

FLORIDA GOVERNOR'S COVID-19 EXECUTIVE ORDERS A SUMMARY

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This outline summarizes for the Condominium and Planned Development Law practitioner Florida Governor DeSantis' Executive Orders concerning the COVID-19 pandemic State of Emergency through **EO-2020-244 issued September 25, 2020**, and selected supplemental materials.

The Orders are organized in chronological order. The outline's headings for Orders which have been amended or modified include references to the later Orders.

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<https://www.flgov.com/2020-executive-orders/>

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Internet hyperlinks are provided for cited sources. Please note that these orders are subject to judicial review.

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GOVERNOR'S EXECUTIVE ORDERS

EU 20-51, Coronavirus Response Protocol and Directs Public Health Emergency (March 1, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-51.pdf

- Directs the declaration of a public health emergency in the State of Florida.
- Directs the State Health Officer to follow the guidelines established by the CDC in establishing protocols to control the spread COVID-19, and educate the public on prevention.
- Designates the Florida Department of Health as the lead state agency to coordinate emergency response activities among the various state agencies and local governments.
- Florida Department of Health will actively monitor, at a minimum, all persons meeting the definition of a Person Under Investigation ("PUI") as defined by the CDC for COVID-19 for a period of at least 14 days or until the PUI tests negative for COVID-19. Active monitoring by the Florida Department of Health will include at least the following:
 - Risk assessment within 24 hours of learning an individual meets the criteria for a PUI.
 - Twice-daily temperature checks.
- The Florida Department of Health to make its own determinations as to quarantine, isolation and other necessary public health interventions as permitted under Florida law.

EO 20-52, COVID-19 Public Health Emergency (March 9, 2020, Expires in 60 Days Unless Extended [May 8, 2020], EO-114 Extends for 60 days from May 8, 2020[July 7, 2020]. EO-166 Extends 60 days from July 7, 2020 [September 5, 2020], Extended by EO 20-213 (September 4, 2020) for 60 days [November 3, 2020]).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-52.pdf

- Declaration of a State of Emergency.
- Director of the Division of Emergency Management ("Director") is the State Coordinating Officer for the duration of this emergency, directed to execute the State's Comprehensive Emergency Management Plan.
- State Coordinating Officer authorized to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of Section 252.33, Florida Statutes, including to:
 - Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.
 - Designate additional Deputy State Coordinating Officers, as necessary.
 - Suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this emergency.
 - Enter orders as may be needed to implement any of the foregoing powers; however, the requirements of Sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such orders issued by the State Coordinating Officer; however, no such order shall remain in effect beyond the expiration of this Executive Order, to include any extension.

- The Adjutant General to activate the Florida National Guard, as needed, to deal with this emergency.
- The requirements of Sections 252.46 and 120.54(4), Florida Statutes, generally addressing budgeting do not apply to any such suspension issued by the Executive Office of the Governor.
- Each State agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency.
- Pharmacists may dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state and local agency but who do not reside in an area or county covered by this Executive Order.
- Each political subdivision within the State of Florida may waive the procedures and formalities otherwise required of the political subdivision by law pertaining to many areas of administration.
- Closure of State buildings authorized.
- Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

EO 20-68, Bars, Beaches and Restaurants (March 17, 2020, Expires in 30 days [April 16, 2020] Unless Extended, EO-112 extends Section I as modified by EO 20-71, Sections 1 and 2, Section 3.C concerning restaurant screening protocols amended by EO-192 (August 5, 2020).
https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-68.pdf

- Businesses with 50% of gross revenue from on premises alcohol sales shall suspend sales for 30 days from March 17, 2020.
- Public beaches are to follow the CDC guidance by limiting their gatherings to no more than 10 persons, distance themselves from other parties by 6 feet, and support beach closures at the discretion of local authorities.
- Restaurants shall immediately limit its occupancy to 50% of its current building occupancy.
- A restaurant shall follow the CDC guidance by ensuring, at minimum, a 6-foot distance between any group of patrons and limiting parties to no more than 10 individuals.
- The Department of Business and Professional Regulation shall ensure all restaurants implement employee screening and prohibit any employee from entering the restaurant premises if they meet any of the criteria listed below:
 - Any person infected with COVID-19 who has not had two consecutive negative test results separated by 24 hours;
 - Any person showing, presenting signs or symptoms of, or disclosing the presence of a respiratory infection, including cough, fever, shortness of breath or sore throat;
 - Any person who has been in contact with any person(s) known to be infected with COVID-19, who has not yet tested negative for COVID-19 within the past 14 days;

- Any person who traveled through any airport within the past 14 days; or,
- Any person who traveled on a cruise ship within the past 14 days.

EO 20-69, Public Meetings (March 20, 2020, Expires with EO 20-52 [May 8, 2020], Extended EO-112. Extended by EO-123, Extended by EO-139 to June 30, 2020, Extended by EO 20-150 to August 1, 2020, Amended by EO-179 to extend to September 1, 2020, and to December 15, 2020 adding Tax hearing and Value Adjustment Board hearing procedures, As amended, extended by EO-139 to October 1, 2020, Extended by EO-246 to November 1, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-69.pdf

- Concerning local government meetings:
 - Quorum and location requirements are suspended; and,
 - Electronic meeting equipment may be utilized.

EO 20-70, Broward and Palm Beach Closures (March 20, 2020, Expires See Below [March 31, 2020] [Beach Closure Extended by EO 20-90 to Expire with EO 20-52 [May 8, 2020]).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-70.pdf

- All restaurants, bars, taverns, pubs, night clubs, banquet halls, cocktail lounges, cabarets, breweries, cafeterias and any other alcohol and/or food service business establishment with seating for more than ten (10) people within the incorporated and unincorporated areas of Broward County and Palm Beach County to close on-premises service of customers.
 - Such establishments may operate their kitchens for the purpose-of providing delivery services, personnel, contractors and delivery personnel shall be allowed access to such establishments.
 - This Order shall not apply to grocery stores, pharmacies, gas stations and convenience stores, except that those discrete portions of such establishments that provide alcohol and/or food service with seating for more than ten (10) people shall abide by the restrictions in Section I.
 - This order shall not apply to:
 - Delivery services, pick-up or take out service provided by any of the establishments listed above to restaurants that are ancillary to essential services, including the airports, port facilities, secure facilities and hospitals.
 - Other essential services may be determined by the county administrators.
 - All movie theatres, concert houses, auditoriums, playhouses, bowling alleys, arcades, gymnasiums, fitness studios and beaches shall close. This Order shall not apply to gymnasiums or fitness centers which are:
 - Amenities of hotels which have a capacity of 10 persons or less;
 - An amenity of a residential building;
 - Interior to any fire or police stations; or,
 - Located inside any single-occupant office building.
- Closures shall expire:
 - March 31, 2020, but may be renewed upon the written request of the County Administrator.
 - The Broward County Administrator and the Palm Beach County Administrator shall have the ability to enforce, relax, modify or remove these closures, as

warranted, pursuant to the directives and parameters as set forth in Executive Order 20-68.

