

## Legislative Updates

October 13, 2020

### Alabama

#### *Business Operations*

On October 6, 2020, Attorney General Steve Marshall announced that due to Hurricane Delta the declared “state of emergency” is to include the Anti-Gouging law, the Alabama Unconscionable Pricing Act.

### Arizona

#### *City of Lake Havasu*

On October 5, 2020, Mayor Cal Sheehy suspended the proclamation requiring individuals to wear face coverings.

### California

#### *Pay Data Reporting*

Effective January 1, 2021, employers that have 100 or more employees and are required to file an annual EEO-1 report, must submit an annual pay data report to the state Department of Fair Employment and Housing (DFEH) SB 973. Employers with multiple establishments must submit a pay data report for each establishment and a consolidated report that includes all employees.

### California

#### *County Assignments*

On October 6, 2020, the Department of Health reassigned counties within its reopening plan:

- Purple Tier - Tehama County
- Red Tier – Shasta, Ventura, Merced and Yuba Counties
- Orange Tier – Inyo County
- Yellow Tier – Humboldt, Plumas, Siskiyou and Trinity Counties

### Connecticut

#### *Safety Precautions*

Effective October 8, 2020, the State will move to Phase 3 of its reopening plan.

### Connecticut

#### *Business Operations*

Effective October 8, 2020, the maximum capacity for indoor dining and personal services is raised to 75 percent. Private indoor gatherings of up to 25 people and outdoor gatherings of up to 150 people are permissible.

## Connecticut

### *Safety Precautions*

On October 6, 2020, Gov. Ned Lamont announced that New Mexico was added to the state's 14-day quarantine list.

## Florida

### *City of Lakeland*

On October 5, 2020, the City's mask mandate expired.

## Florida

### *City of St. Augustine*

On September 29, the City announced that businesses are no longer required to enforce a facial mask mandate.

## Florida

### *Nassau County*

On October 7, 2020, the Board of County Commissioners voted to terminate its facial mask mandate.

## Florida

### *City of Miami*

On October 9, 2020, Mayor Francis Suarez announced that restaurants were permitted to operate at 100 percent capacity with social distancing guidelines in place. In addition, restaurants may also have up to ten individuals per table.

## Florida

### *Manatee County*

On September 29, 2020, the County Commissioners voted to eliminate its facial mask mandate.

## Florida

### *City of Cocoa Beach*

On October 5, 2020, the City Commission announced that the City's face mask mandate would not be continued.

## Florida

### *City of Winter Haven*

On October 7, 2020, the City Commission announced that the City's face mask mandate would not be continued.

## Florida

### *City of Fernandina Beach*

On October 6, 2020, the City Commission approved an extension of its facial covering mandate for an additional 30 days.

## Florida

### *City of Lakeland*

On October 5, 2020, the City Commissioners did not renew the City's facial mask requirement that had been in place since July.

## Illinois

### *Safety Precautions*

Effective October 9, 2020, the Metro East Region (Region 4) is moving back to Phase 4 of the State's reopening plan.

## Illinois

### *Safety Precautions*

On October 9, 2020, the Illinois Department of Health (IDPH) announced that 26 counties are nearing the coronavirus "warming level." They are as follows:

*Case, Christian, Clay, Clinton, Coles, Crawford, Effingham, Fayette, Henderson, Jackson, Jefferson, Johnson, Knox, Lake, Lee, Mason, Massac, Pulask, Richland, Aline, Shelby, Union, Vermillion, Whiteside, Winnebago and Warren*

## Kentucky

### *Safety Precautions*

On September 28, 2020, Gov. Andy Beshear extended the State's facial mask for an additional 30 days.

## Louisiana

### *Safety Precautions*

On October 8, 2020, Gov. John Bel Edwards announced that the State would remain in Phase 3 of its reopening plan until November 6, 2020.

## Louisiana

### *Assumption Parish*

On October 7, 2020, bars in the Parish are permitted to reopen due to positive health benchmarks being met.

## Louisiana

### *Vermilion Parish*

On October 7, 2020, bars in the Parish are permitted to reopen due to positive health benchmarks being met.

## Maine

### *Safety Precautions*

On October 6, 2020, Gov. Janet Mills expanded her executive order requiring certain businesses to enforce the State's face covering requirement. During the summer months, the enforcement mandate was required only in Maine's coastal counties and more populous cities. It is now required statewide. [A copy of the order can be found here.](#)

## Maine

### *Business Operations*

Effective October 13, 2020, the State enters Stage 4 of its reopening plan. Under Stage 4, restaurants, movie theaters, and religious gatherings can operate up to a 50 percent capacity or up to 100 individuals. For non-seated indoor activities, such as physical activity in gyms, the limit remains 50 percent, while the limit for outdoor gatherings remains 100. Retailers continue to be subject to the occupancy limit of 5 people per 1,000 square feet of shopping space.

