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For any questions or comments you might have regarding this newsletter, please feel free to contact:

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**LEGAL ALERT****COVID-19****Illinois “Stay-at-Home” Executive Order Summary**

On Friday, March 20, 2020, Governor Pritzker issued Executive Order 2020-10 requiring all Illinois residents to stay in their homes to prevent the further spread of COVID-19. The Order prohibits things like visiting the homes of friends and holding gatherings of any size, and closes all nonessential establishments, including most retail, recreation and entertainment businesses. It does NOT prohibit essential activities like going to the grocery store, receiving medical care, or taking your pet for a walk. To understand what this Executive Order means for you, please read the below information and consult the other below listed resources. Executive Order 2020-10 can be found at <https://www2.illinois.gov/Documents/ExecOrders/2020/ExecutiveOrder-2020-10.pdf>.

Because the COVID-19 situation is constantly evolving, Executive Order 2020-10 is subject to modification by State or Federal authorities. Below is a summary of the Executive Order and the FAQ found on the State of Illinois website (See below referenced website link):

**Effective Date and Duration**

The “Stay-At-Home” Order took effect Saturday, March 21, 2020 at 5:00 p.m. and will continue until at least April 7, 2020.

**Application and Scope of Order**

The Order applies to Illinois residents and businesses located in the State of Illinois. Unless you work for or operate an essential business or are doing an essential activity, the Order urges everyone to stay at home.



Residents are allowed to leave their homes for “Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations.” “Home” includes any residence, such as homes, hotels, motels, shared rental units, shelters, etc.

Non-essential businesses and other operations, other than “minimum basic operations” (defined below), must cease. Businesses and operations not defined as essential, that are not minimum basic operations, must cease or otherwise be conducted while working from home.

### **Mandatory Order**

The Order is mandatory and is intended to limit social interactions to prevent the further spread of COVID-19 throughout Illinois and to protect those people who are health-wise part of vulnerable or at-risk populations.

### **Enforcement**

The Illinois State Police will work with local law enforcement agencies to enforce the Order. The Order provides that it may be enforced by “State and local law enforcement pursuant to, inter alia, Section 7, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS 3305.”

During a conference call held on March 20, 2020, Governor Pritzker explained his intent and expectation for law enforcement officers who observe violations of the Order to consider making stops and inquiries, as well as requesting that residents not violate the Order. Pritzker also noted that, while members of the Illinois National Guard have been deployed to assist with various COVID-19 responses, they have no role in supporting or enforcing the Order.

The Executive Order directs all state, county and local law enforcement officers to cease enforcement of orders of eviction from residential premises while the Governor’s Disaster Proclamation remains in effect; however, nothing in the Order relieves residents of their obligation to pay rent, make mortgage payments, or any other obligation they may have.

The Executive Order does not limit or restrict local governments’ authority to order quarantine, further isolation, or closure.

### **Prohibited Activities**

Generally, all public and private gatherings outside of a household are prohibited. If a gathering must occur, it should be limited to no more than ten (10) individuals, in compliance with CDC guidelines, unless it is otherwise exempt. All public places of amusement and social gathering (e.g., arcades, country clubs, social clubs, movie theaters and other theaters, music halls, museums, playgrounds, zoos, etc.) are closed to the public.

### **Travel**

The Order prohibits all “nonessential” travel and allows “essential” travel, including leaving home and interstate travel to provide or obtain Essential Services and Activities, which are broadly defined within the Order and consist of:

- For health and safety (e.g., doctor, veterinarian, emergency care, etc.).

- For necessary supplies and services (e.g., groceries and food, household consumer products, supplies to work from home, etc.).
- For outdoor activity (e.g., walking, hiking, etc.). Although places of public amusement are generally closed to the public, individuals are permitted to go to public parks and open outdoor recreation areas, but they must use social distancing. Playgrounds, being a higher risk of spreading COVID-19, are explicitly closed to the public and individuals.
- For essential businesses and operations, including healthcare, human service operations, essential governmental functions and essential infrastructure.
- To take care of others (e.g., family members, friends or pets).

**Essential travel also includes:**

- Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and related services.
- Travel to return to a place of residence from outside the jurisdiction.
- Travel required by law enforcement or court order (such as for visitation pursuant to a custody order).
- Travel for non-residents to return to their residence outside of the State of Illinois.

Travel includes all methods of transport (e.g., automobile, motorcycle, scooter, bike, train, plane and public transit, etc.). The Order notes that public transportation, planes and ridesharing should be used for essential travel only. The elderly are directed to take additional precautions to avoid exposure.

**“Essential Services”**

The Order provides that the following “Essential Services” may remain open and operational:

- **Emergency government services** and other essential government services.
- **Healthcare and Public Health Operations:** Working at or obtaining services from: hospitals; clinics; dental offices; pharmacies; public health entities; healthcare manufacturers and suppliers; blood banks; medical cannabis facilities; reproductive health care providers; eye care centers; home healthcare services providers; mental health and substance use providers; ancillary healthcare services including veterinary services.
- **Human Services Operations: Any provider funded by DHS, DCFS or Medicaid;** long-term care facilities; home-based and residential settings for adults, seniors, children, and/or people with disabilities or mental illness; transitional facilities; field offices for food, cash assistance, medical coverage, child care, vocational services or rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services and other necessities of life for needy individuals — excluding day care centers, day care homes, group day care homes and day care centers licensed as specified in Section 12(s) of the order.