EO 20-71, Alcohol Sales, Restaurants and Gyms (March 20, 2020, Expires with EO 20-52 [May 8, 2020], EO-112 restates gym closures and supersedes the conflicting provisions of Executive Order 20-71. Section 2 regarding on-premises food consumption, and permits certain elective medical procedures. EO-139 extends non-conflicting provisions in 1 and 2).
https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-71.pdf

- Concerning the sale of alcoholic beverages, amending and superseding Executive Order 20-68, Section 1:
 - Suspends licensed vendors sale of alcoholic beverages for consumption on the premises by the drink or in sealed containers for consumption on the premises.
 - Licensed vendors may continue to sell alcoholic beverages in sealed containers for consumption off-premises.
 - The restriction in section 561.20(2)(a)4., Florida Statutes, prohibiting a specially licensed food service establishment from selling package sales of alcohol for delivery, take-out or consumption off-premises is suspended for restaurants complying with Executive Order 20-68, through the expiration of the State of Emergency declared in Executive Order 20-52, including any extensions, so long as the following conditions are met:
 - Any sale of an alcoholic beverage in a sealed container for consumption off premises is accompanied by the sale of food within the same order; and,
 - Any delivery of an alcoholic beverage complies with Section 561.57, Florida Statutes.
 - Refund restrictions are suspended for certain sales of alcoholic beverages purchased for events canceled in response to COVID-19.
- Concerning restaurants and food establishments licensed under Chapters 500 and 509, Florida Statutes, within the State of Florida, amending and superseding Executive Order 20-68, Section 1.
 - Suspended on-premises food consumption for customers.
 - Notwithstanding the foregoing, such establishments may operate their kitchens for the purpose of providing delivery or take-out services.
 - Employees, janitorial personnel, contractors and delivery personnel shall be allowed access to such establishments for the purposes of delivery or take-out services.
- Gymnasiums and fitness centers within the State of Florida are closed, except if:
 - Amenities of hotels which have a capacity of 10 persons or less;
 - An amenity of a residential building;
 - Interior to any fire or police stations; or,
 - Located inside any single-occupant office building.
- Implementation by Department of Business and Professional Regulation, and state and local law enforcement.

EO 20-72, Non-Essential Elective Medical Procedures (March 20, 2020, Expires with EO 20-52 [May 8, 2020]).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-72.pdf

- Prohibits medically unnecessary, non-urgent or non-emergency procedure or surgery which, if delayed, does not place a patient's immediate health, safety, or wellbeing at risk, or will, if delayed, not contribute to the worsening of a serious or life-threatening medical condition. Accordingly, all health care practitioners licensed in the State of Florida, including dentists, shall immediately cease performing these elective services.
 - Examples of procedures to delay may include, but are not limited to, some endoscopy, most cataract and lens surgeries, non-urgent spine and orthopedic procedures, and cosmetic procedures.
 - Permissible procedures include, but may not be limited to, removal of a cancerous tumors, transplants, limb-threatening vascular surgeries, trauma-related procedures, and dental care related to the relief of pain and management of infection.
- Implementation by The Agency for Health Care Administration and the Department of Health.

EO 20-80, Airport Screening and Isolation (March 23, 2020, Expires with EO 20-52 [May 8, 2020], 1(A) Modified by 20-86, Extended by EO 20-112, April 29, 2020, Extended by EO-114, Extended by and see exceptions in EO-139).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-80.pdf

- Effective March 24, 2020, all persons whose point of departure originates from outside the State of Florida in an area with substantial community spread, to include the New York Tri-State Area (Connecticut, New Jersey and New York), and entering the State of Florida through airports to isolate or quarantine for a period of 14 days from the time of entry into the State of Florida or the duration of the person's presence in the State of Florida, whichever is shorter.
 - This Order shall not apply to persons employed by the airlines and those performing military, emergency or health response. This Order shall take effect on March 24, 2020 at 12:01 a.m.
 - All persons isolating or quarantining under this Section, shall be responsible for all costs associated with that person's isolation or quarantine, including transportation, lodging, food, medical care and any other expenses to sustain the person during the period of isolation or quarantine.
- Florida Department of Health to implement with assistance of local law enforcement and local officials.
- Any person who violates any isolation or quarantine directed by the Department of Health commits a misdemeanor of the second degree, which is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both. *See* § 381.00315(6), Fla. Stat.

EO 20-81, Extends 20-12 Concerning Hurricane Michael (March 24, 2020, Expires, See Below).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-81.pdf

- The State of Emergency declared in Executive Order 18-276, amended by Executive Order 18-277, and extended by Executive Order 18-360, 19-33, 19-98, 19-134, 19-176, 19-207, 19-261, and 20-23 will be extended for 60 days following the issuance of this Order.

EO 20-82, Isolation of Individuals Traveling to Florida (March 24, 2020, Expires, See Below, Generally EO 20-52 [May 8, 2020]. 1(A) Modified by 20-86, EO-139 Extends with Certain Exceptions).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-82.pdf

- All persons who enter the State of Florida from an area with substantial community spread, to include the New York Tri-State Area (Connecticut, New Jersey and New York), to isolate or quarantine for a period of 14 days from the time of entry into the State of Florida or the duration of the person's presence in the State of Florida, whichever is shorter.
 - Exceptions: persons employed by the airlines and those performing military, emergency or health response.
 - Effective immediately and applies retroactively to all persons who have entered Florida after being in any area with substantial community spread within the previous 14 days.
 - All persons isolating or quarantining under this Section shall be responsible for all costs associated with their isolation or quarantine, including transportation, lodging, food, medical care and any other expenses to sustain the person during the period of isolation or quarantine.
 - All covered persons to inform any individual in Florida with whom they have had direct physical contact in the past 21 days that they traveled from an area with substantial community spread.
- Expires upon the expiration of Executive Order 20-52, including any extensions, or upon an Executive Order lifting the isolation or quarantine after advice from the State Health Officer and Surgeon General.
- Enforcement:
 - Second-degree misdemeanor pursuant to section 252.50, Florida Statutes, and is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both.
 - State, county and local law enforcement authorities. Any law enforcement authority that interacts with a person in violation of this Order shall immediately report the individual, along with personal identifying and contact information, to the Florida Department of Health.
- Every state and county attorney, sheriff, police officer, and other appropriate city and county officials upon the request to assist the Department of Health in enforcing any isolation or quarantine, state health law and order of the Department of Health issued pursuant to this Order.

EO 20-83, Protective Measures for Vulnerable Populations, Gatherings of Private Citizens and Density of the Workforce (March 24, 2020, Expires with EO 20-52 [May 8, 2020]).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-83.pdf

- Public Health Advisories to all persons:

- Over 65 years of age urging them to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19
- That have a serious underlying medical condition that places them at a high risk of severe illness from COVID-19. Consistent with CDC guidance, such conditions include, but not limited to, chronic lung disease or moderate to severe asthma; serious heart conditions; immunocompromised status, including those in cancer treatment; and severe obesity. The Surgeon General's advisory must urge these persons to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19.
- Against all social or recreational gatherings of 10 or more people.
- Who can work remotely urging them to do so.
- Any action(s) taken or document(s) issued by the State Surgeon General and State Health Officer pursuant to this Executive Order shall not constitute a rule as defined in section 120.52(16), Florida Statutes, and are specifically exempted from any and all requirements or procedures outlined in chapter 120 and section 252.46, Florida Statutes.

