject to this policy includes a variety of respirators including N95 respirators, surgical masks and surgical gloves.

- Customs and Border Patrol is supporting FEMA to temporarily detain export shipments of PPE.

- CPB will hold identified export shipments, and FEMA will determine whether to:
  - Return the PPE for use within the United States;
  - Purchase the PPE on behalf of the United States; or,
  - Allow it to be exported

FDA Ventilator Guidance

- On March 24, the FDA issued an Emergency Use Authorization (EUA) for Ventilators, which allows anesthesia gas machines and positive pressure breathing devices to be modified for use as ventilators.
  - Assists health care personnel on how to use other ventilators like CPAP devices for sleep apnea, with COVID-19 patients in respiratory distress, as well as on shelf life of existing ventilators.

- FDA provides information for manufacturers on adding production lines or alternative sites, like automobile manufacturers, for making more ventilators during COVID-19 pandemic.

FEMA Public Assistance: Eligible Emergency Protective Measures

- Under the nationwide emergency declaration, FEMA may reimburse eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials. Some examples of eligible expenses outlined in the fact sheet include:
  - Management, control and reduction of immediate threats to public health and safety.
  - Emergency medical care
  - Medical sheltering (e.g. when existing facilities are reasonably expected to become overloaded in the near future and cannot accommodate needs.
  - Purchase and distribution of food, water, ice, medicine, and other consumable supplies, to include personal protective equipment and hazardous material suits movement of supplies and persons.
  - Communications of general health and safety information to the public.
  - Reimbursement for state, tribe, territory and/or local government force account overtime costs.

- While some activities listed may be eligible for funding through HHS/CDC, final reimbursement determinations will be coordinated by HHS and FEMA. FEMA will not duplicate any assistance provided by HHS/CDC).
FEMA Public Assistance: Non-Congregate Sheltering

- Under the national emergency declaration, FEMA’s Regional Administrators have been delegated authority to approve requests for non-congregate sheltering for the duration of the Secretary of Health and Human Services’ declaration of a Public Health Emergency for COVID-19.

- FEMA recognizes that non-congregate sheltering may be necessary in this Public Health Emergency to save lives, to protect property and public health, and to ensure public safety, as well as to lessen or avert the threat of a catastrophe.

- FEMA has outlined criteria must be considered before setting up non-congregate sheltering and support services in an online fact sheet and Q&A document.

FEMA Public Assistance: Private Nonprofit Organizations

- Under the nationwide emergency declaration and subsequent major disaster declarations, certain private non-profit (PNP) organizations are eligible to apply for funding through FEMA’s Public Assistance program.
  - If a government entity legally responsible to provide services to protect life, public health, and safety enters into an agreement with a PNP to provide those services (e.g., sheltering or food distribution). In these cases, Public Assistance funding is provided to the legally responsible government entity, which then pays the PNP.
  - In limited cases, PNPs that own or operate an eligible facility and perform eligible work to save lives or protect health and safety in response to the COVID-19 incident, such as providing emergency, medical or custodial care services for which they are legally responsible, may be eligible for reimbursement of costs as a Public Assistance applicant.

- For PNPs, operating costs (such as patient care and administrative activities) are generally not eligible even if the services are emergency services, unless the PNP performs an emergency service at the request of and certified by the legally responsible government entity.

FEMA Public Assistance: Simplified Application

- FEMA is simplifying the Public Assistance application and funding process to address the magnitude of the COVID-19 event and allow local officials to receive eligible funding more quickly.
  - FEMA is developing a simplified online form that applicants can complete, and on which they may explain work activities, answer basic questions, provide limited supporting documentation, and provide a cost estimate.
  - FEMA and the recipient will review this information, follow up with limited requests for additional information if necessary, and award assistance. Recipients will have access to all projects in PA Grants Portal, consistent with the traditional PA process.

- Eligibility guidance on what FEMA can fund will be updated on the Public Assistance Policy, Guidance, and Factsheets page on FEMA.gov and the COVID-19 page on FEMA.gov. Application support and tutorials are available on the resource tab in PA Grants Portal.
FEMA Disaster Response Capacity

- Even as FEMA is focused on responding to COVID-19, we are also preparing and maintaining readiness for other disasters to include spring flooding, severe weather and the upcoming hurricane season.
- FEMA currently has 2,637 employees supporting the COVID-19 pandemic response out of a total 20,550 agency employees who are prepared to respond to other emergencies should they occur.
- FEMA considers every employee an emergency manager, and each employee has regular and recurring emergency management responsibilities.
  - The agency has developed a series of online trainings to expand the cross-training of its workforce and build additional capacity.
- Should additional support be needed, FEMA is able to activate the Department of Homeland Security’s surge capacity force composed of federal employees from DHS and other agencies.

