

DEPT-3  
09-29-2020

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 20-244

(Phase 3; Right to Work; Business Certainty; Suspension of Fines.)

**WHEREAS**, on March 9, 2020, I issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

**WHEREAS**, on April 29, 2020, I issued Executive Order 20-112 initiating Phase 1 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery; and

**WHEREAS**, on May 14, 2020, I issued Executive Order 20-123 for Full Phase 1; and

**WHEREAS**, on June 3, 2020, I issued Executive Order 20-139 initiating Phase 2 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery.

**WHEREAS**, the State of Florida has suffered economic harm as a result of COVID-19-related closures, exacerbating the impacts of the State of Emergency, and Floridians should not be prohibited by local governments from working or operating a business.

**NOW, THEREFORE, I, RON DESANTIS**, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution and Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order:

Section 1.      Phase 3

This order 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.

Section 2. 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 consistent with Executive Order 20-92.

Section 3. 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:

- i. quantify the economic impact of each limitation or requirement on those restaurants; and
- ii. 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.

Section 4. Suspension of COVID-19-related Individual Fines and Penalties

This order, consistent with Executive Order 20-92, suspends the collection of fines and penalties associated with COVID-19 enforced upon individuals.

Section. 5      Effective Date

This order is effective immediately.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 25th day of September, 2020.

RON DESANTIS, GOVERNOR

ATTEST:

SECRETARY OF STATE

FILED  
2020 SEP 25 PM 4:06  
TALLAHASSEE, FLORIDA

## Phase 3 Re-Opening

- The governor announced on Friday, September 25<sup>th</sup> that the state will be transitioning immediately to Phase 3 of the re-opening plan.
- Under EO 20-244, local governments may still implement emergency orders to address the pandemic in individual communities, such as passing mask ordinances,
  - HOWEVER, local governments are PREEMPTED from any emergency order that prevents an individual from working or from operating a business.
  - EO 20-244 suspends the collection of fines and penalties associated with COVID-19 enforced upon individuals

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## Phase 3 Re-opening Plan

- Individuals older than 65 years of age and individuals with a serious underlying medical condition can resume public interactions, but should practice social distancing,
- Vulnerable populations should affirmatively inform their employer that they are a member of the vulnerable population so that their employer can plan accordingly.
- Non-vulnerable populations should consider minimizing time spent in crowded environments.
- Non-essential travel may continue.
- Employees should resume unrestricted staffing of worksites and implement the final phasing in of employees returning to work. For vulnerable populations, teleworking can be considered.

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## Phase 3 Re-opening Plan, cont'd

- Local government meetings should return to in-person quorum and public participation for local government bodies.
- Gyms and fitness centers should open to full capacity, but should maintain adequate sanitation practices among employees and patrons during all hours of operation.
- Theme parks may return to normal operations with limited social distancing protocols.
- Vacation Rentals should resume normal operating procedures, but should continue to thoroughly clean and disinfect the property between rentals.
- Operators of retail businesses should operate at full capacity, but should continue to maintain adequate sanitation practices for employees and patrons.