## Maryland

### *Safety Precautions*

On October 6, 2020, Gov. Larry Hogan issued an order to extend the State of Emergency and the catastrophic health emergency.

## Massachusetts

### *Business Operations*

Effective October 5, 2020, the Commonwealth issued guidance for businesses moving to Step 2 of Phase 3. Retailers in lower-risk communities are permitted to open fitting rooms. Previously they were permitted to utilize fitting rooms only if the rooms were necessary for their operations. Lodging establishments may resume providing non-essential amenities such as coffee and water, while gyms/fitness centers in lower risk communities are able to increase to maximum capacity for group exercise classes (if 14 feet of social distance can be maintained).

## Massachusetts

### *Boston*

On October 7, 2020, Mayor Marty Walsh announced a delay in the reopening of the City's schools. Pre-Schoolers and kindergarteners were scheduled to begin October 15, 2020.

## Michigan

### *Safety Precautions*

On October 9, 2020, Gov. Gretchen Whitmer's executive order permit's indoor entertainment venues and movie theaters to reopen with a maximum of 20 individuals per 1000 feet.

## Michigan

### *Safety Precautions*

On October 5, 2020, Michigan Department of Health and Human Services (MDHHS) Director Robert Gordon announced the following;

- Indoor gatherings of up to 10 individuals are permitted at a residence.
- Indoor gatherings of up to 10 persons occurring at a non-residential venue are permitted (with face coverings mandatory).
- Venues with fixed seating are limited to 20 percent capacity. (Up to 25 percent in Region 6.)
- In venues without fixed seating, attendance is limited to 20 persons per 1,000 square feet, per occupied room. (25 persons per 1,000 square feet in Region 6.)
- Individuals over the age of five are required to wear a facial mask.
- Food service establishments are required to close indoor common areas where people could congregate, dance, or otherwise mingle. They also must prohibit indoor gatherings anywhere alcoholic beverages are sold for consumption onsite (except where parties are seated and separated by at least six feet, and do not intermingle.)

## Michigan

### *City of Detroit*

On October 9, 2020, Mayor Mike Duggan announced that individuals are required to wear a face mask when in public. In addition, the maximum capacity for restaurants and bars is 50 percent.

## Michigan

### *Washtenaw County*

On October 5, 2020, the County Health Department ordered that individuals should continue to wear a facial mask and indoor/outdoor gatherings have a maximum capacity of 50 percent.

## Michigan

### *Wayne County*

In October 8, 2020, County Executive Warren Evans announced that an executive order had been put in place requiring individuals to wear a face covering when out in public. Gatherings are limited to ten people or twenty percent capacity per 1,000 square feet of space.

## Michigan

### *Oakland County*

On October 3, 2020, County Health Officer Leigh-Anne Stafford issued an order requiring residents five years of age and older to wear a facial mask when in public.

## Michigan

### *Macomb County*

On October 5, 2020, County Executive Mark Hackel announced that the County would not be implementing a facial mask mandate.

## Minnesota

### *Safety Precautions*

On October 12, 2020, Gov Tim Walz issued an executive order to extend the State's COVID-19 peacetime emergency through November 12, 2020.

## Mississippi

### *Warren County*

On October 5, 2020, the County Board of Supervisors extended its facial mask mandate until November 2, 2020.

## Missouri

### *Johnson County*

Effective October 12, 2020, the County Community Health Services Board of Trustees reinstated a mandatory mask requirement requiring face coverings in public places.

## Missouri

### *City of Springfield*

On October 5, 2020, the City Council approved the extension of its facial mask ordinance until January 9, 2021.

## Nebraska

### *City of Omaha*

On October 6, 2020, the City Council voted to extend its face mask ordinance until November 24, 2020.

## Nevada

### *Washoe County*

On October 7, 2020, the County Health District limited gatherings and events to a capacity of 250 individuals for the next 30 days.

## **New Hampshire**

### *Safety Precautions*

On October 9, 2020, Gov. Chris Sununu issued an executive order extending the state of emergency for an additional 21 days.

## **New Jersey**

### *Safety Precautions*

On October 6, 2020, Gov. Phil Murphy announced that New Mexico was added to the State's 14-day quarantine list.

## **New York**

### *Safety Precautions*

On October 6, 2020, Gov. Andrew Cuomo announced that New Mexico was added to the State's 14-day quarantine list.

