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## **Overview of Governor Gavin Newsom’s Executive Action since March 4, 2020**

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## SECTION I

### Statutes and Regulations Affected or Changed by Executive Order since March 4, 2020

#### **The Bagley-Keene Act and the Brown Act**

Requires a local legislative body or state body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local Legislative body or state body. The requirements in both Acts require the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are waived by [Executive Order N-25-20](#), and [Executive Order N-29-20](#) suspends additional technical requirements.

#### **The Sex Offender Registration Act**

All provision of the Sex Offender Registration Act and implimenting procedures that require persons subject to the Act to appear in person, and all provisions of the Act and implementing procedures that require such persons to provide a signature, fingerprints, and photograph, are suspended for 60 days as a result of [Executive Order N-63-20](#). The requirement to register and all other registration and reporting requirements of the Sex Offender Registration Act remain in place.

#### **Business and Professions Code**

Section 1206.5 – relating to certification and licensure requirements. [Executive Order N-25-20](#) suspends this code section as to all persons who meet the requirements under the Clinical Laboratory Improvement Amendments of section 353 of the Public Health Service Act for high complexity testing and who are performing analysis of samples to test for SARS-CoV-2, the virus that causes COVID-19, in any certified public health lab or licensed clinical laboratory.

Section 2290.5(b) - The requirements related to the responsibility of a health care provider to obtain verbal or written consent before the use of telehealth services and to document that consent, as well as any implementing regulations. Suspended by Executive Order [N-43-20](#).

Section 19620.15(h)(3)(C) – Relating to the use of the Fair and Expositions Fund. Suspended, for the duration of the proclaimed emergency, for employees providing critical support for fairgrounds that are or may be activated for emergency activities by Executive Order [N-40-20](#).

Sections 19942, 19951, 19954, 19955 - The deadlines to pay annual fees, including any installment payments, currently due or that will become due during the proclaimed emergency and any accompanying regulations; the expiration dates of all licensees, work permits, findings of suitability, or other approvals, and any accompanying regulations; the deadlines for submission and processing of any application or related fee, and any accompanying regulations; the deadline for completing the annual financial reports and audited reports, and the deadlines for satisfying any outstanding requirements, including conditions or restrictions on licenses, work permits, findings of suitability, or other approvals. Extended for a period of 60 days, by Executive Order [N-40-20](#), for any card room or third-party provider of proposition player service that suspends operations due to the proclaimed emergency.

Section 24048 – Relating to The Director of the Department of Alcoholic Beverage Control. Now has the authority to suspend, for a period of up to 60 days, the deadlines for renewing licenses upon payment of annual fees and license renewal penalty fees that are due by Executive Order [N-40-20](#).

Business and Professions Code, Division 4, Part 1, Chapter 3, Article 2 (Section 10150, et seq.) - regarding real estate broker licensing exams. The timeframes set forth in this section are extended by Executive Order [N-52-20](#) for a period of 60 days.

Business and Professions Code Division 4, Part 1, Chapter 3, Article 2.5 (Section 10170 et seq.), relating to continuing education requirements for real estate licensees. The timeframes set forth in this section are hereby extended for a period of 60 days via Executive Order [N-52-20](#).

Business and Professions Code, Division 4, Part 1 - The deadlines specified in existing Orders issued by the Real Estate Commissioner pursuant to this section are hereby extended for a period of 60 days by the issuance of Executive Order [N-52-20](#).

## **Civil Code**

Section 56.35 – Relating to the penalties for violations of the confidentiality of medical information. Suspended as applied to inadvertent, unauthorized access or disclosure of health information during the good faith provision of telehealth services by Executive Order [N-43-20](#).

Section 56.36 – Relating to the administrative fines, civil penalties, and private right of action as well as any other cause of action. Suspended as applied to inadvertent, unauthorized access or disclosure of health information during the good faith provision of telehealth services by Executive Order [N-43-20](#).