FEMA Suspends Rent Collection for Three Months

- On April 8, FEMA announced suspension of rent payment for disaster survivors living in FEMA-purchased temporary housing units in California, Florida, North Carolina and Texas due to the coronavirus (COVID-19) pandemic.
  - The suspension applies to April, May and June rent only. Rent collection is expected to resume July 1.
  - FEMA will mail a letter to all affected survivors about their rent suspension.
- To prevent a duplication of benefits, survivors with insurance that covers additional living expenses must pay FEMA either the fair market rental value, or the amount of the insurance benefits, whichever is less. Fair market value is established by the U.S. Department of Housing and Urban Development.

Flood Insurance Grace Period for Policy Renewals

- To help serve National Flood Insurance Program (NFIP) customers who may be experiencing financial hardships due to impacts of the COVID-19 pandemic, FEMA is extending the grace period to renew flood insurance policies from 30 to 120 days.
  - This extension applies to NFIP flood insurance policies with an expiration date between February 13 and June 15, 2020.
  - For more information about renewing flood insurance policies or resolving an underpayment, policyholders can contact their insurance carriers or call the National Flood Insurance Program Call Center at 1-877-336-2627.

Help for Businesses

- On April 3, the Small Business Administration Paycheck Protection Program began offering nearly $350 billion in loans to small businesses. More than 17,500 loans valued at over $5.4 billion were approved on the first day of the Paycheck Protection Program.
  - If an employer maintains their workforce, the SBA will forgive the portion of the loan used to cover the first eight weeks of payroll and certain other expenses.
In addition to its traditional loan programs, the SBA is also providing Economic Injury Disaster Loans and forgiveness for up to six months of new and existing loans.

- The U.S. Department of Labor announced the availability of up to $100 million for Dislocated Worker Grants to help address the workforce-related impacts related to COVID-19.

### Help for Individuals and Families

- Coping with stress: CDC has recommendations for things you can do to support yourself by managing your anxiety and stress.

- The Substance Abuse and Mental Health Services Administration’s National Disaster Distress Line is available to anyone experiencing emotional distress related to a disaster, including COVID-19. Those in need of emotional support can call 1-800-985-5990 or text TalkWithUs to 66746 to be connected to a trained, caring counselor. The deaf or hard of hearing can access the helpline by text or using their preferred relay service. Spanish Speakers can call 1-800-985-5990 and press "2". From the 50 states, text Hablanos to 66746, those in Puerto Rico, text Hablanos to 1-787-339-2663.

- If you or a loved one need help, call the National Domestic Violence Hotline at 1-800-799-7233.

- The U.S. Department of Housing and Urban Development issued a moratorium on foreclosures and evictions for single family homeowners with FHA-insured mortgages for the next 60 days.

- The U.S. Department of Agriculture is delivering one million meals per week to children in rural areas who are out of school.

- The U.S. Department of Education announced all borrowers with federally held student loans will have zero interest rates for at least 60 days. Additionally, these borrowers will have the option to suspend their payments for at least two months to allow them greater flexibility.

- Many telecommunication companies are working with the Federal Communications Commission to “Keep Americans Connected.” This pledge is designed to ensure that Americans do not lose their broadband or telephone connectivity during the COVID-19 response.

### How to Help the Whole-of-America Response

- How to help: FEMA has information on how both the public and private sector can help. For more information, visit the page: fema.gov/coronavirus/how-to-help

- Cash donations to the nonprofit of your choice IS THE BEST donation. Do not collect or distribute donations of supplies without understanding community needs.

- Businesses that have medical supplies or equipment to donate are asked to go to www.fema.gov and provide of the offer through our online medical supplies and equipment form.

- To sell medical supplies or equipment to the federal government, please submit a price quote under the COVID-19 PPE and Medical Supplies Request for Quotation.

- Licensed medical volunteers can offer their services by registering with the Emergency System for Advance Registration of Volunteer Health Professionals. You can access a direct link to do so through fema.gov.
One thing people can do to help is to donate blood. Blood donation centers have the highest standards of safety and infection control. To find where you can donate blood, visit www.aabb.org/giveblood.

**Hydroxychloroquine/Chloroquine**

- HHS continues to speed the development of therapies derived from human blood that have the potential to lessen the severity or shorten the length of the illness.
- FDA issued fact sheets [Emergency Use Authorization of hydroxychloroquine sulfate](https://emergencyuseauthorization.fda.gov/hydroxychloroquine-sulfate.html) and [Emergency Use Authorization of chloroquine phosphate](https://emergencyuseauthorization.fda.gov/chloroquine-phosphate.html) to treat certain hospitalized patients
  - Hydroxychloroquine sulfate and chloroquine phosphate are oral prescription drugs approved to treat malaria and other diseases but both drugs have shown activity in laboratory studies against coronaviruses, including SARS-CoV-2 (the virus that causes COVID-19) and anecdotal reports suggest that these drugs may offer some benefit in the treatment of hospitalized COVID-19 patients.
- HHS accepted 30 million doses of hydroxychloroquine sulfate donated by Sandoz and one million doses of chloroquine phosphate donated by Bayer Pharmaceuticals for possible use in treating patients hospitalized with COVID-19 or for use in clinical trials.