EO 20-86, Additional Requirements of Certain Individuals Traveling to Florida (March 27, 2020, Expires with EO 20-52 [May 8, 2020], EO-112 Extended Sections I (C) and I (D). SUPERSEDED BY EO-139).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-86.pdf

- Section 1.
 - A. I hereby direct all persons who enter the State of Florida from an area with substantial community spread, to include the State of Louisiana, inclusive of those entering the State of Florida by roadways, to isolate or quarantine for a period of 14 days from the time of entry into the State of Florida or the duration of the person's presence in the State of Florida, whichever is shorter. This section shall not apply to persons performing military, emergency, health or infrastructure response, or persons involved in any commercial activity. This Order shall take effect immediately and apply retroactively to all persons who have entered Florida after being in any area with substantial community spread. All persons isolating or quarantining under this Section shall be responsible for all costs associated with their isolation or quarantine, including transportation, lodging, food, medical care and any other expenses to sustain the person during the period of isolation or quarantine.
 - B. I hereby direct all persons covered under Section 1 (A) of this Order to inform any individual in Florida with whom they have had direct physical contact in the past 21 days that they traveled from an area with substantial community spread.
 - C. I direct the establishment of appropriate checkpoints on the roadways for those persons and vehicles entering the State of Florida and to require those persons to provide information, including in a written form, regarding the origin of their travel and on the address of their location of isolation or quarantine for a period of 14 days. I further direct the Florida Department of Transportation to facilitate locations for appropriate checkpoints, including at welcome centers and rest stops, and to facilitate the placement of road signs and advisories to provide information on this Order and to direct traffic to the appropriate checkpoint.

- D. Pursuant to sections 252.36(5)(b) and 252.47, Florida Statutes, the Florida Highway Patrol and County Sheriffs are directed to assist with the establishment of appropriate checkpoints, the flow of traffic to those checkpoints and any enforcement actions.
- Section 2. Failure to follow Section I of this Order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes, and is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both.
- Section 3.
 - A. Pursuant to section 252.47, Florida Statutes, I hereby direct all state, county and local law enforcement authorities to enforce this Order. Any law enforcement authority that interacts with a person in violation of Section 1 (A) of this Order shall immediately report the individual, along with personal identifying and contact information, to the Florida Department of Health.
 - B. Pursuant to section 38 1.0012(5), Florida Statutes, "it shall be the duty of every state and county attorney, sheriff, police officer, and other appropriate city and county officials upon the request to assist the Department of Health" in enforcing any isolation or quarantine, state health law and order of the Department of Health issued pursuant to this Order.
 - Section 4. To the extent necessary, the exceptions of this Executive Order are applicable to Executive Order 20-80, Section 1 (A) and 20-82, Section 1 (A).
 - Section 5. This Executive Order shall expire upon the expiration of Executive Order 20-52, including any extensions, or upon an Executive Order lifting the isolation or quarantine after advice from the State Health Officer and Surgeon General.

EO 20-87, Vacation Rental Closures (March 27, 2020, Expires in 14 days, Extended to duration of EO-112, EO-123 Allows Counties to Obtain Exemption).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-87.pdf

- Section 1. Vacation Rentals. I hereby order all parties engaged in rental of vacation rental properties, as defined in section 509.242(1)(c), Florida Statutes, to suspend vacation rental operations. Vacation rentals are prohibited from making new reservations or bookings and shall not accept new guests for check in for the duration of this order. This directive shall include the:
 - A. Rental of any house, condominium, cooperative, or dwelling unit that is also a transient public lodging establishment, as defined under Section 509.013(4)(a), Florida Statutes; and ,
 - i. Which is rented for periods of less than 30 days or 1 calendar month, whichever is less;
 - ii. Which is advertised or held out to the public as a place regularly rented to guests; or,
 - iii. Which is otherwise regulated by the Department of Business and Professional Regulation ("DBPR") as a vacation rental pursuant to section 509.241, Florida Statutes.
 - B. This directive shall not include the following:
 - i. Hotels, motels, inns, resorts, non-transient public lodging establishments, or time share projects;

- ii. Long-term rentals;
 - iii. Rental stays where guests are currently staying in a vacation rental or have previously booked a stay and are scheduled to check-in no later than March 28, 2020; or,
 - iv. Rentals to persons performing military, emergency, governmental, health or infrastructure response, or travelers engaged in non-vacation commercial activities.
- Section 2. Violations of the Order:
 - A. DBPR shall supplement this directive with guidance or directives as necessary to implement the order and shall take steps necessary to inspect licensed properties or third-party platforms whereby Florida vacation rentals may be advertised.
 - B. DBPR shall revoke the vacation rental license of any party that violates this Order or otherwise advertises vacation rental opportunities during the duration of this Order;
 - C. DBPR shall alert the state authorities to evidence of violations or attempts to violate this Order; and,
 - D. Parties that violate this Order or attempt to violate the Order through advertising or other means of solicitation may be charged with a second-degree misdemeanor, punishable as provided in Sections 775.082 or 775.083, Fla. Stat.

EO 20-88, Reemployment of Essential Personnel (March 30, 2020, Expires with EO 20-52 [May 8, 2020]).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-88.pdf

- Extends time for retirement for Florida Retirement System participants in the DROP or similar programs.
- Applies to:
 - Law enforcement officers;
 - First responders, emergency management and public safety personnel;
 - Health and medical professionals; and,
 - Other critical COVID-19 response personnel as identified and determined by a state Agency head.
- Limitations.

EO 20-89, Public Access Restrictions: Miami-Dade, Broward, and Palm Beach [and Monroe] Counties (March 30, 2020, Expires April 15, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-89.pdf

- Miami-Dade County, Broward County, Palm Beach County and Monroe County shall restrict public access to businesses and facilities deemed non-essential pursuant to the guidelines established by Miami-Dade County pursuant to its March 19, 2020 Emergency Order 07-20, and as modified by subsequent amendments and orders prior to the date of this Order.
 - Attached to the Executive Order is the Miami-Dade Order 07-20 with the listing, and three amendments.

- At their discretion, such county administrators may determine additional "essential" retail and commercial establishments or other institutions providing essential services-that shall not be subject to complete closure.
- No county or local authority may restrict or prohibit any "essential" service from performing a function allowed under this order.
- Essential service establishments not subject to closure shall continue to determine, adopt and maintain reasonable measures to ensure sanitation and cleanliness of premises and items that may come into contact with employees and the public, and such establishments shall take reasonable action to ensure that people adhere to the CDC's social distancing guidelines.
- The above-named counties shall not institute curfews pertaining to transit to or from the essential service establishments.

EO 20-90, Broward and Palm Beach Closures (March 31, 2020, Expires with EO 20-52 [May 8, 2020]).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-90.pdf

- The Broward County Administrator and the Palm Beach County Administrator shall have the ability to enforce, relax, modify or remove these beach closures, as warranted, pursuant to the directives and parameters set forth in Executive Order 20-68, Section 2.

EO 20-91, Essential Services and Activities During COVID-19 Emergency (April 1, 2020, Effective April 3, 2020, Expires April 30, 2020) (Extended by EO-111 to 12:01 am May 4, 2020, SUPERSEDED BY EO-139).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-91-compressed.pdf

- Senior citizens and individuals with a significant underlying medical condition shall stay at home and take all measures to limit the risk of exposure to COVID-19.
- All persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities.
 - Essential services means and encompasses the list detailed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, v. 2 (March 28, 2020) (attached) and any subsequent lists published.
 - Essential services also include those businesses and activities designated by Executive Order 20-89 and its attachment which consists of a list propounded by Miami-Dade County in multiple orders.
 - Other essential services may be added under this Order with the approval of the State Coordinating Officer, in close coordination with the State Health Officer. The State Coordinating Officer shall maintain an online list of essential services, as specified in this Order along with any approved additions. The online list shall be available on the Division of Emergency Management's website at www.floridadisaster.org and the Florida Department of Health's website at www.floridahealth.gov.

