

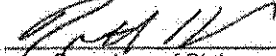


GOVERNOR GREG ABBOTT

April 17, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:50 AM O'CLOCK

APR 17 2020


Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

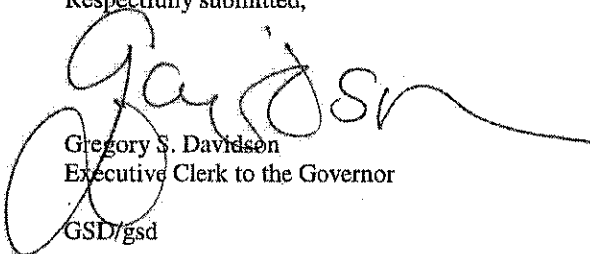
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-17 relating to the establishment of the Governor's Strike Force to Open Texas.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
April 17, 2020

EXECUTIVE ORDER
GA 17

Relating to the establishment of the Governor's Strike Force to Open Texas.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, on April 12, 2020, I issued a proclamation renewing the disaster declaration for all counties in Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued numerous executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, Executive Order GA-14, issued on March 31, 2020, mandated certain social-distancing restrictions and other obligations for Texans that are aimed at slowing the spread of COVID-19 according to federal guidelines; and

WHEREAS, although many lives have been saved because of social-distancing restrictions like those required by Executive Order GA-14, more than 400 Texans have lost their lives because of COVID-19, and the disease still presents a serious threat across Texas that could persist in certain areas; and

WHEREAS, apart from the threats to health and safety, COVID-19 has also wrought havoc on the many Texas businesses and workers affected by social-distancing restrictions that were necessary to protect human life; and

WHEREAS, over one million unemployment claims have been filed during the COVID-19 disaster by conscientious Texans who want to get back to work as soon as it is safe to do so; and

WHEREAS, Texas must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, today I have issued Executive Order GA-16 to replace Executive Order GA-14, and while it generally continues to mandate the same social-distancing restrictions

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and other obligations for Texans according to federal guidelines, Executive Order GA-16 offers a safe, strategic first step to Open Texas by permitting, starting on Friday, April 24, 2020, retail pick-up and delivery services under the strict conditions required by DSHS, and it also makes clear that teachers and staff can return to schools to conduct remote video instruction and perform administrative duties under certain restrictions; and

WHEREAS, the “governor is responsible for meeting ... the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders ... hav[ing] the force and effect of law;” and

WHEREAS, under Section 418.017(a), the “governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster.”

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following:

Creation and Duties. The Governor’s Strike Force to Open Texas, hereafter referred to as the Strike Force, is hereby created to advise the governor on safely and strategically restarting and revitalizing all aspects of the Lone Star State—work, school, entertainment, and culture. The Strike Force will represent a collaboration among medical professionals and public and private leaders, and shall have as its principal charges the following advisory duties, as well as any other advisory tasks assigned by the governor:

1. Study and make recommendations, in consultation with state health officials, for revitalizing the Texas economy during our recovery from the COVID-19 disaster, including without limitation on the following topics:
 - a. Safely reopening Texas businesses across a variety of sectors in a strategic, healthy, and productive manner that protects workers and consumers, especially our most vulnerable populations, while also spurring economic recovery and growth;
 - b. Providing the necessary training and resources, based on White House and Centers for Disease Control and Prevention best practices, to position Texas workers and businesses to recover from and thrive after the COVID-19 disaster;
 - c. Re-stabilizing individuals and families who have been economically affected by the COVID-19 disaster;
 - d. Safely and responsibly revitalizing key Texas institutions, including without limitation those focused on workforce and economic development, education, health care, energy, infrastructure, and arts, culture, and entertainment;
 - e. Maximizing the use of federal funding and other available resources to recharge the Texas economy;
 - f. Restoring health care services for Texans as soon as reasonably practicable for each type of service in light of the health and safety concerns and in consultation with each applicable state regulatory agency;

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- g. Spurring the recovery and growth of small businesses in Texas;
 - h. Advancing economic growth in rural communities in Texas;
 - i. Ensuring fiscal responsibility and accountability in the coming phases of economic revitalization, including the expeditious and efficient deployment of resources provided by the federal government through stimulus programs; and
 - j. Keeping Texas as the top destination for businesses looking to move or reopen.
2. Study and make recommendations, in consultation with state health officials, to safely ease restrictions on Texas businesses in the aftermath of the spread of COVID-19, including without limitation the restrictions imposed by my executive orders and those imposed by local officials; and
 3. In coordination with the Office of the Governor, collaborate with key partners, including state leaders, state regulatory agencies, local governments and entities, and private-sector professionals, in studying and making recommendations of strategies and best practices for economic revitalization.