Section 1185(b)(3)(A) - Requires that an identification card or driver's license issued by the California Department of Motor Vehicles is current or has been issued within the last 5 years in order to serve as satisfactory evidence of identity for an officer or notary public. This requirement is suspended for 60 days by [Executive Order N-63-20](#), with respect to any identification card or driver's license issued by the California Department of Motor Vehicles showing an expiration date of March 1, 2020 or later.

Sections 1798.29 and 1798.82 – Relating to the civil penalties for health care facilities and providers and any cause of action. Suspended as applied to any breach resulting from inadvertent, unauthorized access or disclosure that occurs during the good faith provision of telehealth services by Executive Order [N-43-20](#).

Section 1940 & 1954.25 – restricts a local government's exercise of its police power to impose substantive limitations on residential or commercial evictions. [Executive Order N-28-20](#) suspends these code sections.

Section 3054 - funds in any account held by an individual who received financial assistance shall be exempt from any lien or standoff via Executive Order [N-57-20](#).

Section 8414 - All statutes and regulations, to the extent they govern the deadlines for filing and recording Labor Commission claims and liens, are extended by 60 days as a result of [Executive Order N-63-20](#).

## **Code of Civil Procedure**

Section 695.221(e). - Concerning credits to the State from certain collections received from federal tax refund offsets when the recipient of such a refund owes past due support, is suspended via Executive Order [N-52-20](#).

Section 1010.6(b) through (d) - To the extent those subdivisions limit a court's authority to order parties to accept electronic service, or to perform service electronically they are suspended by Executive Order [N-38-20](#).

Section 1167 – related to unlawful detainers. The deadline for a tenant to provide a response when served an eviction notice from a residence or dwelling for nonpayment of rent, shall be extended for a period of 60 days by Executive Order [N-37-20](#)

Section 2025.310 (b) - The extent that subdivision limits a court's authority to provide that a party deponent may appear at a deposition by telephone, is suspended by Executive Order [N-38-20](#).

Code of Civil Procedure Part 2 Title 6.5 and Part 2 Title 9 Division 2 - Suspended by [N-57-20](#) to implement exemption of levy, execution or garnishment from financial assistance made available under the CARES Act.

### **Corporations Code:**

Sections 20 and 600 - For any shareholder meetings that already have been scheduled, or must occur before June 30, 2020, the requirements to request and receive the consent of shareholders for meetings of shareholders to be held by electronic transmission or by electronic video screen communication are hereby suspended by Executive Order [N-40-20](#).

Section 601 - The requirement to provide written notice of such meetings is hereby suspended, to the extent that a corporation has provided notice to its shareholders that a meeting will occur at a physical location and subsequently provides notice by a press release, website posting and other means reasonably designed to inform shareholders that the meeting will occur by electronic transmission or by electronic video screen communication by Executive Order [N-40-20](#).

### **Education Code**

Sections 1622(a), 1622(b)(2), 1622(d) - Requires that the Superintendent of Public Instruction disapprove the budget if the county board of education has not adopted a LCAP or if the budget does not include the expenditures necessary to implement the LCAP. Executive Order [N-56-20](#) waives this provision.

Section 8263(a) - Regulations with respect to non-CalWORKS early learning and care services provided to children of essential critical infrastructure workers and children with disabilities or special health care needs whose individualized education programs and individual family support plans include early childhood education services, are waived by Executive Order [N-47-20](#).

Section 8263(b) - Regulations for a written referral from a legal, medical, or social services agency for children at risk of abuse or neglect to have priority for services, are waived by Executive Order [N-47-20](#).

Section 8263(b)(1) - Provisions intended to ensure that neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, retain first priority for services by Executive Order [N-45-20](#).

Section 8263(b)(2) and (3) - Any accompanying regulations and the enrollment priorities are waived with respect to non-CalWORKS early learning and care services provided to children of essential critical infrastructure workers by Executive Order [N-45-20](#).

