



## Staff Breakdown of COVID-19 related Executive Orders

*(in Chronological Order)*

### **March 7 (No. 202)**

#### **The Big Points:**

- Declares a state of emergency in the State until September 7, 2020.
- Implements the State Comprehensive Emergency Management Plan
  - State agencies now have the authority to act to assist local governments and individuals to prepare, respond and recover
- Allows the Governor to temporarily suspend or modify any statute, local law, ordinance, order, rule or regulation
- Permits the “mass” testing for COVID 19

### **March 12 (No. 202.1)**

#### **The Big Points:**

- Allows hospitals to make temporary changes to respond to surge in patients
- Provides more flexibility for entities providing home delivered meals under EISEP
- 7 Day waiting period for unemployment insurance application waived for cases related to Coronavirus contraction or lay-offs
- The state will waive the 180-day rule for schools suspending classes
- Events and gatherings with 500 people + ordered to cancel or postpone
- Businesses mandated to operate at no greater than 50% occupancy

### **March 14 (No. 202.2)**

#### **The Big Points:**

- Alters election law for specific requirements including petitions and dates
- School districts wishing to close are required to consult local DOH & use their remaining snow/vacation days
- SED required to issue guidance to ensure access to meals for students in need

### **March 16 ([No. 202.3](#))**

#### **The Big Points:**

- Events and gatherings of 50+ required to cancel or postpone
- Restaurant & bars required to cease serving patrons on-premise effective 8pm
- Casinos, fitness centers and theatres required to cease operations effective 8pm
- Prohibits local government to issue conflicting or superseding emergency orders

### **March 16 ([No. 202.4](#))**

#### **The Big Points:**

- Any local government to allow 50% non-essential personnel to work from home effective March 17
- All schools are required to close no later than March 18 until April 1
  - Schools are required to develop plans for alternative instruction options, childcare options and meal distribution
- Delays village elections statewide until the April 28 Primary

*NY, CT and NJ join pact*

### **March 18 ([No. 202.5](#))**

#### **The Big Points:**

- Allows licensed physicians who are not registered by NYS to practice supporting COVID 19 efforts
- All indoor retail spaces to close effective 8pm on March 19
- All places of public amusement to close effective 8pm on March 19
- Mandatory statewide, all businesses must adhere to no more than 50% workforce on premises. (exempts essential services, food, pharmacies, healthcare, shipping, supplies, etc.)

*PA will join NY, CT, and NJ in the restaurant, bar, casino closure compact.*

### **March 18 ([No. 202.6](#))**

#### **The Big Points:**

- All businesses and npo required to reduce in-person workforce for 50% by 8pm on March 20 (exempts essential services)

## **March 19 ([No.202.7](#))**

### **The Big Points:**

- Public Officers law expanded to allow for virtual or electronic participation
- All barbershops, salons, tattoo & piercing studios required to close by March 21 at 8pm
- All employers required to reduce in-person workforce by 75% by March 21 at 8pm (exempts essential services)

## **March 20 ([No. 202.8](#))**

### **The Big Points:**

- PAUSE Act
  - 100% telecommunicate (essential services exempt)
  - NO evictions for 90 days
  - Dept. Motor Vehicle by apt. only
  - Tax & finance to abate late filings for 60 days
  - Courts to limit operations

*Hospitals instructed to double room capacity (current capacity is 50k)*

## **March 21 ([No. 202.9](#))**

### **The Big Points:**

- Department of Financial Services to promulgate emergency regulations addressing mortgage and other payments/fees for consumers and entities facing financial hardship due to COVID 19

## **March 23 ([No. 202.10](#))**

### **The Big Points:**

- Expands individuals authorized to practice and treat patients in NYS
- Restricts the prescription of hydroxychloroquine or chloroquine except for FDA approved indication or for COVID 19 purposes
- Non-essential gatherings of individuals of ANY SIZE required to cancel or postpone