- All businesses or organizations are encouraged to provide delivery, carry-out or curbside service outside of the business or organization, of orders placed online or via telephone, to the greatest extent practicable.
- Essential activities means and encompasses the following:
 - Attending religious services conducted in churches, synagogues and houses of worship;
 - Participating in recreational activities (consistent with social distancing guidelines) such as walking, biking, hiking, fishing, hunting, running, or swimming;
 - Taking care of pets;
 - Caring for or otherwise assisting a loved one or friend;
 - Other essential activities may be added to this list with the approval of the State Coordinating Officer, in close coordination with the State Health Officer. The State Coordinating Officer shall maintain an online list of essential activities, as specified in this Order along with any approved additions; and,
 - A social gathering in a public space is not an essential activity.
- Local jurisdictions shall ensure that groups of people greater than ten are not permitted to congregate in any public space.
- This Order shall supersede any conflicting official action or order issued by local officials in response to COVID-19 but only to the extent that such action or Order allows essential services or essential activities prohibited by this Executive Order. [Corrected by 20-91 to read: This Order shall supersede any conflicting official action or order issued by local officials in response to COVID-19.]

EO 20-92, Supersedes Correction to EO-90 (April 1, 2020, SUPERSEDED BY EO-139).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-92.pdf

- Section 4 of Executive Order 20-91 should read, as follows: This Order shall supersede any conflicting official action or order issued by local officials in response to COVID-19.

EO 20-93, Reemployment Assistance Program (April 2, 2020, Expires with EO 20-52 [May 8, 2020]).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-93.pdf

- All executive agency heads, in consultation with the Department of Management Services ("OMS"), to identify and deploy executive agency personnel to assist DEO with their reemployment assistance efforts, including call center operations and other citizen services.
- DEO shall immediately procure additional capacity, software, technology and/or other resources as needed to ensure the state's reemployment assistance call center, website and staff can accommodate the increasing volume of applications and queries.

EO 20-94, Mortgage Foreclosure and Eviction Relief (April 2, 2020, Expires in 45 days as Extended [May 17, 2020]. Extended by EO-121 until 12:01 a.m. on June 2, 2020. EO 2-137 extends until 12:01 a.m. on July 1, 2020. Extended by EO-159 to August 1, 2020, Amended/Superseded and Extended by EO 20-180 to September 1, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-94.pdf

- Suspend and toll any statute providing for a mortgage foreclosure cause of action under Florida law.
- Suspend and toll any statute providing for an eviction cause of action under Florida law solely as it relates to non-payment of rent by residential tenants due to the COVID-19 emergency.
- Nothing in this Executive Order shall be construed as relieving an individual from their obligation to make mortgage payments or rent payments.

EO 20-95, Documentary Stamps for SBA Loans (April 6, 2020, Expires with EO 20-52 [May 8, 2020]).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-95.pdf

- Effective April 3, 2020, the assessment and collection of taxation imposed under Chapter 201, Florida Statutes, is suspended for all notes and other written obligations made pursuant to Title I of the CARES Act.
- The Department of Revenue shall issue an emergency order establishing that taxation imposed under Chapter 201, Florida Statutes, for notes and other written obligations made pursuant to Title I of the CARES Act is not owed as a result of the above suspension.

EO 20-97, Municipal Elections in Pasco County (April 8, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-97.pdf

- An election emergency exists in Pasco County.
- Municipal elections scheduled on April 14, 2020, for the cities of San Antonio, Dade City, and Zephyrhills in Pasco County, are hereby delayed.
- I will issue a subsequent Executive Order rescheduling the elections as soon as is practicable.

EO-103, Extending Executive Order 20-87 on Vacation Rental Closures (April 10, 2020, Expires April 30, 2020, Unless Extended)[Extended by EO-111 to 12:01 am May 4 2020].

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-103.pdf

- Executive Order 20-87 extended until April 30, 2020, unless extended.

EO-104 Emergency Temporary Action Related to Unemployment Compensation - COVID-19 (April 16, 2020, Expires with EO 20-52 [May 8, 2020]).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-104.pdf

- Suspends under section 443.11 l(1)(b), Florida Statutes, the biweekly reporting requirement by claimants of "actively seeking work" requirement, only to the extent necessary.

EO-111 Limited Extension of Essential Services and Activities and Vacation Rental Prohibition April 20, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-111.pdf

- Extends Executive Order 20-87 (Vacation Rental Closures), until 12:01 am May 4 2020 at which time the Order will be extended by subsequent order.
- Extend Executive Order 20-91 (Essential Services and Activities), as amended by Executive Order 20-92, until 12:01 am May 4, 2020.

EO-112 Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery) (April 29, 2020, Effective: 12:01 a.m. on May 4, 2020. EO-120 Expands, and also excepts Section 2(A)2) does not apply to Palm Beach County and in EO-122 for Miami-Dade and Broward, EO-123 All Counties in Phase 1. See EO 20-123 Modifies, All Phase 1. Section 2, and conflicting provisions (including 3c and 4) superseded by EO-139, others modified and extended by eo-139. EO 20-244 ELIMINATES ALL RESTRICTIONS, EXCEPT SOME FOR RESTURANTS).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-112.pdf

- Section 2. Responsible Individual Activity.
 - A. All persons in Florida shall continue to limit their personal interactions outside the home; however, as of the effective date of this order, persons in Florida may provide or obtain:
 - 1. All services and activities currently allowed, i.e., those described in Executive Order 20-91 and its attachments, which include activities detailed in Section 3 of Executive Order 20-91, the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce and a list propounded by Miami-Dade County in multiple orders (as of April 1, 2020), as well as other services and activities approved by the State Coordinating Officer. Such services should continue to follow safety guidelines issued by the CDC and OSHA. If necessary, employee screening or use of personal protective equipment should continue.
 - 2. Additional services responsibly provided in accordance with Sections 3 and 4 of this order in counties other than Miami-Dade, Broward and Palm Beach. In Miami-Dade, Broward and Palm Beach counties, allowances for services and activities from Sections 3 and 4 of this order will be considered in consultation with local leadership.
 - B. Except as provided in Section 2(A)(1) of this order, senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease) are strongly encouraged to stay at home and take all measures to limit the risk of exposure to COVID-19.
 - C. For the duration of this order, all persons in Florida should:
 - 1. Avoid congregating in large groups. Local jurisdictions shall ensure that groups of people greater than ten are not permitted to congregate in any public space that does not readily allow for appropriate physical distancing.
 - 2. Avoid nonessential travel, including to U.S. states and cities outside of Florida with a significant presence of COVID-19.

effect. A hospital ambulatory surgical center, office surgery center, dental office, orthodontic office, endodontic office or other health care practitioners' office in the State of Florida may perform procedures prohibited by Executive Order 20-72 only if:

- A. The facility has the capacity to immediately convert additional facility-identified surgical and intensive care beds for treatment of COVID-19 patients in a surge capacity situation;
 - B. The facility has adequate personal protective equipment (PPE) to complete all medical procedures and respond to COVID-19 treatment needs, without the facility seeking any additional federal or state assistance regarding PPE supplies;
 - C. The facility has not sought any additional federal, state, or local government assistance regarding PPE supplies since resuming elective procedures;
 - D. The facility has not refused to provide support to and proactively engage with skilled nursing facilities, assisted living facilities and other long-term care residential providers; and,
 - The Agency for Health Care Administration and the Department of Health shall utilize their authority under Florida law to further implement and enforce these requirements. This Order supersedes the conflicting provisions of Executive Order 20-72.
- Section 6. Previous Executive Orders Extended. The Executive Order 20-69 (Local Government Public Meetings) is extended for the duration of this Order.
 - Section 7. Enforcement. This Order shall be enforced under section 252.47, Florida Statutes. Violation of this order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes, and is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both.

