

NOTICE REGARDING COVID-19 EXECUTIVE ORDER NUMBER 8

To: ICRMT Members
From: O'Halloran Kosoff Geitner & Cook, LLC
Date: March 20, 2020
Re: COVID-19 Executive Order No. 8

On March 20, 2020, Governor Pritzker issued his eighth Executive Order in response to the COVID-19 pandemic. This Order can be found on the state's new website dedicated to COVID-19: <https://coronavirus.illinois.gov/> Members are urged to review the Order as this summary does not address every provision of the Order. This notice is provided for informational purposes only and does not address any issues with respect to the enforcement of the provisions of the Order by member entities.

The Order goes into effect on March 21, 2020 at 5:00 p.m. and directs individuals currently living in Illinois to stay at their place of residence through April 7, 2020, with limited exceptions. To the extent that individuals are using shared or outdoor spaces they are required to maintain social distancing. Individuals are permitted to leave their homes for essential activities, essential governmental functions or to operate essential businesses.

Non-essential businesses are required to cease operations except for minimum basic operations, but may allow employees to work from home.

Public and private gatherings of any number outside of a single household are prohibited, except as permitted in the Order. Any gathering of more than ten people is prohibited unless exempted by the Order.

Essential Governmental Functions

Individuals performing essential governmental functions are excluded from the Order. Essential governmental functions include all functions provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of government agencies or to provide for or support the health, safety, and welfare of the public including contractors performing essential governmental functions. Each governmental entity "shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions." The Order specifically exempts the following categories of employees:

- First responders
- Emergency management personnel

- Emergency dispatchers
- Court personnel
- Law enforcement personnel
- Corrections personnel
- Hazardous materials responders
- Child protection personnel
- Housing and shelter personnel
- Military
- Other governmental employees performing essential operations

The Order also directs law enforcement to cease enforcement of eviction orders for residential premises for the duration of the Gubernatorial Disaster Proclamation.

Essential Activities

Individuals are permitted to leave their homes for essential activities. The Order defines essential activities to include:

- Engaging in activities or performing tasks essential to the individual’s health and safety or that of a family member
- Obtaining necessary supplies or services like groceries or household items
- Performing essential services associated with healthcare, public health, human services work, maintenance or repair of essential infrastructure, essential governmental functions, and essential business operations

Essential Businesses and Operations

There are a number of businesses defined by the Order as “essential.” Essential businesses are encouraged to remain open to the greatest extent feasible and include:

- Healthcare operations
- Public health operations
- Human services operations
- Essential governmental functions
- Essential infrastructure
- Stores that sell groceries and medicine
- Food, beverage, cannabis production and agriculture
- Charitable and social service organizations
- Media
- Gas stations
- Financial institutions

- Hardware stores
- Critical trades like plumbers, electricians, HVAC, exterminators, janitorial staff, painting, moving and relocation services
- Mail and shipping
- Educational institutions for distance learning and critical research
- Laundry services
- Restaurants for off-premises consumption
- Businesses that sell, manufacture, or supply products needed for work at home
- Businesses that sell, manufacture, or supply products for “essential businesses”
- Transportation
- Home based care
- Residential facilities and shelters
- Professional services including legal services, accounting services, insurance services, and real estate services
- Certain daycare centers
- Manufacturers and distributors of critical products
- Critical labor union functions
- Hotels and motels
- Funeral services

Minimum Basic Operations

The Order permits non-essential businesses to conduct minimum basic operations necessary to maintain the value of a business’s inventory, preserve its physical plant and equipment, ensure security, process payroll and benefits, or perform related functions.

Essential Travel

The Order permits travel for essential activities, essential governmental functions, essential business operations, minimum business operations, and for certain other limited reasons.

Social Distancing

Essential businesses and operations that are permitted to continue are to ensure compliance with social distancing of six feet where possible, and should provide hand sanitizer, implement separate operating hours for the elderly, and post online whether a facility is open and how best to reach the facility.