Immediate Deadlines. With Executive Order GA-16 set to expire on April 30, 2020, and given my expectation that it will not be extended in its current form, the Strike Force must provide immediate and ongoing recommendations consistent with the advisory duties outlined above, including advice regarding the safe reopening of Texas businesses in a strategic, healthy, and productive manner. This shall include recommendations about any prudent reopening measures that can be implemented between now and May 1, 2020. This advice should include the types of businesses and services to reopen, the extent to which the providers of those services may function, and any restrictions that should be placed upon those services and service providers.

Chief Operating Officer. The governor will designate a chief operating officer of the Strike Force, who will be employed by the Office of the Governor and perform all Strike Force duties as a state employee. The chief operating officer will coordinate Strike Force duties consistent with the provisions of this executive order, and act solely in an advisory capacity as it relates to Strike Force duties.

Chief Medical Advisors Working Group. The Strike Force shall include a working group consisting of chief medical advisors to advise the chief operating officer and other parts of the Strike Force concerning the health and medical evidence relevant to the Strike Force's duties. The chief medical advisors will be invited to serve by the governor. The working group and its members will assist in fulfilling the Strike Force duties, and act solely in an advisory capacity.

Working Groups. The chief operating officer may create such additional working groups, consisting of state, local, and other officials providing their advice and assistance, as the chief operating officer deems appropriate. The additional working groups should address at least the following topics: Workforce, Economic Development, and International Trade; Education; Fiscal Accountability; Energy; Arts, Culture, and Entertainment; Health Care Systems; Infrastructure; and Emergency Management and Supply Chain. These working group members will be invited to serve by the chief operating officer, and each working group will be led by one or more leaders. These working groups and their members will assist in fulfilling the Strike Force duties, and act solely in an advisory capacity.

State Officials. The Lieutenant Governor, the Speaker of the House of

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Representatives, the Attorney General, and the Comptroller have agreed to serve as consulting members of the Strike Force. The governor will consult with the elected state officials as necessary and appropriate concerning advice and recommendations. The elected state officials will act solely in an advisory capacity as it relates to all Strike Force duties.

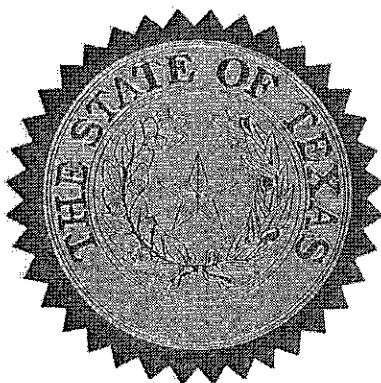
Meetings. The Strike Force may meet, by telephone or videoconference, at the call of the governor or the chief operating officer. No quorum requirements or meeting formalities shall be required for this advisory body or any of its subparts.

Vacancies and Additions. The governor may invite people to fill any vacancies that occur, may invite additional members, and may create and fill additional Strike Force positions as needed.

Administrative Support. The Office of the Governor shall provide administrative support for the Strike Force. All state agencies are hereby directed to cooperate with and assist the Strike Force in the performance of its duties.

Other Provisions. Any state or local government employees serving on the Strike Force do so in addition to the regular duties of their respective positions. Members of the Strike Force, other than the chief operating officer and any other employees within the Office of the Governor assigned to support the chief operating officer or the Strike Force, shall serve without salary or compensatory per diem. All Strike Force members who are providing their advice and assistance on a volunteer basis are doing so at the request and invitation of the governor and the Office of the Governor. All Strike Force members shall act solely in an advisory capacity. The criminal penalty provisions set forth in any emergency management plan under Section 418.173 of the Texas Government Code do not apply to this executive order.

This executive order shall remain in effect and in full force until modified, amended, rescinded, or superseded by the governor.



Given under my hand this the 17th
day of April, 2020.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Ruth R. Hughes in black ink.

RUTH R. HUGHES
Secretary of State

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SECRETARY OF STATE
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APR 17 2020



GOVERNOR GREG ABBOTT

April 17, 2020

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

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Secretary of State

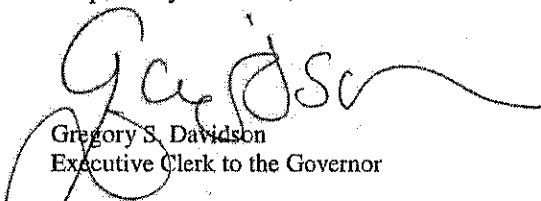
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-16 relating to the safe, strategic reopening of select services as the first step to Open Texas in response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
April 17, 2020

EXECUTIVE ORDER
GA 16

*Relating to the safe, strategic reopening of select services as the first step to
Open Texas in response to the COVID-19 disaster.*