## **New York**

### *New York City*

On September 29, 2020, Mayor Bill de Blasio approved an amendment to New York City Council Int. No. 2032-A, designed to align New York City's Earned Safe and Sick Time (ESSTA) with New York State's Sick Leave Law (NYSSL). The amendment requires that employers:

- report sick time accruals or usage on paystubs. The reporting must include the amount of safe/sick time accrued and used during a pay period and the employee's total balance of accrued safe/sick time.
- pay for the cost (or reimburse employees for the cost) of medical documentation that they request, regarding sick or safe leave.
- must post the Notice of Employee Rights in an employee-accessible area (and be provided to each employee at hiring).

## **Oklahoma**

### *City of Ada*

On October 5, 2020, the City Council approved the extension of its facial mask ordinance until October 19, 2020.

## **Oklahoma**

### *City of Edmond*

On October 6, 2020, the City Council approved the extension of its facial mask ordinance until November 30, 2020.

## Oklahoma

### *City of Yukon*

On October 6, 2020, the City Council approved the extension of its facial mask ordinance until December 10, 2020.

## Oklahoma

### *City of Tulsa*

On October 7, 2020, the City Council approved the extension of its facial mask ordinance until January 31, 2021. In addition, all individuals 10 years-old and up, are required to wear a facial covering.

## Oregon

### *Umatilla County*

On October 9, 2020, Gov. Kate Brown announced that the County was added to the state's watch list.

## Pennsylvania

### *Employee Overtime*

On October 3, 2020, Gov. Tom Wolf expanded the commonwealth's Minimum Wage Act (MWA). Workers currently earning up to \$35,568 annually may qualify for overtime. On October 3, 2021, the salary level increased to \$40,560 annually, and will increase again to \$45,500 on October 3, 2022.

## Pennsylvania

### *Safety Precautions*

Effective October 9, 2020, Gov. Tom Wolfe's order permits gatherings of up to 7,500 people in large outdoor venues and 3,750 at indoor venues.

## Pennsylvania

### *Montgomery County*

On October 6, 2020, the County Board of Commissioners extended the emergency disaster declaration. The declaration will remain in place for 60 days.

## South Carolina

### *City of Clemson*

On October 5, 2020 the City Council approved the extension of its facial mask ordinance until December 23, 2020.

## South Carolina

### *City of Conway*

On October 5, 2020, the City Council approved the extension of its facial mask ordinance until November 3, 2020.

## South Carolina

### *Beaufort County*

On October 6, 2020, the County Council voted to extend its COVID-19 state of emergency matching the statewide emergency order.

## Tennessee

### *Hamilton County*

On October 6, 2020, County Mayor Jim Coppinger renewed the facial mask mandate through November 22, 2020.

## Texas

### *Business Operations*

On October 7, 2020, Gov. Greg Abbott announced the starting October 14, 2020, that bars can open at 50 percent capacity with approval from county Judges in regions with low Covid-19 hospitalization rates.

## Vermont

### *Legalized Marijuana*

On October 7, 2020, Gov. Phil Scott announced that he would sign the State's legislative bill permitting possession and growing.

## Virginia

### *Employer Notice*

Effective October 29, 2020, the Virginia Human Rights Act (VHRA) requires employers to provide written notice to existing employees regarding the prohibition on discrimination based on pregnancy, childbirth and related medical conditions (including lactation) and the right to reasonable accommodations. A notice must be posted in a common area, be included in the employee handbook, be provided to new hires and any employee disclosing pregnancy within ten days.

## Washington

### *Non-Petition Covenants*

Effective January 1, 2021, an employer may draft noncompetition covenants once an employee earns a sufficient amount to satisfy the income threshold, the adjusted amount for employees is \$101,390 (as reported in Box 1 of the federal Form W-2), and the adjusted amount for independent contractors is \$253,475.

## Washington

### *Business Operations*

On October 6, 2020, Gov. Jay Inslee announced that restaurants in Phase 2 counties can sit up to six individuals at a table, while restaurants in Phase 3 counties may have up to eight.

## Washington

### *Evictions*

On October 8, 2020, Gov. Jay Inslee extended the state ban on evictions until December 31, 2020.

## West Virginia

### *Safety Precautions*

On October 5, 2020, Gov. Jim Justice issued an executive order permitting outdoor live music performances and certain indoor music performances to resume as long as safety protocols are maintained.

## West Virginia

### *City of Morgantown*

On October 9, 2020, Gov. Jim Justice announced that bars may reopen effective October 13, 2020.

## Wisconsin

### *Safety Precautions*

On October 6, 2020, Gov. Tony Evers issued an executive order limiting public gatherings to 25 percent of the total occupancy limits of a room or building.

## Wisconsin

### *City of Green Bay*

On October 6, 2020, the City Council approved the reading of an equal rights ordinance that adds gender identity, gender expression, gender non-conformity and trans-gender status to what is required by current federal/state law.

*The information contained in this document is intended for educational purposes and to provide a general understanding of regulatory events, legislative changes and the law – not to provide specific legal advice.*