- **Essential Infrastructure:** Working in: food production, distribution and sale; construction; building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical; distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems.
- **Stores that sell groceries and medicine.**
- **Food, beverage and cannabis production and agriculture.**
- **Organizations that provide charitable and social services.**
- **Media.**
- **Gas stations and businesses needed for transportation.**
- **Financial institutions.**
- **Hardware and supply stores.**
- **Critical trades:** including plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers that maintain the safety, sanitation and essential operation of residences, Essential Activities, and Essential Businesses and Operations.
- **Mail, post, shipping, logistics, delivery and pick-up services.**
- **Educational institutions:** for purposes of facilitating distance learning, performing critical research, or performing essential functions.
- **Laundry services** (e.g., laundromats, dry cleaners and laundry service providers).
- **Restaurants for consumption off-premises.**
- **Supplies to work from home.**
- **Supplies for Essential Businesses and Operations.**
- **Transportation, for purposes of Essential Travel.**
- **Home-based care and services.**
- **Residential facilities and shelters.**
- **Professional services** (e.g., legal services, accounting services, insurance services and real estate services, including appraisal and title services).
- **Day care centers for employees exempted by this Executive Order.**

- **Manufacture, distribution, and supply chain for critical products and industries.**
- **Critical labor union functions.**
- **Hotels and motels:** to the extent used for lodging and delivery or carry-out food services.
- **Funeral services** (i.e., gatherings of more than 10 people are prohibited).

The Order, which was issued to protect the health, safety and well-being of Illinois residents, states that its intent is to “ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible.” Therefore, if a business and operations can be done remotely, it should be. Additional examples of “Essential Businesses” and allowable activities include:

- Auto rental, auto supply, auto repair and related facilities.
- Auto dealerships are permitted to sell automobiles.
- Establishments engaged in the retail sale of alcoholic and non-alcoholic beverages.
- Financial institutions and related services, including banks, currency exchanges, consumer lenders, including but not limited to: payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions and institutions selling financial products.
- Restaurants and other food preparation and service facilities may remain open but only for consumption off-premises through such means as in-house delivery, third-party delivery, drive-thru, curbside pick-up and carry-out.
- Schools and other entities that provide food services to students or members of the public may continue to do so but only on a pick-up and takeaway basis.
- Outdoor exercise like running or taking a walk is allowed; however, exercise gyms, fitness centers and associated facilities will be closed.

For a full list of businesses that will still operate during the Order, visit [www.coronavirus.illinois.gov](http://www.coronavirus.illinois.gov).

### **Non-Essential Services**

Examples of Non-Essential Businesses and prohibited activities include:

- Fitness and exercise gyms, spas, salons, barber shops, tattoo parlors and similar facilities are not considered “healthcare and public health operations” and operations must cease.
- Golf courses are places of public amusement, and operations must cease, except minimum basic operations.

- Public playgrounds and park facilities (e.g., restrooms, clubhouses and other buildings) are closed to the public. On March 16, 2020, the Illinois Department of Natural Resources announced the closure of all state parks, fish and wildlife areas, recreational areas and historic sites.

### **Minimum Basic Operations**

Non-essential businesses and operations are permitted to conduct the minimum necessary activity required to “maintain the value of the business’s inventory, preserve the condition of the business’s physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.” These operations include all necessary aspects that facilitate businesses and their employees to be able to work remotely.

### **Social Distancing Requirements and Precautions**

Social distancing is an important first step in preventing the spread of a disease like COVID-19 that allows people to go about their daily activities while taking extra health and safety precautions. Where social interaction and travel are permitted under the Order, individuals and businesses must take precautions to ensure compliance with social distancing requirements, including, where possible:

- Six (6) foot distance separation between individuals.
- Provision of hand sanitizer and sanitizing products.
- Separation of health-wise vulnerable populations.
- Use and provision of online and remote access work environments.

The Order requires people to remain in their homes unless they have an essential job or are doing an essential task like going to the grocery store or walking a pet.

### **Essential Government Employees and Functions**

The Order **exempts the following workers, who must continue to do their jobs:** All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees who work for or support essential businesses and operations.

The Order states that **each governmental body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.** This means the corporate authorities of each public body may decide which services, functions, activities, employees and contractors are essential and who will perform those Essential Governmental Functions.

Additional Sources of Information Regarding COVID-19:

### **State of Illinois Coronavirus (COVID-19) Response:**

For any questions or comments you might have regarding this newsletter, please feel free to contact:

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This newsletter is not to be construed as legal advice or a legal opinion under any circumstance. The contents are solely intended for general informative purposes, and the readers of this newsletter are strongly urged to contact their attorney with regard to any concepts discussed herein.

This newsletter may be deemed advertising under the laws of the Supreme Court of Illinois.

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<https://www2.illinois.gov/sites/coronavirus/FAQ/Pages/Stay-At-Home>

- Executive Orders
- Tips for prevention
- FAQ

**Cook County Department of Health:**

<http://www.dph.illinois.gov/topics-services/diseases-and-conditions/diseases-a-z-list/coronavirus>

- Updated cases in Cook County
- Information for healthcare providers and communities
- Detailed health and hygiene recommendations
- Contact information for suburban Cook County
- Information for individuals: Clean, Cover and Contain

**Illinois Department of Public Health:**

<http://www.dph.illinois.gov/topics-services/diseases-and-conditions/diseases-a-z-list/coronavirus>

- Regularly posted updates on new cases in Illinois
- Updated cautions and advisories
- Recommendations specific to Illinois

**Centers for Disease Control and Prevention:**

<https://www.cdc.gov/COVID-19>

- Downloadable factsheets and flyers in English, Spanish and Simplified Chinese
- Health and hygiene recommendations
- Travel guidance
- Situation updates
- Information specific to schools, workplaces, etc.

**Johns Hopkins University & Medicine:**

<https://coronavirus.jhu.edu/>