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, on April 12, 2020, I issued a proclamation renewing the disaster declaration for all counties in Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued numerous executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating certain obligations for Texans in accordance with the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC) on March 16, 2020, which called upon Americans to take actions to slow the spread of COVID-19 for 15 days; and

WHEREAS, shortly before Executive Order GA-08 expired, I issued Executive Order GA-14 on March 31, 2020, based on the President's announcement that the restrictive social-distancing Guidelines should extend through April 30, 2020, in light of advice from Dr. Anthony Fauci and Dr. Deborah Birx, and also based on guidance by DSHS Commissioner Dr. Hellerstedt and White House Coronavirus Response Coordinator Dr. Birx that the spread of COVID-19 can be reduced by minimizing social gatherings; and

WHEREAS, Executive Order GA-14 superseded Executive Order GA-08 and expanded the social-distancing restrictions and other obligations for Texans that are aimed at slowing the spread of COVID-19, including by limiting social gatherings and in-person contact with people (other than those in the same household) to providing or obtaining "essential services," and by expressly adopting the U.S. Department of Homeland Security's March 28, 2020 Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, which provides a list of critical-infrastructure sectors, workers, and functions that should continue as "essential services" during the COVID-19 response; and

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WHEREAS, Executive Order GA-14 therefore restricts non-essential services during the COVID-19 disaster; and

WHEREAS, although many lives have been saved because of social-distancing restrictions like those required by Executive Order GA-14, more than 400 Texans have lost their lives because of COVID-19, and the disease still presents a serious threat across Texas that could persist in certain areas; and

WHEREAS, apart from the threats to health and safety, COVID-19 has also wrought havoc on the many Texas businesses and workers affected by social-distancing restrictions that were necessary to protect human life; and

WHEREAS, over one million unemployment claims have been filed during the COVID-19 disaster by conscientious Texans who want to get back to work as soon as it is safe to do so; and

WHEREAS, Texas must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, today I am also issuing Executive Order GA-17, creating the Governor's Strike Force to Open Texas to study and make recommendations on safely and strategically restarting and revitalizing all aspects of the Lone Star State—work, school, entertainment, and culture; and

WHEREAS, the “governor is responsible for meeting ... the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders ... hav[ing] the force and effect of law;” and

WHEREAS, under Section 418.016(a), the “governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;” and

WHEREAS, under Section 418.017(a), the “governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster;” and

WHEREAS, under Section 418.018(c), the “governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;” and

WHEREAS, under Section 418.173, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately, and continuing through April

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30, 2020, subject to extension based on the status of COVID-19 in Texas and the recommendations of the CDC and the White House Coronavirus Task Force:

In accordance with guidance from DSHS Commissioner Dr. Hellerstedt, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in Texas shall, except where necessary to provide or obtain essential services or reopened services, minimize social gatherings and minimize in-person contact with people who are not in the same household.

"Essential services" shall consist of everything listed by the U.S. Department of Homeland Security (DHS) in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0 or any subsequent version, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this executive order and any approved additions. Requests for additions should be directed to TDEM at EssentialServices@tdem.texas.gov or by visiting www.tdem.texas.gov/essentialservices.

"Reopened services" shall consist of:

- Starting at 12:01 a.m. on Friday, April 24, 2020, retail services that are not "essential services," but that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep in strict compliance with the terms required by DSHS. The DSHS requirements may be found at www.dshs.texas.gov/coronavirus.
- Such additional services as may be enumerated by future executive orders or proclamations by the governor.

In providing or obtaining essential services or reopened services, people and businesses should follow the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, implementing social distancing, and working from home if possible. In particular, all such services should be provided through remote telework from home unless they cannot be provided through remote telework. Religious services should be conducted in accordance with the Guidelines for Houses of Worship During the COVID-19 Crisis, as promulgated by the attorney general and governor.

In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons; provided, however, that the use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of this executive order.

This executive order does not prohibit people from accessing essential or reopened services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential or reopened services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.

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In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities whenever possible.

In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance by students and shall not recommence before the end of the 2019-2020 school year. Public education teachers and staff are encouraged to continue to work remotely from home if possible, but may return to schools to conduct remote video instruction, as well as perform administrative duties, under the strict terms required by the Texas Education Agency. Private schools and institutions of higher education should establish similar terms to allow teachers and staff to return to schools to conduct remote video instruction and perform administrative duties when it is not possible to do so remotely from home.

This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services or reopened services allowed by this executive order or allows gatherings prohibited by this executive order. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

This executive order supersedes Executive Order GA-14, but does not supersede Executive Orders GA-09, GA-10, GA-11, GA-12, GA-13, or GA-15. This executive order shall remain in effect and in full force until 11:59 p.m. on April 30, 2020, unless it is modified, amended, rescinded, or superseded by the governor.



