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## FISCAL UPDATE Article

Fiscal Services Division

May 20, 2020



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Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

### COVID-19 — GOVERNOR'S PROCLAMATIONS — MAY 13, 2020

#### Proclamation of Disaster Emergency, May 13, 2020

Governor Reynolds proclaimed a State of Disaster Emergency on March 9, 2020, in response to the outbreak of COVID-19 following a national public health emergency declaration issued by the United States Department of Health and Human Services on January 31, 2020, and multiple individuals within the State of Iowa testing presumptive positive for COVID-19. The Governor issued an additional Proclamation of Disaster Emergency on March 13, 2020, establishing a State of Public Health Disaster Emergency.

On May 13, 2020, the Governor issued an additional [Proclamation of Disaster Emergency](#), which ordered the following measures to be effective May 15, 2020, until the end of the Public Health Disaster Emergency or unless otherwise stated:

- Restaurants throughout the State may reopen or remain open to serve food and beverages on premises under the following conditions:
  - The restaurant must limit its occupancy to 50.0% of its normal operating capacity.
  - Parties seated together must contain no more than six people.
  - The restaurant must ensure that six feet of physical space exist between groups or individuals dining alone.
  - Self-service food or beverages remain prohibited.
- Fitness centers throughout the State may reopen or remain open under the following conditions:
  - The establishment must limit its occupancy to 50.0% of its normal operating capacity.
  - The establishment must ensure that all equipment is spaced in a way to allow users of the equipment to be at least six feet apart while using the equipment.
  - Group activities are limited to 10 or fewer people, and all individuals must maintain a distance of 6 feet apart at all times.
- Malls throughout the State may reopen or remain open to serve food and beverages on premises under the following conditions:
  - The establishment must limit its occupancy to 50.0% of its normal operating capacity.
  - All common seating areas and food courts shall remain closed, and all food served in food courts must be served on a carryout basis.
  - All play areas or playground must remain closed.
- Other retail establishments and libraries throughout the State may reopen or remain open, but must limit occupancy to 50.0% of their normal operating capacity.
- Salons as defined under Iowa Code section [157.1](#) and barbershops as defined under Iowa Code section [158.1](#) may reopen under the following conditions:
  - The salon or barbershop must limit its occupancy to 50.0% of its normal operating capacity.
  - The salon or barbershop must operate on an appointment basis to limit the individuals in waiting areas.

- The salon or barbershop must ensure all customers are able to remain at least six feet apart when performing cosmetology or barbering practices.
- Medical spas may reopen or remain open to provide medical aesthetic services only if they comply with the requirements for performing outpatient procedures, including utilizing personal protective equipment (PPE) as required for elective or nonessential surgeries and procedures.
- The following additional facilities and establishments may reopen or remain open under the condition that they take reasonable measures to ensure social distancing of employees and patrons, increase hygiene practices, and undertake additional health care measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health (IDPH):
  - Tanning facilities as defined by Iowa Code section [136D.2\(5\)](#).
  - Massage therapy establishments as defined by Iowa Code section [152C.1\(3\)](#).
  - Tattoo establishments as defined by Iowa Code section [135.37](#).
  - Campgrounds.
  - Drive-in theaters.
- Speedways and racetracks may reopen provided they do not permit spectators to attend in person.
- Social and fraternal clubs, including but not limited to the American Legion, Veterans of Foreign Wars (VFW), country clubs, and golf course clubhouses, may reopen or remain open to the minimal extent necessary to conduct a regular business meeting of no more than 10 people, to facilitate the use of a golf course, and to serve food and beverages on their premises under the following requirements:
  - The club must make reasonable efforts to encourage vulnerable Iowans to limit their attendance and in-person interactions in the club.
  - The establishment must limit its occupancy to 50.0% of its normal operating capacity.
  - The establishment must limit party size seating to no more than six people.
  - Self-serve food and drinks are prohibited.
  - If the club serves alcoholic beverages and service of food is merely incidental to the sale of beverages, the club will continue to be closed to the public except that food and beverages may be sold on a carryout, drive-through, or delivery basis.
- The following establishments shall remain closed until May 27, 2020.
  - Bars, except as previously allowed to operate in previous proclamations permitting drive-through, delivery, or carryout service.
  - Theaters, except drive-in theaters.
  - Casinos and gaming facilities.
  - Senior citizen centers and adult day care facilities.
  - Amusement parks.
  - Entertainment establishments such as bowling alleys, pool halls, and arcades.
  - Museums, aquariums, and zoos.
  - Skating parks and rinks.
  - Playgrounds.
  - Swimming pools.
  - All door-to-door sales activities.
- Mass gatherings of more than 10 people continue to be prohibited until May 27, 2020, except that spiritual and religious gatherings are not prohibited. People present who remain inside fully enclosed motor vehicles shall not be counted as one of the 10 people present for any gathering so long as they remain in the vehicle.

- Farmers markets are not prohibited as mass gatherings, but are restricted to permitting vendors selling farm products and food only. No entertainment or other activities are to be permitted, and common seating areas are prohibited. Vendors must be spaced so that six feet of empty space exists between the edge of one vendor's display and the adjacent vendor.
- All auctions with more than 10 people present continue to be prohibited except livestock auctions that only include food animals, which may continue to operate with up to 25 people present.
- A hospital, outpatient surgery provider, or outpatient procedure provider may conduct inpatient surgeries and procedures that, if further delayed, will pose a significant risk to the quality of life, and any outpatient surgeries or procedures under the following requirements:
  - A hospital or provider must have adequate PPE to support continued operations and respond to an unexpected surge in a timely manner.
  - A hospital or provider has a plan to conserve PPE consistent with guidance from the Centers for Disease Control and Prevention and the IDPH.
  - A hospital or provider must have a plan for timely COVID-19 testing of symptomatic patients and staff to rapidly mitigate potential clusters of infection.
  - A hospital must continue to accept and treat COVID-19 patients and must not transfer COVID-19 patients to create capacity for elective procedures.
  - A hospital must reserve at least 30.0% of intensive care beds and 30.0% of medical/surgical beds for COVID-19 patients.
  - A hospital or provider must limit all nonessential individuals in surgery and procedure suites and patient care areas where PPE is required.
  - A hospital or provider that begins conducting surgeries or procedures as authorized by this Proclamation must cease conducting such surgeries or procedures if it at any time is no longer able to comply with the above described requirements.

For additional information regarding the Proclamation of a State Disaster Emergency, see the LSA's [Legal Background Briefing](#).

LSA Staff Contact: Christopher Ubben (515.725.0134) [chris.ubben@legis.iowa.gov](mailto:chris.ubben@legis.iowa.gov)

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