**National Guard Activation Under Title 32**

- On March 22, President Trump directed the Secretary of Defense to permit full federal reimbursement, by FEMA, for some states’ use of their National Guard forces.
  - Federally funded under Title 32, governors command their National Guard forces, enabling states to use the additional resources to meet missions necessary in the COVID-19 response.
  - Each state’s National Guard is still under the authority of the governor, while working in concert with the Department of Defense.
- The President will consider Title 32 requests from states and territories based on the following:
  - A state or territory must have been approved for a Major Disaster or have submitted a Major Disaster Declaration request to FEMA for review.
  - The state or territory must have activated the lesser of 500 individuals or 2 percent of National Guard personnel in the state or territory in response to COVID-19.
  - Requests for reimbursement through Title 32 status must be submitted to the FEMA Administrator via the FEMA Regional Administrator, identifying specific emergency support functions the National Guard will carry out for COVID-19 support in accordance with the Stafford Act.
- For those states and territories that are approved under these criteria, FEMA will execute a fully reimbursable mission assignment to the Department of Defense, including reimbursement for pay and allowances of National Guard personnel serving in a Title 32 duty status in fulfillment of the FEMA mission assignment.
  - Pursuant to this approval, the federal government will fund 100 percent of the cost share for National Guard orders up to 31 days. These duty orders must be effective no later than two weeks from the date of the authorizing Presidential Memorandum on April 6.
This approach allows National Guard members to receive the additional benefits associated with 31-day deployments as well as allow each state additional time to issue new orders.

To implement this change, FEMA will work with the Department of Defense to modify all of the existing mission assignments to include this language, and to extend the end date appropriately.

The Administration will continue to work with states approved for 100 percent cost share to assess whether an extension of this level of support is needed.

### Procurement Under Grants: Exigent or Emergency Circumstances

- FEMA recognizes that Recipients and Subrecipients of financial assistance may face exigencies or emergencies when carrying out a FEMA award during the COVID-19 pandemic.
- This fact sheet provides key information for SLTTs to consider when utilizing contracted resources under exigent or emergency circumstances.

### Project Airbridge

- To efficiently maintain the country’s existing medical supply chain infrastructure, FEMA is supplementing – not supplanting – the supply chain through a variety of strategies, including Project Airbridge.
- Project Airbridge was created to shorten the amount of time it takes for U.S. medical supply distributors to get Personal Protective Equipment and other critical supplies into the country for their respective customers.
- FEMA is doing this by covering the cost to fly supplies into the U.S. from overseas factories, cutting the amount of time it takes to ship supplies from weeks to days.
- FEMA is providing distributors with up-to-date information on the locations across the country hardest hit by COVID-19 or in most need of resources now and in the future.
- As part of the current agreement with distributors, 50 percent of the supplies on each plane are directed by the distributors to customers within hotspot areas with the most critical needs for those supplies.
  - These areas are determined by HHS and FEMA based on CDC data.
  - The remaining 50 percent is fed into that distributors’ normal supply chain and onto their customers in other areas across the U.S.

### Strategic National Stockpile

- FEMA planning assumptions acknowledged that the Strategic National Stockpile alone could not fulfill all requirements at state and tribal levels.
  - H.R. 748, “the Coronavirus Aid, Relief, and Economic Security Act” (CARES Act) allocates $27 billion for vaccine development, to include $16 billion designated to replenish the SNS.
- Under joint direction of FEMA and HHS, the SNS is in the process of deploying remaining personal protective equipment in its inventory.
  - Shipments are being sent nationwide with prioritization given to areas in greatest need.
Supply Chain Task Force

- The Supply Chain Stabilization Task Force is executing a whole-of-America approach to address limited supply of critical protective and life-saving equipment.
- The task force’s primary effort is to increase the supply of medical supplies and equipment to healthcare workers on the front line.
- Through the National Response Coordination Center, the task force is working to find critical resources to meet urgent demand as well as increase the overall level of surge support to “hot spots” as they arise.
- In addition, the task force is engaging manufacturers, distributors and healthcare networks to increase supply chain long-term.
- Supply is executed through a four-pronged approach to rapidly increase supply today and expand domestic production of critical resources to increase supply long-term:
  - Preservation through guidance on how to preserve supplies when possible, to reduce impact on the medical supply chain.
  - Acceleration of industrial manufacturing and distribution.
  - Expansion via increased production capacity by private sector of critical supplies through retooling of assembly lines and partnerships where manufacturing capacity exists.
  - Allocation of supplies to get to the right place at the right time using data-informed prioritization recommendations for private industry to inform supply distribution network.