## **March 27 ([No. 202.11](#))**

### **The Big Points:**

- Extends the authority of different medical and care professionals to practice within the State
- Voids earning limitations for retired individuals during the COVID 19 pandemic if employed to support State
- Schools to remain closed until April 15 (and suspends Spring Break)

- Districts must continue to provide remote instruction for students, meals and childcare

### **March 28 [\(No. 202.12\)](#)**

#### **The Big Points:**

- Postpones the presidential primary to June 23 (versus April 28)
- Postpones previously scheduled special elections in New York to June 23
- Clarifies a previous order extending the parties allowable in a delivery room to include (+1)

### **March 30 [\(No. 202.13\)](#)**

#### **The Big Points:**

- Moves all school board, library board, or village election scheduled to take place in April or May of 2020 to (at least) June 1
- Extends the order for all non-essential staff to work from home to April 16
- Clarifies “essential employee” in the construction industry

### **April 7 [\(No. 202.14\)](#)**

#### **The Big Points:**

- Extends the Governor’s authority to modify policy and regulation due to COVID until May 7
- Extends any of the directives put in place in prior EOs unless otherwise stated
  - Includes suspension some Open Meeting Law aspects
- Requires all medical equipment being housed at other facilities around the state to be reported to DOH
- Extends PAUSE act until April 29 which includes non-essential staff telecommuting, school closures and the prohibition of gatherings
  - School districts must continue plans for alternative instructional options, distribution and availability of meals, and childcare
- Increases the fine for disregarding social distancing from \$500 to up to \$1000
- Extends payment of insurance premiums for small or child-based health to June 1
- Modifies the Estate and Trust Law

### **April 9 [\(No. 202.15\)](#)**

#### **The Big Points:**

- Amends Religious Corp Law in regard to parish elections
- Delays the April 1 child transportation filing requirement for school districts
- Extends those with different medical and tangential fields to continue to practice
- Allows funeral directors from other states to practice in New York

- Public hearings for local/state officials, local government or schools be postponed until June 1 if unable to convene remotely
- Election Law amended so that an absentee ballot can be granted for any election held on or before June 23, 2020
  - Individual can apply electronically, with no requirement for in-person signature or appearance to be able to access an absentee ballot

#### **April 12 ([No. 202.16](#))**

##### **The Big Points:**

- Permit individuals to perform testing for the detection of SARS-CoV-2 and its antibodies
- NYC specific “no action” “no filing” letters for affordable housing, homeless shelters and other essential projects
- All political caucus required to take place in April or June postponed until June 1
- All essential businesses required to provide face coverings for employees when they are in direct contact with customers or members of the public

#### **April 15 ([No. 202.17](#))**

##### **The Big Points:**

- Effective Friday, April 17 at 8pm – everyone over the age of 2 must wear a face-covering in public when they cannot maintain a safe, social distance (i.e. Grocery shopping, pharmacy, liquor store)

#### **April 16 ([No. 202.18](#))**

##### **The Big Points:**

- Extends PAUSE thru May 15
  - Includes closure of schools (alternative curriculum, distribution of food, 180-day rule extension), non-essential WFH order, gathering restriction
- Expansion of 202.17 requiring passengers and operators of for hire transportation to wear a face-covering
- Requires nursing homes and similar facilities to notify family members within 24 hours if their loved one tests positive or dies due to COVID 19
- Waives the 15-day waiting period in which a service retirement application must be on file before it becomes effective (retirement death benefit for COVID 19)
- Allows for all new clients to be provided services under the Expanded In-Home Services for the Elderly Program without payment until future date where the individual can be assessed
- Expands the Not-for-Profit Corporations Law to allow annual meetings of members to be held remotely or by electronic means
- Allows those 60+ to receive home-delivered meals who previously were ineligible (softens requirements)

- Permits pharmacy technicians and pharmacists to practice at an alternative location, including their home, as long as there is adequate security to prevent any Personal Health Information from being compromised