EO-114 Extension of EO 20-52 and other Orders (May 8, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-114.pdf

- Section 1. The State of Emergency declared in Executive Order 20-52, will be extended for 60 days following the issuance of this Order for the entire State of Florida.
- Section 2. To the extent Executive Order 20-112, Phase I: Safe. Smart. Step-by-Step. Plan for Florida's Recovery, amended or extended any executive order related to COVID-19, the referenced executive orders shall remain in effect, as modified.
- Section 3. All actions taken by the Director of the Division of Emergency Management as the State Coordinating Officer with respect to this emergency before the issuance of this Executive Order are ratified, and he is directed to continue to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency.

EO-120, Expanding Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery May 9, effective 12:01 a.m. on May 11, 2020, See EO-122 re Miami-Dade and Broward, EO-123 All Counties in Phase 1).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-120.pdf

- Section 1. Palm Beach County to Phase I Executive Order 20-112 is extended, with the following modification: As of the effective date of this Order, the restriction in Section

2(A)(2) of Executive Order 20-112 no longer applies to Palm Beach County. Barbershops, Cosmetology Salons, and Cosmetology Specialty Salons In addition to the Phase 1 services authorized under Sections 2, 3 and 4 of Executive Order 20-112, persons in Florida may provide or obtain services at the following establishments in counties I have authorized to proceed to Phase 1.

- Section 2. Barbershops, cosmetology salons, and cosmetology specialty salons that adopt appropriate social distancing and precautionary measures as outlined by the Department of Business and Professional Regulation at the following link:
- www.myfloridalicense.com/emergency.

EO-121 Limited Extension of Mortgage Foreclosure and Eviction Relief (May 14, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-121.pdf

- Extend Executive Order 20-94 until 12:01 a.m. on June 2, 2020.

EO-122 Broward and Miami-Dade Counties to Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery (May 14, effective 12:01 am May 18, 2020, CONFLICTING PROVISIONS INCLUDING 1.B, C AND D SUPERSEDED BY EO-139).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-122.pdf

- Executive Order 20-112, as modified by Executive Order 20-120, is further modified as follows: As of the effective date of this Order, the restrictions in Section 2(A)(2) of Executive Order 20-112 no longer applies to Broward and Miami-Dade Counties.

EO-123 Full Phase I: Safe. Smart. Step-by-Step. Plan for Florida's Recovery (May 15, effective 12:01 am May 18, 2020, Extended and Modified by EO 20-139, EO 20-244 SUPERSEDES AND ELIMINATES CONTRARY RESTRICTIONS, E.G. RESTAURANTS)

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-123.pdf

- Executive Order 20-112, as modified by Executive Order 20-120, is extended as further modified by this Order below, bringing all Florida counties into Full Phase 1.
- Section 1. Restaurants, Retail, Museums and Gyms.
 - A. Restaurants and food establishments licensed under Chapters 500 or 509, Florida Statutes, may serve patrons at indoor seating so long as they limit indoor occupancy up to fifty (50) percent of their seating capacity, excluding employees. The requirement for a minimum of 6 feet between parties is superseded to the extent appropriate partitioning is in place. Bar counters are to remain closed to seating, and outdoor seating remains available with social distancing. The Department of Business and Professional Regulation (DBPR) will post and update appropriate safety measures on its website. B. In-store retail sales establishments may operate up to fifty (50) percent of their building occupancy and abide by the safety guidelines issued by the CDC and OSHA.
 - C. Museums and libraries may operate up to fifty (50) percent of their building occupancy, provided, however, that local public museums and local public libraries may operate only if permitted by local government.

- D. Gyms and fitness centers may operate up to fifty (50) percent of their building occupancy so long as they adopt safety measures including appropriate social distancing for classes and sufficient cleaning supplies to ensure, at a minimum, patrons' individual self-cleaning of surfaces and machines using sanitation wipes following each use. The DBPR will post and update best practices on its website.
- Section 2. Professional Sports Venue. Professional sports may operate in the State of Florida and venues may host training, competitions, events and games. This provision shall preempt any local rule prohibiting a professional sports team conducting, or the operations of the venue from hosting, those sports activities at facilities in the State.
- Section 3. Amusement Parks. Amusement parks may submit a re-opening plan to the State of Florida that includes a proposed date for resumption of operations and proposed guidelines to ensure guest and staff safety. Requests to re-open must include an endorsement letter from the County Mayor or in absence of a county mayor from the City Mayor and County Administrator. This request shall identify a future date certain for re-opening and verify that the official has approved a re-open plan to ensure patron and staff safety.
- Section 4. Vacation Rentals. Counties may seek approval to operate vacation rentals with a written request from the County Administrator and the county's safety plan for vacation rental operations submitted to the DBPR Secretary. The DBPR will post and update guidance on its website.
- Section 5. Local Government Public Meetings Order Extended. The Executive Order 20-69 is extended for the duration of this Order.
- Section 6. Enforcement. This Order shall be enforced under section 252.47, Florida Statutes. Violation of this Order is a second-degree misdemeanor pursuant to section 252.50; Florida Statutes, and is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both.

**EO 20-124, Emergency Management - COVID-19 - Municipal Elections in Pasco County
Mary 15, 2020.**

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-124.pdf

- Section I. The municipal elections previously delayed in Executive Order 20-97 for the cities of San Antonio and Dade City in Pasco County, are hereby rescheduled for June 30, 2020.
- Section 2. I direct the Supervisor of Elections for Pasco County to immediately publish notice of the rescheduled election pursuant to section 10 I. 73 3(2), Florida Statutes, and take all necessary steps to ensure all voters in the cities of San Antonio, Dade City and Zephyrhills are informed about the June 30, 2020 election.

EO 20-130 Hurricane Michael Extension of EO 18-276 (May 22, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-130.pdf

- Section 1. The State of Emergency declared in Executive Order 18-276, amended by Executive Order 18-277, and extended by Executive Order 18-360, 19-33, 19-98, 19-134, 19-176, 19-207, 19-261, 20-23, and 20-81 will be extended for 60 days following the issuance of this Order.

- Section 2. All actions taken by the Director of the Division of Emergency Management as the State Coordinating Officer with respect to this emergency before the issuance of this Executive Order are ratified, and he is directed to continue to execute the State's Comprehensive Emergency Management Plan and other response, recovery and mitigation plans necessary to cope with the emergency.
- Section 3. Except as amended herein, Executive Orders 18-276, 18-277, 18-360, 19-33, 19-98, 19-134, 19-176, 19-207, 19-261, 19-262, 20-23, and 20-81 are ratified and reaffirmed.

EO 20-131, Expanding Full Phase 1 (May 22, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-131.pdf

- Executive Order 20-123 is extended, with the following modification:
Section 1. Organized Youth Activities Organized youth activities may operate, including youth sports teams and leagues, youth clubs and programs, and child care. Summer camps and youth recreation camps may operate including, but not limited to, those defined in section 409.175 and 513.02, Florida Statutes, respectively.

EO 20-137 Limited Extension of Mortgage Foreclosure and Eviction Relief (June 1, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-137.pdf

- Extends Executive Order 20-94, as extended by Executive Order 20-121, until 12:01 a.m. on July 1, 2020.