Tribal Information

- A tribal government may choose to receive assistance under the national emergency declaration:
  - As a Subrecipient under a state: All states are Recipients for Public Assistance; tribes have the option of working with the state(s) that they are located in and requesting assistance as a Subrecipient; or
  - As a Recipient: Each tribe has the option of signing a FEMA-Tribe Agreement and becoming a Recipient.
- Tribes that are Recipients will have a direct relationship with FEMA and will receive assistance autonomously from the state or states in which they are located.
- Tribal governments can express their intent to seek FEMA Public Assistance by notifying the FEMA Regional Administrator in the FEMA regional office in which the tribal government seat is located. More information may be found in the COVID-19 FEMA Assistance for Tribal Governments fact sheet.
The Federal CARES Act provides additional Unemployment Insurance (UI) benefits to Tennesseans impacted by the COVID-19 health emergency. The new federal law provides:

- **Pandemic Unemployment Assistance** - Provides 39 weeks of eligibility for individuals who have traditionally been ineligible for UI benefits. (Self-employed, gig workers, independent contractors)

- **Pandemic Unemployment Compensation** - An additional $600 per week, on top of regular benefits, to all UI recipients; and,

- **Pandemic Emergency Unemployment Compensation** - Provides an additional 13 weeks of UI benefits.

**Pandemic Unemployment Assistance ("PUA") – Extended Eligibility for UI Benefits**

**QUESTION:** Who is eligible for PUA?

**ANSWER:** Individuals are eligible for PUA if they do not qualify for regular UI benefits (including self-employed workers and independent contractors) and cannot work because they:

- Are diagnosed COVID-19 or have COVID-19 symptoms and are seeking diagnosis;
- Have a member of the household who is diagnosed with COVID-19;
- Are providing care for a family or household member diagnosed with COVID-19;
- Are the primary caregiver for a child whose school or care facility closed, due to COVID-19;
- Are unable to reach their place of employment due to an imposed quarantine, or because advised by medical provider to self-quarantine, due to COVID-19;
- Were scheduled to start new employment and cannot reach the workplace as direct result of COVID-19;
- Became the major breadwinner because the head of household died from COVID-19;
- Quit their job as a direct result of COVID-19;
- Had their place of employment closed as a direct result of COVID-19; or
- Meet any additional criteria specified by U.S. Secretary of Labor.

Individuals are not eligible for PUA if they can telework or are receiving paid sick leave or other paid leave benefits (regardless of meeting a category listed above).

To apply for PUA, claimants will need to file an application on Jobs4TN.gov or call (844) 224-5818. Filing online is the fastest, most efficient way to receive your benefits. Due to high call volume, you will experience extended wait times when applying by phone.
The Tennessee Department of Human Services (TDHS) is offering several programs and services to assist Tennesseans impacted by COVID-19.

**Family Assistance**

**TANF Emergency Cash Assistance – Pandemic:** This Emergency Cash Assistance program will provide cash payments to families significantly impacted by the COVID-19 emergency. Beginning Thursday, March 26, families can begin applying online, for up to two months of emergency cash assistance if they were employed as of March 11, 2020 and they've lost employment or at least 50% of their earned income as a result of the pandemic. This money is funded by the Temporary Assistance for Needy Families (TANF) program and provides between $500 and $1000, depending on household size, to qualifying families. This assistance is available in addition to any unemployment benefits individuals in the family may be receiving. Applicants can complete the application process online at [https://tdhs.service-now.com/relief?id=relief_registration](https://tdhs.service-now.com/relief?id=relief_registration).

**COVID-19 Food Assistance:** TDHS is currently working to provide emergency food assistance benefits to Tennesseans impacted by COVID-19. Additional information will be provided as it becomes available.

**Child Care**

**Child Care Payment Assistance/Smart Steps:** The Child Care Payment Assistance/Smart Steps Program is available to qualifying families. Eligibility criteria and application information are available [here](https://tdhs.service-now.com/relief?id=relief_registration). TDHS strongly encourages applicants to apply online.

**Child Care Facilities:** TDHS is encouraging child care facilities to use their discretion in deciding whether to remain open based on the needs in their own community. There are many factors to consider, and each agency’s situation will be different. As caring citizens and business owners, each program should make the decision that will be the best fit for the program, the families they serve, and the larger community.