#### **April 17 ([202.19](#))**

##### **The Big Points:**

- Provides businesses that receive the federal Paycheck Protection Program funding (and subsequently rehires employees,) flexibility in regard to the required notice beyond 90 days
- Requires the DOH to establish a single, statewide coordinated testing prioritization process
  - Must include all laboratories in the state, both public and private
  - Laboratories must prioritize testing of entities or individuals as directed by this coordinated statewide process
    - Up to \$10,000 civil penalty for labs that do not comply with policy
- Increases fine from 202.18 in regard to state-notification from nursing homes to \$2000
- Prohibits local governments and local DOH from implementing any policy that would impede or supersede a state COVID 19 related directive

#### **April 18 ([202.20](#))**

##### **The Big Points:**

- Waives the 60-day ceremony requirement for those with marriage licenses that will expire due to COVID 19
  - Waives the fee for obtaining a secondary license
- Through May 18<sup>th</sup>, allows marriage license applications, marriage license distribution, or witnessing or solemnizing of marriage ceremonies using audio-video technology
  - Full list of requirements in EO

#### **April 19 ([202.21](#))**

##### **The Big Points:**

- Expands EO 202.20 to allow any officiant, public or private, to perform or solemnize marriage ceremonies utilizing audio-video technology

#### **April 19 ([202.22](#))**

##### **The Big Points:**

- Makes amendments to the Real Property Tax Law
  - Allows, at local option, for assessment rolls to be filed up to 30 days later than required by law previously

- Places a 10-day range for the Commissioner of T&F to certify different rates in regard to tax levies for municipal corporations
- Amends the Laws of Westchester County:
  - Allows the WC Executive to negotiate with town or city officials for a decrease of taxes, levies and special assessments and enforcement of penalties
  - Requires Town Supervisor to waive penalty fees for tardy payment of county and county district taxes
- Extends the deadline to June 1, for payment of final school taxes in Nassau County

#### **April 24 ([202.23](#))**

##### **The Big Points:**

- Directs the Board of Elections to send all voters an absentee ballot application (with return postage) for primary and special elections occurring on June 23
- Authorizes the Commissioner of Health to suspend or revoke operating certificates for nursing or adult care facilities are not in compliance with State policies and new regulations
- Postpones all state senate and assembly special elections that were to occur on April 28 to June 23

#### **April 25 ([202.24](#))**

##### **The Big Points:**

- Authorizes licensed pharmacists to order COVID-19 tests
- Permit licensed pharmacists to test patients suspected of a COVID-19 infection or its antibodies
- Cancels the special election for City Council – 37<sup>th</sup> district

#### **April 29 ([202.25](#))**

##### **The Big Points:**

- Authorizes the Commissioner of Health to approve and certify temporary, dedicated birthing sites
- Expands EO 202.13 in regard to allowable persons in the delivery room to include a support person and/or a doula
- Amends EO 202.10 to allow for elective surgeries at certain hospitals
  - At least 30 percent of hospital and intensive care unit beds must be available
  - Less than 10 COVID positive patients
    - 35 counties approved as of 4/30

## May 1 ([202.26](#))

### The Big Points:

- Amends Election Law (see below)
  - Removes bid process for Board of Elections to provide absentee ballots
  - Requires districts to send report cards to SED by May 22 (18 days)
    - Department to compile data for district no later than June 2 (7 days)
  - All school district elections (minus big 5) will be moved to June 9
    - Schools boards required to provide 2 notices to public by May 13 (28 days)
    - This is a reduction from the typical 4 within 45-49 days
    - EO does not provide new timeline for budget hearing, as such it should be held 7-14 days before June 9
    - Postcard to include date of election, date of hearing, definition of qualified voter and an absentee ballot
  - Authorizes school district libraries to conduct election/budget on June 9 via absentee ballot OR independently (libraries request)
  - No petition requirement for trustee
    - Any candidate who meets the minimum statutory requirements for Board members may and should be placed on the ballot, in alphabetical order
    - Any such candidate would need to declare within 30 days prior to the June 9 vote (the usual deadline for submitting a nominating petition)
  - Confirms that public and association libraries may place propositions on school district absentee ballot
  - Eliminates the need for absentee ballot application for all library elections happening before July 1 – voters to be automatically mailed ballot with paid postage
  - Any special district, including library, that conducts an election or budget vote is rescheduled to September 15 (exclusion for school district – held June 9)
    - Petitions are suspended until further notice (forthcoming EO)
  - All village election moved to September 15
    - All party nominations shall be made by party caucus
    - All independent nominations for a village election are postponed (forthcoming EO)
    - Village officials elected on 9.15 to assume office as soon as the statement of canvass is filed with the village clerk