Given under my hand this the 17th
day of April, 2020.

Handwritten signature of Greg Abbott in cursive script.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Ruth R. Hughes in cursive script.

RUTH R. HUGHES
Secretary of State

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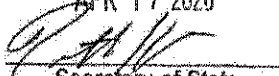


GOVERNOR GREG ABBOTT

April 17, 2020

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The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

APR 17 2020

Secretary of State

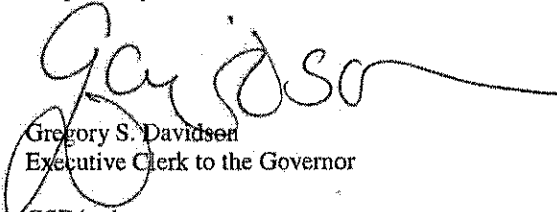
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-15 relating to hospital capacity during the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
April 17, 2020

EXECUTIVE ORDER
GA 15

Relating to hospital capacity during the COVID-19 disaster.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, on April 12, 2020, I issued a proclamation renewing the disaster declaration for all counties in Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued numerous executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, a shortage of hospital capacity or personal protective equipment would hinder efforts to cope with the COVID-19 disaster; and

WHEREAS, hospital capacity and personal protective equipment were being depleted by surgeries and procedures that were not medically necessary to correct a serious medical condition or to preserve the life of a patient, contrary to recommendations from the President's Coronavirus Task Force, the Centers for Disease Control and Prevention, the U.S. Surgeon General, and the Centers for Medicare and Medicaid Services; and

WHEREAS, various hospital licensing requirements would stand in the way of implementing increased occupancy in the event of surge needs for hospital capacity due to COVID-19; and

WHEREAS, I issued Executive Order GA-09 on March 22, 2020, in an effort to avoid a shortage of hospital capacity or personal protective equipment, and it is subject to expiration at 11:59 p.m. on April 21, 2020, absent further action by the governor; and

WHEREAS, the "governor is responsible for meeting ... the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

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WHEREAS, under Section 418.012, the “governor may issue executive orders ... hav[ing] the force and effect of law;” and

WHEREAS, under Section 418.016(a), the “governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster;” and

WHEREAS, under Section 418.173, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis beginning at 11:59 p.m. on April 21, 2020, and continuing until 11:59 p.m. on May 8, 2020:

All licensed health care professionals and all licensed health care facilities shall postpone all surgeries and procedures that are not medically necessary to diagnose or correct a serious medical condition of, or to preserve the life of, a patient who without timely performance of the surgery or procedure would be at risk for serious adverse medical consequences or death, as determined by the patient’s physician; provided, however, that this prohibition shall not apply to either of the following:

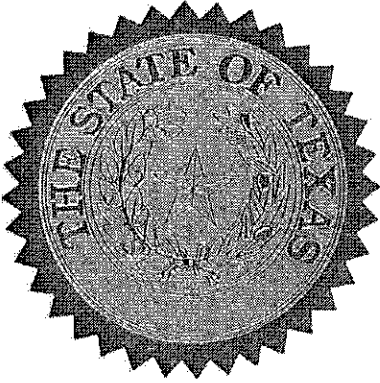
- any procedure that, if performed in accordance with the commonly accepted standard of clinical practice, would not deplete the hospital capacity or the personal protective equipment needed to cope with the COVID-19 disaster; or
- any surgery or procedure performed in a licensed health care facility that has certified in writing to the Texas Health and Human Services Commission both: (1) that it will reserve at least 25% of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients; and (2) that it will not request any personal protective equipment from any public source, whether federal, state, or local, for the duration of the COVID-19 disaster.

I hereby continue the suspension of the following provisions to the extent necessary to implement increased occupancy in the event of surge needs for hospital capacity due to COVID-19:

25 TAC Sec. 133.162(d)(4)(A)(iii)(I);
25 TAC Sec. 133.163(f)(1)(A)(i)(II)–(III);
25 TAC Sec. 133.163(f)(1)(B)(i)(III)–(IV);
25 TAC Sec. 133.163(m)(1)(B)(ii);
25 TAC Sec. 133.163(t)(1)(B)(iii)–(iv);
25 TAC Sec. 133.163(t)(1)(C);
25 TAC Sec. 133.163(t)(5)(B)–(C); and

Any other pertinent regulations or statutes, upon written approval of the Office of the Governor.

This executive order shall remain in effect and in full force until 11:59 p.m. on May 8, 2020, unless it is modified, amended, rescinded, or superseded by the governor.



Given under my hand this the 17th
day of April, 2020.

Handwritten signature of Greg Abbott in cursive script.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Ruth R. Hughs in cursive script.

RUTH R. HUGHS
Secretary of State

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