TDHS is currently working with existing licensed providers and potential temporary providers to support safety and continuity of care as families are affected by COVID-19. The Department has taken the following actions:

- **Relaxed Regulations:** TDHS is relaxing regulatory burden on existing licensed child care centers. Governor Lee’s Executive Order No. 15 suspends the relevant provisions of Tennessee Code Annotated, Title 71, Chapter 3, Part 5 and related rules to allow the Commissioner of Human Services to waive child care licensure requirements to respond to the effects of COVID-19.

- **Disaster/Emergency Response and Recovery Grants:** TDHS is partnering with the Community Foundation of Middle Tennessee to make $10 million in new assistance available to help licensed child care agencies that were impacted by the recent COVID-19 emergency and the March 3 tornado disaster. Funding for these grants is provided through the federal Child Care and Development Fund (CCDF). Starting March 24, agencies will be able to apply online for grants covering expenditures including but not limited to:
  - **Loss of Income** resulting from closing due to the disaster/emergency. Grant awards will be based on the itemized lost operating income for the period of closure.
  - **Response & Recovery Operations Costs** that occur as a result of the disaster/emergency such as cleaning, utility repair, inspections, and substitute staffing. Grant awards will be based on the costs incurred.
  - **Equipment, Materials, and Supplies** that were lost or compromised as a result of the disaster/emergency such as area rugs, soft toys like stuffed animals, books, curriculum, learning tools and displays, damaged cabinets and shelving, supplies, and playground surfacing and equipment.
Resources in Response to COVID-19

- **Consultants and Coaches** that are needed specifically related to disaster/emergency impacts such as helping children, caregivers, or staff through recovery, grief, anxiety, stress, or trauma.

- **Child Care Subsidies**: Child care facilities that currently serve children enrolled in the Child Care Payment Assistance Program will continue to receive CCDF subsidy payments through the end of March, even if they are closed or the child is not currently attending. If a child attends an impacted center and must relocate, TDHS will pay both the impacted center and the new alternative care center through the end of March. Circumstances will be reassessed at that time.

- **Guidance for Temporary Child Care Providers**: As Tennesseans step up and consider providing child care for friends and neighbors with school aged children, these temporary child care operations should follow the guidance provided [here](#) on how to safely accomplish this especially in the wake of COVID-19.

### Accessing Services and Additional Resources

After a careful analysis of foot traffic and the health and safety guidelines for COVID-19 provided by the Centers for Disease Control (CDC) and the Tennessee Department of Health, the Tennessee Department of Human Services moved to appointment-only for in-person services beginning Monday, March 23, 2020.

Local offices will have employees available to respond to questions or applications via telephone. Customers can find the number to their local office by going online to [https://www/tn/gov/content/tn/humanservices/for-families/supplemental-nutrition-assistance-program-snap/office-locator-family-assistance.html](https://www/tn/gov/content/tn/humanservices/for-families/supplemental-nutrition-assistance-program-snap/office-locator-family-assistance.html). These changes will remain in effect indefinitely for offices in each Tennessee county until the COVID-19 state of emergency is reduced. No issuance of benefits will be impacted as a result of these office closures. The following TDHS services are always available online:

- **The Supplemental Nutrition Assistance Program (SNAP)** provides nutritional assistance benefits to children and families, the elderly, the disabled, unemployed, and working families. Apply for services online at [https://faonlineapp.dhs.tn.gov/](https://faonlineapp.dhs.tn.gov/).

- **Families First** provides temporary cash assistance, transportation, child care assistance, educational supports, job training, employment activities, and other support services. Apply for services online at [https://faonlineapp.dhs.tn.gov/](https://faonlineapp.dhs.tn.gov/).

- **The Child Support** program provides services that promote parental responsibility to meet the financial needs of children and their families. Apply for services online [https://csonlineapp.dhs.tn.gov/Home/Login](https://csonlineapp.dhs.tn.gov/Home/Login). Payments can be made online at [https://tn.smartchildsupport.com/](https://tn.smartchildsupport.com/).

- **Adult Protective Services** investigates reports of abuse, neglect (including self-neglect) or financial exploitation of adults who are unable to protect themselves due to a physical or mental limitation. Call toll free 1-888-APS-TENN (1-888-277-8366) or report suspected abuse online [https://reportadultabuse.dhs.tn.gov/](https://reportadultabuse.dhs.tn.gov/).

- **The Child Care Certificate Program** provides child care financial assistance to families who are working or pursuing post-secondary education and who meet certain income eligibility requirements. Apply for Child Care Payment Assistance/Smart Steps online [https://cconlineapp.dhs.tn.gov/Home/Login](https://cconlineapp.dhs.tn.gov/Home/Login).