EO 20-139, Phase 2: Safe. Smart. Step-by-Step. Plan for Florida's Recovery (June 3, 2020, Effective 12:01 a.m. on June 5, 2020). EO-192 (August 5, 2020) rescinds portions of Section 3 incorporating EO 20-80 and 20-82, EO 20-244 SUPERSEDES AND ELIMINATES CONTRARY RESTRICTIONS, E.G. RESTAURANTS).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-139.pdf

- Section 1, Phase 2 Recovery.
 - A. Executive Order 20-112, as modified by Executive Orders 20-120, 20-122, 20-123 and 20-131, is extended as further modified below.
 - B. In Miami-Dade, Broward and Palm Beach counties, the re-opening provisions of Section 4 of this order will be considered after each county seeks approval with a written request from the County Mayor or if no mayor the County Administrator.
- Section 2. Responsible Individual Activity. All persons in Florida are encouraged to follow appropriate social distancing and safety protocols issued by the CDC and OSHA. The direction to follow such protocols, and those additional protocols listed below in this section, is guidance and not enforceable under section 252.47, Florida Statutes.
 - A. Senior citizens and individuals with a significant underlying medical condition are strongly encouraged to avoid crowds and take measures to limit the risk of exposure to COVID-19.
 - B. All persons in Florida are encouraged to avoid congregating in groups larger than 50 persons.

- C. All persons who work in long-term care facilities should be tested for COVID19 on a routine basis.
 - D. In-store retail businesses, including gyms and fitness centers, should maintain appropriate social distancing and sanitation protocols.
- Section 3. Additional Requirements for Certain Individuals Traveling to Florida. Executive Orders 20-80 and 20-82 are extended with exceptions for persons involved in commercial activity and students traveling for the purpose of academic work, internships, sports training and any other activity or program approved by the educational institution. This order supersedes Executive Order 20-86.
- Section 4. Business Activity. This order supersedes Executive Orders 20-91 and 20-92 and Executive Order 20-112 Section 2. This Order further supersedes any conflicting provisions of Executive Order 20-112 including Section 3C. (gyms) and Section 4 (retail and museums) and Executive Order 20-123 including Section 1.B. (retail), C. (museums) and D. (gyms). This Order extends and modifies the remaining provisions of Executive Order 20-112 and Executive Order 20-123 as follows:
 - A. Restaurants and other establishments, and bars and other vendors licensed to sell alcoholic beverages for consumption on the premises, may operate at fifty (50) percent of their indoor capacity, excluding employees, as under Executive Order 20-123, Section 1. Bar areas may be open with seated service. In addition, outdoor seating is permissible with appropriate social distancing. This section does not apply to nightclubs. Non-conflicting provisions in Executive Order 20-71, Sections 1 and 2 remain in effect.
 - B. Entertainment businesses, including but not limited to movie theaters, concert houses, auditoriums, playhouses, bowling alleys, and arcades may operate at fifty (50) percent of their building capacity, with appropriate social distancing between groups and appropriate sanitation.
 - C. Pari-mutuel facilities may seek to operate with a written request from the County Mayor or if no mayor the County Administrator to the Secretary of the Department of Business and Professional Regulation (DBPR) and the approval of the DBPR Secretary.
 - D. Personal services, including but not limited to tattooing, body piercing, acupuncture, tanning and massage, may operate with appropriate safety guidelines as outlined by the Department of Health.
- Section 6. Previous Executive Order Extended Executive Order 20-69 is extended until June 30, 2020.
- Section 7. Enforcement. This Order, with the exception of Section 2, shall be enforced under section 252.47, Florida Statutes, and by the Department of Business and Professional Regulation. Violation of this Order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes, and is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both.

EO 20-149 Primary and General Elections (June 17, 2020) [Extension provision in EO-166].
https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-149.pdf

- Suspends the application of the following limited provisions of Section 101.68(2)(a), Florida Statutes, to the extent it prohibits the County Canvassing Boards from beginning canvassing of Vote-By-Mail ballots earlier than 7 a.m. on the 22nd day before the election.
- Suspends the application of Florida Administrative Code Rule 60L-34.0071(3)(g) for the limited purpose of authorizing Administrative Leave for any state employee to serve as a poll worker in the county which they are an elector, subject to approval by their supervisor, and under conditions.
- Each Supervisor of Elections shall ensure proper social distancing and cleaning procedures are implemented for Early Voting and Election Day, insofar as is practicable.
- Encourages each Superintendent of Schools, in coordination with the Commissioner of Education, to close all K-12 schools on August 18, 2020 for use on Primary Election Day and on November 3, 2020 for use on General Election Day as precinct polling locations.

EO 20-150 Local Government Public Meetings (June 23, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-150.pdf

- Extends Executive Order 20-69, as extended by Executive Orders 20-121, 20-123 and 20-139, until 12:01 a.m. on August 1, 2020.

EO 20-159 Mortgage Foreclosure and Eviction Relief (June 30, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-159.pdf

- Extends Executive Order 20-94, as extended by Executive Orders 20-121 and 20-137, until 12:01 a.m. on August 1, 2020.

EO 20-166 Emergency Management-Extension of Executive Order 20-52-COVID-19 (July 7, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-166.pdf

- The State of Emergency declared in Executive Order 20-52, as extended by Executive Order 20-114, will be extended for 60 days [September 5, 2020] following the issuance of this Order for the entire State of Florida.
- To the extent Executive Order 20-139, Phase 2: Safe. Smart. Step-by-Step. Plan for Florida's Recovery, amended or extended any executive order related to COVID-19, the referenced executive orders shall remain in effect, as modified.
- All actions taken by the Director of the Division of Emergency Management as the State Coordinating Officer with respect to this emergency before the issuance of this Executive Order are ratified, and he is directed to continue to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency.

EO 20-171 Hurricane Michael Extension of Executive Order 18-276 (July 21, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-171.pdf

- The State of Emergency declared in Executive Order 18-276, amended by Executive Order 18-277, and extended by Executive Order 18-360, 19-33, 19-98, 19-134, 19-176, 19-207,

19-261, 20-23, 20-81, 20-130 will be extended for 60 days following the issuance of this Order.

- All actions taken by the Director of the Division of Emergency Management as the State Coordinating Officer with respect to this emergency before the issuance of this Executive Order are ratified, and he is directed to continue to execute the State's Comprehensive Emergency Management Plan and other response, recovery and mitigation plans necessary to cope with the emergency.
- Except as amended herein, Executive Orders 18-276, 18-277, 18-360, 19-33, 19-98, 19-134, 19-176, 19-207, 19-261, 19-262, 20-23, 20-81 and 20-130 are ratified and reaffirmed.

EO 20-179 Local Government Public Meetings (July 29, 2020) (Extends Section 3 by EO-139 to October 1, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-179.pdf

- Executive Order 20-69 is amended to include:
 - Section 5, suspending certain taxation millage and budget hearing in person quorum requirements, permitting communications media technology.
 - Section 6, suspending certain value adjustment board hearing in person quorum requirements, permitting communications media technology.
- Expires December 15, 2020.
- Extends EO 20-69 to September 1, 2020.

EO 20-180 Limited Extension of Mortgage Foreclosure and Eviction Relief (July 29, 2020) (Extended by EO 20-211 to October 1, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-180.pdf

- Section 1 of Executive Order 20-94 is amended to read, as follows:
 - A. I hereby suspend and toll any statute providing for final action at the conclusion of a mortgage foreclosure proceeding under Florida law solely when the proceeding arises from nonpayment of mortgage by a single-family mortgagor adversely affected by the COVID-19 emergency.
 - B. For purposes of this section, adversely affected by the COVID-19 emergency means loss of employment, diminished wages or business income, or other monetary loss realized during the Florida State of Emergency directly impacting the ability of a single-family mortgagor to make mortgage payments.
 - C. Nothing in this Executive Order shall be construed to suspend or otherwise affect foreclosure proceedings unrelated to non-payment of mortgage.
- Section 2 of Executive Order 20-94 is amended to read, as follows:
 - A. I hereby suspend and toll any statute providing for final action at the conclusion of an eviction proceeding under Florida law solely when the proceeding arises from non-payment of rent by a residential tenant adversely affected by the COVID-19 emergency.
 - B. For purposes of this section, adversely affected by the COVID-19 emergency means loss of employment, diminished wages or business income, or other monetary loss realized during the Florida State of Emergency directly impacting the ability of a residential tenant to make rent payments.