## May 5 ([202.27](#))

### The Big Points:

- Extends any prior Executive Order (202-202.26) that allowed an individual to practice a profession in the state of New York, without a current New York State licensure, or registration, by thirty days



## May 7 [\(202.28\)](#)

### The Big Points:

- Until June 6:
  - All executive orders, 202 -202.14 are extended until June 6 unless otherwise suspended by 202.28. Suspensions include:
    - NYCRR/Education Law regarding practitioners and paramedics practicing in NYS
    - Mental Hygiene Law regarding community residential facilities, transfer and discharge of patients and, case management
    - Public Health Law changes regarding EMS
  - Security deposits for residential properties may be used for rent
    - Tenants should be eligible for unemployment insurance or otherwise facing financial hardship
    - Optional (not requirement)
      - Payments to replenish deposit to begin no later than 90 days after use, at 1/12 the amount used per month
      - All codes related to construction, energy conservation, building codes and all state and local laws which would have otherwise been superseded (that are under OPWDD jurisdiction)
- No evictions of residential or commercial properties through August 5 (60 days beginning June 20)
- All schools statewide remained closed through their academic year
  - Districts must continue to provide alternative instruction, distribution of meals and childcare
- No landlord to charge late rent fee from 3/20-8/20
- Any absentee ballot application mailed by BOE must only list primary and special elections for June 23
  - BOE responsible for providing instructions to voters for completing application
- EO 202.8 amending Criminal Procedure Law is further modified. Changes include electronic appearances and hearings.

## May 8 [\(202.29\)](#)

### The Big Points:

- Extends the State of Emergency that allows EO 202.15-202.21 to remain in effect until June 7
  - NY PAUSE to expire on May 15

## May 10 [\(202.30\)](#)

### The Big Points:

- Requires all nursing homes and all adult care facilities, including all adult homes, enriched housing programs and assisted living residences to test personnel twice a week for COVID 19 (until June 10)
  - Any positive test result must be reported to DOH by 5pm the day following test result
- All nursing homes and adult care facilities required to provide the DOH a certification of compliance with this Executive Order by May 15

- Any facility that does not comply will have their operating certificate suspended or revoked
- Initial fine of \$2000 for non-compliance
  - Building penalty up to \$10,000 per violation/per day
- Any personnel of a nursing home or adult care facility who refuse to be tested for COVID-19 is considered to have outdated records & health assessments and should be prohibited from practicing
- General hospitals may not discharge patients to a nursing home unless the recipient facility can certify they are able to properly care for the patient
  - In addition, patients cannot be discharged until they have a negative COVID result

#### **May 14 (202.31)**

##### **The Big Points:**

- Extends the state disaster declaration until June 13
- Extends NY PAUSE until May 28
  - In effect for regions until they meet the benchmarks needed for Phase One

#### **May 21 (202.32)**

##### **The Big Points:**

- Allows clinical laboratories to accept and examine specimens for COVID-19 testing, from personnel of nursing homes and adult care facilities
- Allows physicians to order COVID-19 tests for individuals not previously listed as patients
- Extends the deadline for property tax payment by 21 days for requested areas
- Allows racetracks to open, state-wide, without fans
- Allows gatherings of 10 or less for Memorial Day celebrations and religious purposes