- **The Vocational Rehabilitation Program (VR)** provides a variety of individualized services to persons with disabilities in preparation for their employment. VR offices remain open and are providing assistance to customers over the phone and by appointment. To find information on your local office visit [https://www.tn.gov/humanservices/ds/vocational-rehabilitation.html](https://www.tn.gov/humanservices/ds/vocational-rehabilitation.html).

Learn more about the Tennessee Department of Human Services at [www.tn.gov/humanservices](https://www.tn.gov/humanservices).
April 14, 2020

Sheriffs, Police Chiefs, District Attorneys General
c/o their respective associations

RE: Executive Order Nos. 22, 23, and 27 re: Staying at Home Unless Engaging in Essential Activities or Services

Dear Sirs/Madams:

By now you are aware that Executive Order Nos. 22 and 23 (the “Orders”) were issued pursuant to emergency authority under Tenn. Code Ann. § 58-2-107 to limit the spread of the COVID-19 pandemic and were extended by Executive Order No. 27, issued yesterday. Copies of the Orders are attached for your convenience. These Orders have the force of law and are in effect until 11:59 p.m. on Thursday, April 30, 2020.

The purpose of this letter is to respond to inquiries seeking guidance regarding enforcement of the Orders, which require Tennesseans to stay at home except when engaging in Essential Activity or Essential Services. The Orders also require non-essential businesses to be temporarily closed for the health and welfare of the community.

The goal of these Orders is to ensure that, for a temporary period of time, Tennesseans remain home as much as possible, so that we can successfully contain the spread of COVID-19. Voluntary, good-faith compliance is essential to their effectiveness. So, my hope and expectation is that Tennesseans—in order to protect themselves, their loved ones, their customers, and their communities from the spread of COVID-19—will use their best, good-faith judgment in determining whether their operations constitute Essential Activity or Essential Services and limit those activities to what is truly essential, while allowing employees to work remotely and in accordance with the health guidelines whenever possible.

Since the Orders were issued, many questions have arisen over what is, should, or should not be covered in the list of Essential Activities and Essential Services. However, the purpose of the Orders was not to micromanage every person and business, but rather to provide a broad framework that results in Tennesseans staying home as much as possible, while allowing sufficient room for persons to exercise discretion and judgment based on their circumstances and the wide array of essential activity required to maintain the health and safety of Tennesseans.

Much is to be gained from local leaders playing a key role in providing voice to the goals expressed in the Orders, including emphasizing the importance of staying home and following the health guidelines and, where necessary, even applying social pressure on persons and businesses who choose not to act in good faith. Indeed, a community’s leaders as well as its marketplace can
achieve powerful results by encouraging, inspiring, and rewarding those willing to make the difficult sacrifices for their community, compared to those who are not.

Having said that, under Tenn. Code. Ann. § 58-2-107(f), a governor may “give such direction to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with this chapter and the orders and rules made pursuant thereto.” Further, violation of an emergency Executive Order is also a Class A misdemeanor under Tenn. Code Ann. § 58-2-120. So, please interpret this letter as authority to take reasonable steps to implement the provisions of Executive Order Nos. 22, 23, and 27 in your jurisdiction.

In exercising this authority, you should utilize sound judgment, restraint, and discretion, particularly given that whether a person or business is engaging in an Essential Activity or Essential Service depends on the circumstances and specific work or activity involved, which can be difficult to judge because each situation and each community is different. For example, work that may not seem essential may in fact form a component part of an important good or service, and going for a walk or drive may serve as an important, safe way to get some fresh air.

Therefore, in all cases, law enforcement should review the Orders carefully, educate and warn persons and businesses regarding the provisions of the Orders, and provide them with a reasonable opportunity to comply before considering stricter enforcement measures. Further, any enforcement measures should be limited to clear violations and used only as a last resort if the person or business refuses to voluntarily comply. We should not be using the force of law in difficult times to punish our neighbors over genuine disagreements in gray areas.

Importantly, these Orders do not require a person to possess papers or documentary proof that they are engaging in Essential Activity or Essential Services, so requests should not be made for such documents. And these Orders do not encourage or recommend that an officer stop a person (or vehicle) simply for being out of the person’s home, absent evidence of criminal conduct.

Thank you for your cooperation in implementing the provisions of these Orders. This is a grave and unusual situation, and I wholeheartedly thank you for all of the work you are doing to protect the health and safety of Tennesseans during this difficult time.

