Gary Richard Herbert

Governor

EXECUTIVE ORDER

Updating the State COVID-19 Public Health Risk Status
Phased Guidelines to Version 4.1

WHEREAS, on March 6, 2020, I issued Executive Order 2020-1, declaring a state of emergency to facilitate the State's response to novel coronavirus disease 2019 (COVID-19);

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak;

WHEREAS, COVID-19 is caused by a virus that spreads easily from person to person, may result in serious illness or death, and has been characterized by the World Health Organization as a worldwide pandemic;

WHEREAS, the State must establish minimum standards to address a statewide emergency and recognizes the need for local authorities to impose directives and orders to address the unique circumstances in different locations in Utah;

WHEREAS, on April 17, 2020, the Utah Economic Response Task Force released version 2 of Utah Leads Together (hereinafter, "ULT 2.0"), recommending actions for Utah businesses and citizens to mitigate the economic consequences of COVID-19;

WHEREAS, ULT 2.0 provides a color-coded health guidance system comprising four levels of activity designated as Red (High Risk), Orange (Moderate Risk), Yellow (Low Risk), and Green (Normal Risk) (hereinafter, "Utah COVID-19 Health Risk Status"), where Red is most restrictive and each level of guidance after Red becomes progressively less restrictive and more economically engaged while still protecting public health;

WHEREAS, on May 5, 2020, the Utah Department of Health released version 4.1 of the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation (hereinafter, "Phased Guidelines, version 4.1") as an addendum to ULT 2.0;

WHEREAS, on April 29, 2020, I ordered the Utah COVID-19 Public Health Risk Status moved from Red (High Risk) to Orange (Medium Risk);

WHEREAS, Utah Code § 53-2a-209(1) provides that orders issued by the governor under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act, have the "full force and effect of law";

WHEREAS, Utah Code § 53-2a-204(1)(a) authorizes the governor to utilize all available resources of state government as reasonably necessary to cope with a state of emergency; and

WHEREAS, Utah Code § 53-2a-204(1)(b) authorizes the governor to employ measures and give direction to state and local officers and agencies that are reasonable and necessary for the

purpose of securing compliance with orders made pursuant to the Disaster Response and Recovery Act:

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, hereby order the following:

1. The Utah COVID-19 Public Health Risk Status shall remain at Orange (Moderate Risk).
2. Except as provided in Section 4, individuals and businesses in Utah shall comply with the Orange (Medium Risk) provisions of the Phased Guidelines, version 4.1.
3. A political subdivision desiring an exception to this Order or the Phased Guidelines, version 4.1 shall submit the request and justification for the request through the applicable Local Health Department to the Utah Department of Health. The Utah Department of Health shall consult with the Office of the Governor as necessary.
4. Any reference in the Phased Guidelines, version 4.1 to the use of a mask or face covering is adopted:
    a. as an order with respect to:
        i. each individual acting in the capacity as an employee of a business; and
        ii. each individual in a healthcare setting; and
    b. as a strong recommendation with respect to any individual not identified in Subsection (4)(a).

This Order is declared effective immediately and shall remain in effect until 11:59 p.m. on May 15, 2020, unless otherwise lawfully modified, amended, rescinded, or superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 6th day of May, 2020.

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/020/EO