#### **May 22 (202.33)**

##### **The Big Points:**

- Permits gatherings of 10 or less for any occasion moving forward

#### **May 29 (202.34)**

##### **The Big Points:**

- Authorizes business operators and building owners (and their employees) to deny access to or request an individual's departure from their premises if they do not adhere to EO 202.17 (mask or face covering over the age of 2)
  - Businesses must apply directive in a manner consistent with the American with Disabilities Act and Human Rights Law

#### **May 29 (202.35)**

##### **The Big Points:**

- Expands the list of eligible businesses and entities to re-open under NY Forward – Phase 2
  - Includes: Professional Services; Administrative Support; Information Technology; Real estate services; Building and Property Management; Leasing, Rental, and Sales

Services; Retail In-store Shopping; Rental, Repair, and Cleaning ; Barbershops and Hair Salon (limited services), and Motor Vehicle Leasing, Rental, and Sales

- Permits five regions to begin Phase Two on Friday, May 29 at 1:00pm
  - Finger Lakes, Central New York, Mohawk Valley, Southern Tier, and the North Country
- Other regions become eligible when/if they continue to meet CDC criteria and approval of health experts as chosen by the state (minimum of 14 days between phases)

### **June 2 (202.36)**

#### **The Big Points:**

- Extends the period to pay property tax without interest or penalty for areas where the Chief Executive Officer requested such
- Retroactively extends payment for a village in Nassau County by 21 days
- Through July 2, allows for questionnaires completed through electronic means to be sufficient for practitioner-patient relationship
- Lists the entities in-eligible to open under Phase Two
- Allows auto racetracks to begin operation on June 3 (no spectators)
- Allows outdoor, low-risk recreational activities in any region that meets DOH Phase One metrics

### **June 5 (202.37)**

#### **The Big Points:**

- Requires school districts to provide special education services and instruction, in-person, for the Summer term

### **June 6 (202.38)**

#### **The Big Points:**

- Extends EOs 202-202.14 and 202.27-202.28 until July 6
- Authorizes commercial building owners and operators to require individuals to undergo temperature checks before being admitted
  - If individual refuses, operators may refuse admittance
- Allows restaurants and bars to serve patrons outdoors
  - Must comply with DOH guidance
  - Businesses may expand area of service under SLA
- EO 202.35 modified to allow services in houses of worship at 25% or less, provided they are in Phase Two
  - Must comply with DOH guidance

### **June 7 (202.39)**

#### **The Big Points:**

- Extends the period for absentee ballot retrieval for school districts to include:
  - June 9 at 5pm - hand delivery
  - June 16 at 5pm – mail delivery
- Exempts school districts from completing APPR for the 2019-20 school year
- Allows BOE or trustees, with specific agreement by a superintendent, to with (a) appoint tenure to classroom teachers and principals or (b) extend determination by one-year
- Modifies EO 202.38 allowing restaurants and bars to serve patrons outdoors
  - Regions in Phase Two only

- Modifies EO 202.4 that required local governments to allow non-essential personnel to work from home/not charge accruals to:
    - Apply only to local governments that have not met Phase 2
- In addition:
- Once a local government has operated under Phase Two, for two weeks, they may bring all non-essential employees back

### **June 10 (202.40)**

#### **The Big Points:**

- Modifies 202.3 regarding the testing of nursing home and adult care facility staff to include those in Phase Two Only; once per week
- Allows school districts to hold a revote, no sooner than July 9, if their original budget vote fails on the 16th

### **June 13 (202.41)**

#### **The Big Points:**

- Declares entities eligible to open under Phase Three
  - May begin June 12 (Finger Lakes, CNY, Mohawk Valley, Southern Tier and the North Country)
  - Other regions will begin P3 in chronological order to when they meet CDC criteria and have operated under P2 for at least two weeks
- Extends EO 202.35 & 202.38 regarding the postponement, cancellations or restriction of non-essential gatherings (i.e. NY PAUSE) until further notice and by act of new EO

### **June 15 (202.42)**

#### **The Big Points:**

- Modifies previous EO (NY Pause) regarding permissible gathering sizes. As of today, groups of 25 or less may gather in regions that are operating under Phase 3.