Sincerely,

Governor Bill Lee

cc: City and County Mayors
FOR IMMEDIATE RELEASE
April 24, 2020

CONTACT: Gillum Ferguson
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615-253-4516

Gov. Lee Issues Guidelines for Restaurants, Retail Stores to Reopen
Early Next Week in 89 Counties

“Tennessee Pledge” plan encourages best practices for industries, continued social distancing

Nashville, Tenn. – Today, Gov. Bill Lee issued the first steps from the “Tennessee Pledge,” the state’s rollout of guidance and best practices for Tennessee businesses in 89 of the state’s 95 counties to keep employees and customers safe during the ongoing COVID-19 pandemic. The first industries to receive guidance through the plan include the restaurant and retail industries.

“Tennesseans pulled together to flatten the curve, and it is time for people to begin to get back to work and back to their businesses,” Lee said. “We are pursuing a careful, measured approach to reopening our economy that does not depend on heavy-handed mandates but instead provides practical tools for businesses of all sizes.”

Lee underscored the Tennessee Pledge plan for safe economic recovery is supported by data showing Tennessee’s curve of novel coronavirus infections hitting a plateau. Lee also pointed to the unsettling economic reality COVID-19 has created in our state.

Tennessee has seen the average daily growth rate remain stable for 14 days, in addition to a steady downward trajectory in positive tests as a percentage of total tests since April 1. The state has also had a massive ramp up in testing, including open testing available to all Tennesseans across 33 sites over last weekend, 18 this weekend, and more the next.

On the economic front, 15 percent of Tennessee’s workforce filed unemployment claims as of this week – more than 400,000 people. State officials predict a $5 billion loss in the state’s gross domestic product during 2020.
Lee said today’s announcement is the first step in a phased reopening of the state’s economy, which entails rebooting industries as they are safe to pursue in 89 of the state’s 95 counties. The state is working with Shelby, Madison, Davidson, Hamilton, Knox, and Sullivan on plans to reopen businesses in those counties. Lee added that many Tennesseans are facing not just potential sickness but crippling financial hardship, particularly in the service industries.

Lee announced Tennessee restaurants are able to reopen Monday at 50 percent occupancy. Additionally, Tennessee retailers are able to reopen on Wednesday at 50 percent occupancy. The state recommends that employees in both industries wear cloth face coverings and that business owners follow federal guidelines for hygiene and workplace sanitation standards related to the pandemic. The full guidance offered by the state for both sectors can be found here. (insert hyperlink)

“Like the rest of the country, Tennessee has taken an unprecedented economic hit with families and small businesses feeling the most pain,” Lee said. “We must stay vigilant as a state, continue to practice social distancing, and engage in best practices at our businesses so that we can stay open.”

Lee’s administration assembled the Tennessee Economic Recovery Group, pulling together the state’s departments of tourism, economic development, and revenue, members of the Tennessee General Assembly, and business leaders to safely reboot Tennessee’s economy. The group is chaired by Tennessee Department of Tourist Development Commissioner Mark Ezell

Ezell said the state’s guidelines for restaurants and retail stores were developed in cooperation with business leaders in both sectors, mayors from across the state, and members of the legislature and health experts, as well as Unified Command which includes the Tennessee Department of Health. He added the reopening of future sectors would be accomplished with similar input from industry leaders and elected officials.

“We need Tennessee businesses, workers, and consumers to step up and pledge to follow these guidelines,” Ezell said. “It is critically important that we maintain our commitment to social distancing and adhere to these new guidelines so that we can continue to reopen our economy.”

###
Guidelines for Businesses

Reopening Tennessee Responsibly

Tennessee Pledge
In the weeks since Governor Bill Lee implemented the Safer at Home order, Tennessee mounted a significant effort to improve testing and healthcare capacity. The state has made steady progress to slow the spread of COVID-19.

**Slowing COVID-19**

- Influenza-like illness (ILI) has seen a steady decline since March 14.
- COVID-like illness (CLI) has seen a steady decline since March 25.
- (Source: Tennessee Dept. of Health)
In the weeks since Governor Lee implemented the Safer at Home order, Tennessee mounted a significant effort to improve testing and healthcare capacity. The state has made steady progress to slow the spread of COVID-19.

**Slowing COVID-19**

- Average daily growth rate has been stable for over 14 days
- Downward trajectory of positive tests as percentage of total tests since April 1.
- (Source: Tennessee Dept. of Health)
Even as the direct threat to Tennesseans’ health has been mitigated, the threat to their livelihoods has increased. Research consistently demonstrates a strong association between unemployment and poorer health outcomes. Citizens have experienced devastating job losses across all 95 counties and diverse industry sectors.

As a result of COVID-19 mitigation, Tennesseans filed 412,895 unemployment claims with the Department of Labor and Workforce Development between March 1 and April 18, 2020.

While these challenges started first for many of the Tennesseans who work in entertainment, recreation and accommodation, they have now spread to impact almost every industry and every county across Tennessee.
Even as the direct threat to Tennesseans’ health has been mitigated, the threat to their livelihoods has increased. Research consistently demonstrates a strong association between unemployment and poorer health outcomes. Citizens have experienced devastating job losses across all 95 counties and diverse industry sectors.