- C. Nothing in this Executive Order shall be construed to suspend or otherwise affect eviction proceedings unrelated to non-payment of rent.
- Section 3 of Executive Order 20-94 is amended to read as follows: Nothing in this Executive Order shall be construed as relieving an individual from his or her obligation to make mortgage payments or rent payments. All payments including tolled payments, are due when an individual is no longer adversely affected by the COVID-19 emergency.
- Executive Order 20-94, as amended, is extended until 12:01 a.m. on September 1, 2020.

EO 20-192 Restaurant Screening Protocols (August 5, 2020, EO 20-244 SUPERSEDES AND ELIMINATES CONTRARY RESTRICTIONS, E.G. RESTAURANTS).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-192.pdf

- Section 3 C. of Executive Order 20-68, as extended by Executive Orders 20-112, 20-139 and 20-166, should read as follows:
The Department of Business and Professional Regulation shall ensure all restaurants implement employee screening protocols pursuant to guidance developed by the Centers for Disease Control and Prevention.
- Section 3 of Executive Order 20-139, which incorporates requirements of Executive Orders 20-80 and 20-82, as extended by Executive Order 20-166, is rescinded. Otherwise, Executive Order 20-139 remains in effect for the duration of Executive Order 20-166.

EO 20-193 Local Government Meeting Notices (August 7, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-193.pdf

- Section 3 of Executive Order 20-179 is amended to read, as follows: Except as amended herein, I hereby extend Executive Order 20-69, as extended by Executive Orders 20-112, 20-123, 20-139 and 20-150, until 12:01 a.m. on October 1, 2020.

EO-210 Alcohol Related Licenses (August 28, 2020)

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-210.pdf

- For the holder of any license, permit, registration, or certificate issued by the Department of Business and Professional Regulation. Division of Alcoholic Beverages and Tobacco, for the purposes of engaging in the manufacturing, sale, or distribution of alcoholic beverages in the State of Florida with an existing renewal deadline on or before December 31, 2020, the existing renewal deadline is suspended through December 31, 2020, unless extended by subsequent order.

EO 20-211 Limited Extension of Mortgage Foreclosure and Eviction Relief (August 31, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-211.pdf

- Extends Executive Order 20-180 until 12:01 a.m. on October 1, 2020.

EO-212 Bright Futures Scholarships (September 1, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-212.pdf

- Modifies testing qualification scholarship requirements.
- Permits scholarship funds to be used for long distance learning.
- Expires with EO 20-52.

EO 20-213 Extends State of Emergency (September 4, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-213.pdf

- The State of Emergency declared in Executive Order 20-52, as extended by Executive Orders 20-114 and 20-166 will be extended for 60 days following the issuance of this Order for the entire State of Florida.

EO 20-214 Palm Beach County (September 4, 2020, EO 20-244 SUPERSEDES AND ELIMINATES CONTRARY RESTRICTIONS).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-214.pdf

- Palm Beach County is approved to move into Phase 2 of Safe. Smart. Step-by-Step. Plan for Florida's Recovery.

EO 20-223 Miami-Dade and Broward Counties (September 11, 2020, EO 20-244 SUPERSEDES AND ELIMINATES CONTRARY RESTRICTIONS).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-223.pdf

- Beginning Monday, September 14, 2020, Miami-Dade and Broward counties are approved to move into Phase 2 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery.

EO 20-226 Hurricane Michael (September 18, 2020).

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-226.pdf

- The State of Emergency declared in Executive Order 18-276, amended by Executive Order 18-277, and extended by Executive Order 18-360, 19-33, 19-98, 19-134, 19-176, 19-207, 19-261, 20-23, 20-81, 20-130, 20-171 will be extended for 60 days following the issuance of this Order.

EO 20-244 Right to Work; Business Certainty; Suspension of Fines (September 25, 2020)

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-244.pdf

- Phase 3: Supersedes and eliminates any and all restrictions of Executive Orders 20-112, 20-123 and 20-139, as well as Executive Orders 20-192, 20-214 and 20-223, except as modified herein.
- Right to Work and Operate a Business. No COVID-19 emergency ordinance may prevent an individual from working or from operating a business. This preemption is stated to be consistent with Executive Order 20-92.
- Restaurants. Pursuant to Chapter 252, including sections 252.36(5)(b), (g) and (h), Florida Statutes, and in order to safeguard the economic vitality of this state, any restaurant may operate as set forth below

- A. Restaurants, including any establishment with a food service license, may not be limited by a COVID-19 emergency order by any local government to less than fifty percent (50%) of their indoor capacity. If a restaurant is limited to less than one hundred percent (100%) of its indoor capacity, such COVID-19 emergency order must on its face satisfy the following:
 - quantify the economic impact of each limitation or requirement on those restaurants; and
 - explain why each limitation or requirement is necessary for public health.
- B. Nothing in this order preempts or supersedes a non-COVID-19 municipal or county order.
- Suspension of COVID-19-related Individual Fines and Penalties
- Suspends the collection of fines and penalties associated with COVID-19 enforced upon individuals.

EO-246 Local Government Public Meetings (September 30, 2020)

https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-246.pdf

- Extends Executive Order 20-69, as extended by Executive Orders 20-112, 20-123, 20-139, 20-150 and amended by Executive Orders 20-179 and 20-193, subject to the condition of Section 2 below, until 12:01 a.m. November 1, 2020. This order supersedes Section 4 of Executive Order 20-69.
- This order shall not apply to election canvassing boards.

**TEMPORARY HALT IN RESIDENTIAL EVICTIONS
TO PREVENT THE FURTHER SPREAD OF COVID-19**
EXCERPTS

**(CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC), DEPARTMENT OF
HEALTH AND HUMAN SERVICES (HHS).
[85 FR 55292] September 4, 2020)**

The Order:

<https://www.federalregister.gov/documents/2020/09/04/2020-19654/temporary-halt-in-residential-evictions-to-prevent-the-further-spread-of-covid-19#footnote-5-p55293>

The Declaration Form:

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/declaration-form.pdf>

The “Guidance” Document

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/eviction-moratoria-order-faqs.pdf>

FINDINGS AND ACTION

- Therefore, under 42 CFR 70.2, subject to the limitations under the “Applicability” section, a landlord, owner of a residential property, or other person with a legal right to pursue eviction or possessory action shall not evict any covered person from any residential property in any State or U.S. territory in which there are documented cases of COVID-19 that provides a level of public-health protections below the requirements listed in this Order.