### **June 19 (202.43)**

#### **The Big Points:**

- Through July 18:
  - Allow the Nassau County Executive to extend the final payment of school taxes until July 1, 2020
  - For victims of crime of domestic violence:
    - Allows for awards for relocation expenses to include temporary lodging (hotels/motels)
    - Expands the definition of criminal justice agency to include certified residential program for victims of domestic violence
    - Clarifies the review measures taken by the Office of Victim Services for claims of violence
  - Requires businesses serving alcohol (for on-premise or take-out) to inspect, monitor, and supervise the area within 100 feet of their licensed premises
    - Goal is to ensure that any consumption of food or beverage comports with the applicable open container ordinances, and the social distancing and face covering requirements
    - If they fail to do so, the SLA and DoH may order an immediate halt of service
  - Allows for county DMV to resume in-person transaction, by appointment only, in regions operating under Phase 3

- Extends the due date for property tax by 3 weeks for counties/villages of request (full list in order)

## June 21 (202.44)

### The Big Points:

- Extends the following, previously modified laws, until July 21
  - Property Tax Law
    - Allows for tentative & final tax rolls to be filed up to 30 days late as well as modifying hearing deadline (21 days after filing) and notice (online only)
    - Authorizes the Commissioner of DoTF to certify final rates and ratios within 10 days of that set by law
  - Education & Public Health Law
    - Allows licensed pharmacists to continue ordering and operating limited laboratory tests (COVID and anti body)
    - Allows physicians to order COVID 19 tests for self collection without having a prior physician-patient relationship
    - Allows clinical labs to accept and examine COVID tests from nursing and adult care facilities and report results to originating facility
    - Allows the CoH to suspend or revoke operating licenses of nursing or adult care facilities that do not comply with prior EO
    - General hospitals, ambulatory surgery center, office-based surgery practices and treatment centers must continue to meet CDC and NY Forward standards (bed capacity, elective surgery, general operations)
    - Allows for those practicing under a previous EO that may not be licensed or registered in NY, to continue for an additional 30 days for COVID-19 response
  - NYCRR
    - Allows DoH to approve and certify dedicated birthing sites
  - Election Law
    - Any and all village and town elections are scheduled for September 15
      - Party nominations made by party caucus no later than August 20
        - Must be filed by August 22
      - All independent nominations are postponed until NY Pause is suspended
      - For any village or town election that had its ballot fully determined by June 21, may proceed with the same ballot and does not need to reprint(allows for inaccurate election date to be listed)
      - Any provision of the election law or village law that was used to conduct an election from March – June applies to September 15 election
      - Officials elected on September 15 assume office as the statement of canvass is filed with the clerk.
        - Term of office is same as if the election had taken place on original date
    - Clarifies that any voter that is eligible to vote in a primary or special election (held on June 23) should have been send an absentee ballot with paid return postage
    - Permits absentee ballots submitted by an eligible voter to be cast and canvassed, for a cancelled or rescheduled election, UNLESS they appear to vote on the new date

- Requires the BoE of any election held before July 1, to maintain a voting system that allows for private and independent ballot submission
  - Allows Supreme Courts to hear election matters on election day by phone or video conference
  - Prohibits absentee ballots from being distributed at facilities but rather by mail or personal delivery (to individual)
  - State Assembly & Senate special elections remain cancelled and will be filled at general election
  - Queens Borough President election remains cancelled and will be filled at general election
  - The special election for 37<sup>th</sup> D City Council remains cancelled and will be filled at the general election
  - Reconfirms that special districts elections including libraries are rescheduled to September 15 and that collection of signatures for nominations remains suspended until further notice
  - Circulation, filing and collection of any independent nomination petitions for any office under EL or special election (under 202.13) remains suspended
- Misc.
    - Racetracks are eligible to operate as of June 1, provided that no fans are in attendance and only essential personnel are on site