$870M
Net Sales Lost by TN Retailers in March

Some industries were impacted more dramatically than others, including: a $408M decline in restaurant sales, $177M decline in hotel and accommodation sales, $218M decline in motor vehicle-related sales, and $64M decline in entertainment and recreation sales year over year. April losses will be significantly greater.

$5B
of TN GDP Lost in 2020

Tennessee Gross Domestic Product is projected to decline $5 billion during 2020 as a result of closures and joblessness related to the pandemic, assuming businesses begin to reopen on May 1, 2020.
Our Economy

Share of Jobs Impacted by County
Unemployment claims as a share (%) of total county employment

Source: Tennessee Department of Labor & Workforce Development, Initial Unemployment Insurance Claims (3/1/20 – 4/18/20) and Industry Employment (February 2020). Data reported by claim date.
Our Economy

Sales by Retailers
Year-over-year % Change in Taxable Sales by Month

Our Economy

Share of Tennessee Jobs Impacted by Sector
Unemployment Insurance (UI) claims as a share (%) of sector employment

- Arts, Entertainment, & Recreation: 39% - 15,456
- Accommodation & Food Services: 29% - 33,014
- Other Services: 27% - 7,561
- Real estate & Rental: 18% - 60,083
- Manufacturing: 17% - 33,171
- Administrative & Waste Services: 15% - 48,188
- Retail Trade: 14% - 14,191
- Wholesale Trade: 12% - 5,102
- Information: 11% - 40,826
- Health & Social Services: 11% - 13,082
- Construction: 10% - 15,102
- Professional, Scientific, & Tech Svcs: 10% - 17,035
- Transportation & Warehousing: 9% - 662
- Ag, Forestry, Fish & Hunting: 9% - 3,611
- Mgmt of Companies and Enterprises: 7% - 214
- Utilities: 6% - 11,190
- Educational Svcs: 4% - 4,411
- Finance & Insurance: 3% - 2,697
- Government less Education: 1% -

Our Economy

Unemployment Claims over Time
Weekly total and cumulative total unemployment claims

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Restaurants
Restaurant Guidelines

It is vitally important to both the state’s economy and the food supply chain that restaurants are allowed to begin some operations and put employees back to work. The State of Tennessee recommends the following best practices for restaurants at this time.

Protecting Employees

- Wear face coverings and gloves
- Report any symptoms of illness to supervisor
- Follow daily sanitation protocols

Protecting Customers

- Limit occupancy to 50% of seating capacity
- Space tables 6 feet apart
- Limit seating to 6 per table
- Use social distancing standards in waiting areas
- Keep bar areas closed
- No live music
- Screen customers with basic questions about COVID-19 symptoms
Restaurant Guidelines

Restaurant owners and managers should take additional steps to maintain heightened sanitation standards during this time particularly as it pertains to high-touch surfaces used by multiple customers and employees.

Business Operations

- Sanitize all front-of-house contact surfaces every two hours
- Use disposable menus or sanitize menus between each use
- Use rolled silverware/napkins stored in sealed bins
- Sanitize chairs and all tabletop items after each table turn
- Do not offer self-serve buffets, shared condiments, or beverage station re-use
- Provide ServSafe COVID-19 training for all food handlers
Retail Guidelines

Tennessee retailers are a trusted and important source of goods for our residents as well as a major employer base. The State of Tennessee recommends the following best practices for retail stores at this time.

Protecting Employees

- Wear dedicated cloth face coverings, gloves, and other personal protection items as recommended by the CDC
- Report any symptoms of illness to supervisor
- Provide training on personal protective equipment based on CDC guidelines
- Sanitize hands with soap and/or hand sanitizer
- Stagger shifts, breaks, and meals to maintain social distancing

Protecting Customers

- Limit customer occupancy to 50% of store capacity
- Customers should wear face coverings inside stores
- Consider shopping hours for the elderly, medically vulnerable, and health care workers
- Establish one-way aisles and traffic patterns for social distancing
- Increase curbside, pickup, and delivery service options
- Prompt customers regarding the importance of social distancing
Retail Guidelines

Business Operations

• Establish enhanced cleaning protocols that follow CDC guidelines
• Designate separate entrances and exits
• Use plastic shields or barriers at checkout between the customer and clerk
• Adjust store hours to allow time for enhanced cleaning
• Prohibit the use of reusable bags
• Suspend “self-service” food stations and dining areas
• Suspend the sampling of food and personal hygiene products
• Management-level employees should monitor compliance
• Add social distancing “reminder” signage and announcements