* * *

Applicability

- This Order does not apply in any State, local, territorial, or tribal area with a moratorium on residential evictions that provides the same or greater level of public-health protection than the requirements listed in this Order. In accordance with 42 U.S.C. 264(e), this Order does not preclude State, local, territorial, and tribal authorities from imposing additional requirements that provide greater public-health protection and are more restrictive than the requirements in this Order.
- Additionally, this Order shall not apply to American Samoa, which has reported no cases of COVID-19, until such time as cases are reported.
- This Order is a temporary eviction moratorium to prevent the further spread of COVID-19. This Order does not relieve any individual of any obligation to pay rent, make a housing payment, or comply with any other obligation that the individual may have under a tenancy, lease, or similar contract. Nothing in this Order precludes the charging or collecting of fees, penalties, or interest as a result of the failure to pay rent or other housing payment on a timely basis, under the terms of any applicable contract.

- Nothing in this Order precludes evictions based on a tenant, lessee, or resident: (1) Engaging in criminal activity while on the premises; (2) threatening the health or safety of other residents; [10] (3) damaging or posing an immediate and significant risk of damage to property; (4) violating any applicable building code, health ordinance, or similar regulation relating to health and safety; or (5) violating any other contractual obligation, other than the timely payment of rent or similar housing-related payment (including non-payment or late payment of fees, penalties, or interest).

* * *

Definitions

- “Evict” and “Eviction” means any action by a landlord, owner of a residential property, or other person with a legal right to pursue eviction or a possessory action, to remove or cause the removal of a covered person from a residential property. This does not include foreclosure on a home mortgage.

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Renter's or Homeowner's Declaration

- Attachment A is a Declaration form that tenants, lessees, or residents of residential properties who are covered by the CDC's order temporarily halting residential evictions to prevent the further spread of COVID-19 may use. To invoke the CDC's order these persons must provide an executed copy of the Declaration form (or a similar declaration under penalty of perjury) to their landlord, owner of the residential property where they live, or other person who has a right to have them evicted or removed from where they live. Each adult listed on the lease, rental agreement, or housing contract should likewise complete and provide a declaration. Unless the CDC order is extended, changed, or ended, the order prevents these persons from being evicted or removed from where they are living through December 31, 2020. These persons are still required to pay rent and follow all the other terms of their lease and rules of the place where they live. These persons may also still be evicted for reasons other than not paying rent or making a housing payment. Executed declarations should not be returned to the Federal Government.

FAQ Guidance

- “Eviction” means any action by a landlord, owner of a residential property, or other person with a legal right to pursue eviction or a possessory action, to remove or cause the removal of a covered person from a residential property
- Nor is it intended to prevent landlords from starting eviction proceedings, provided that the actual eviction of a covered person for non-payment of rent does NOT take place during the period of the Order.

- A “covered person” is any tenant, lessee, or resident of a residential property who provides to their landlord, the owner of the residential property, or other person with a legal right to pursue eviction or a possessory action, a declaration under penalty of perjury that....
- Individuals are not obligated to use the CDC form. Any written document that an eligible individual presents to their landlord will comply with the Order, as long as it contains the same information as the CDC declaration form.
- The Order applies only in states (including the District of Columbia), localities, territories, or tribal areas that do not have in place a moratorium on residential evictions that provides the same or greater level of public-health protection than the CDC’s Order.
- Yes, you may still be evicted for reasons other than not paying full rent or making a full housing payment.
- The Order applies to any property leased for residential purposes, including any house, building, mobile home or land in a mobile home park, or similar dwelling leased for residential purposes. The Order does not apply to hotel rooms, motel rooms, or other guest house rented to a temporary guest or seasonal tenant as defined under the laws of the state, territorial, tribal, or local jurisdiction.

DEPARTMENT OF BUSINESS AND PROFESSIONAL RESPONSIBILITY

DBPR EO 2020-004, Community Association Emergency Powers (March 27, 2020, Expired with EO 20-52 [May 8, 2020], Deadline by DBPR EO 2020-06 of June 1, 2020).

http://www.myfloridalicense.com/dbpr/os/documents/EO_2020-04.pdf

- The limitation within Section 718.1265(1), Florida Statutes, of the emergency powers of a condominium association during a declared State of Emergency being conditioned upon a "response to damage caused by an event" is hereby suspended. The emergency powers available to condominium associations' boards of administration, as described in Section 718.1265(1)(a)-(j), Florida Statutes, are hereby available to help protect the health, safety, and welfare of the association, unit owners, unit owners' family members, tenants, guests, agents, or invitees.
- The limitation within Section 719.128(1), of the emergency powers of a cooperative association during a declared State of Emergency being conditioned upon a "response to damage caused by an event" is hereby suspended. The emergency powers available to cooperative associations' boards of administration, as described in Section 719.128(1)(a)-(j), Florida Statutes, are hereby available to help protect the health, safety, and welfare of the association, unit owners, unit owners' family members, tenants, guests, agents, or invitees.
- The limitation within Section 720.316(1), of the emergency powers of a board of directors during a declared State of Emergency being conditioned upon a "response to damage caused by an event" is hereby suspended. The emergency powers available to boards of directors, as described in Section 720.316(1)(a)-(h), Florida Statutes, are hereby available to help protect the health, safety, and welfare of the association, parcel owners, parcel owners' family members, tenants, guests, agents, or invitees.
- The exercise of any association's emergency powers remains unless specifically prohibited by the provisions of the association's governing documents. See §§ 718.1265(2), 719.128(2), & 720.316(2), Fla. Stat. (2019).
- The provisions identifying emergency management officials in Sections 718.1265(1)(g) and 719.128(g), Florida Statutes, is clarified to include public health officials.
- The timing requirements for condominium associations' financial reports in Section 718.111(13), Florida Statutes are hereby suspended and tolled.
- The timing requirements for cooperative associations' financial reports in Section 719.104(4), Florida Statutes, are hereby suspended and tolled.
- The timing requirements for submitting copies of a timeshare plans:
 - o Audited financial statements to the Department in section 721.13(3)(e), Florida Statutes, are hereby suspended and tolled.
 - o Statement of receipts and disbursements regarding an ad valorem tax escrow account in Sections 721.13(3)(i) 1. and 192.037(6)(e), Florida Statutes, are hereby suspended and tolled.
- The assessments of harbor pilots made pursuant to Rule 61G14-19.001, Florida Administrative Code, are waived for March and April, 2020, and the deadline for submission of the earnings statement and the appropriate material from the federal income tax return is extended from April 15, 2020 until July 15, 2020.

- Any restriction in Chapter 474, Florida Statutes, or Chapter 61 G-18, Florida Administrative Code, which would prohibit active Florida licensed veterinarians in good standing from practicing telemedicine on their patients is suspended provided the attending veterinarian is comfortable assessing the patient remotely and feels able to exercise good clinical judgment to assist the patient.

DBPR EO 2020-06 Deadlines (May 20, 2020).

http://www.myfloridalicense.com/dbpr/os/documents/EO_2020-06.pdf

- Sections 1 – 9 of Executive Order 2020-04 cease to be operational as of June 1, 2020.

SELECTED OPINIONS

United States Supreme Court:

[*Ex parte Milligan*, 71 U.S. 2 \(1866\).](#)

[*Jacobson v Massachusetts*, 197 U.S. 11 \(1905\).](#)

[*Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 \(1952\).](#)

[*South Bay United v. Newsom* 504 U.S. _____, 140 S.Ct 1613 \(U.S. May 2, 2020\).](#)

Florida

[*Abramson v. DeSantis*, Case No. SC20-646, \(Fla., June 25, 2020\).](#)

[*Showntail the Legend v. DPBR*, Case No. 1D20-2147 \(Fla. 1st DCA, September 14, 2020\).](#)

[*Vogel v. Cornerstone Doctors Cdm Assn, Inc.*, 45 Fla. L. Weekly D 1630 \(Fla. 2nd DCA, July 8, 2020\).](#)

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