Section 8273 - Any accompanying regulations or other written policies or procedures related to assessment of fees for families using preschool and child care and development services, are suspended for a period of 60 days by Executive Order [N-45-20](#).

Section 8351 - California Department of Social Services may, for the next 60 days and in consultation with the California Department of Education, waive any of the licensing, contractual, and payment requirements or other written policies or procedures related to CalWORKs Stage One Child Care by Executive Order [N-45-20](#).

Section 8434(g). Related to the election of a representative for family child care providers is extended from June 1, 2020 to August 1, 2020 by Executive Order [N-52-20](#).

Section 8482.3(f) - Any of the reporting, auditing, or other requirements related to applicants for grants under the After School Education and Safety Program may be waived for the period covered by this suspension by Executive Order [N-45-20](#).

Sections 8483.7(a)(1)(C) and 8483.7(a)(1)(D) - Calculations applicable to calendar year 2019 required for recipients of the After School Education and Safety grant, are suspended by Executive Order [N-45-20](#).



Section 8426(d)(2) and (3) - Calculations applicable to calendar year 2019 required for recipients of the 21st Century High School After School and Enrichment for Teens (ASSETs) are suspended to the extent such suspension is consistent with applicable federal statutes and regulations, by Executive Order [N-45-20](#).

Section 17311(b)(3) - Requires evaluation of the competency of those who provide inspections pursuant to this article. After an initial evaluation, a reevaluation shall occur not later than 48 months after the last evaluation or reevaluation. Executive Order [N-63-20](#) grants an extension until September 1, 2020 to any inspector who has previously passed an initial evaluation and whose reevaluation would otherwise be due on or before May 6, 2020.

Section 33352(b)(4) and (5). - Requires the Department of Education to collect Data regarding the administration of the physical fitness test. Waived for the 2019-2020 school year by Executive Order [N-56-20](#).

Section 41422 – Requires affidavits to submit the members of the governing board of the school district, the governing board of the county office of education, or the governing board or body of the charter school and of the county superintendent of schools. [Executive Order N-26-20](#) suspends this code section on the condition that the superintendent of the school district, the county superintendent of schools, or the charter school leader certifies in writing to the Superintendent of Public Instruction that the closure occurred to address COVID-19.

Sections 42127(a)(2)(A), 42127(c)(3), 42127(d)(1), 42127(d)(2). - Requires the budget adopted by a governing board of a school district on or before July, 1 2020, under qualifications requirements that the governing board adopt a LCAP prior to adopting a budget and that the budget include the expenditures identified in the LCAP that ensure the budget's eligibility. Executive Order [N-56-20](#) waives those qualifications for submitting said budget.

Section 44242.7(a) – related to the presentation of disciplinary cases to the Committee of Credentials for initial review. [Executive Order N-35-20](#) provides a 60-day extension.

Section 44244(b)(1) – related to the formal review of disciplinary cases and determination of any adverse action by the committee of Credentials. [Executive Order N-35-20](#) provides a 60-day extension.

Section 44343.5 – related to the processing of military spouse or partner applications. [Executive Order N-35-20](#) provides a 60-day extension.

Section 44350 – related to processing educator applications. [Executive Order N-35-20](#) provides a 60-day extension.

Sections 47604.33, 47606.5, 52060, 52061, 52064.1, 52066, and 52067. - Executive Order [N-56-20](#) extends the deadlines for local school district governing boards, county boards of education, or the governing bodies of charter schools to adopt the LCAP and the budget overview for parents by December 15, 2020 instead of July 1, 2020.

Sections 49076, 49558 and 49557.3 - Any accompanying regulations for the limited purpose of authorizing the sharing of data between the California Department of Social Services and the California Department of Education to identify students who may be eligible for the Pandemic SNAP benefit, are waived by Executive Order [N-45-20](#).

Section 52064 - Executive Order [N-56-20](#) waives and Extends the deadline for a charter school to submit the LCAP to its Chartering authority and the county superintendent of schools to December 15, 2021.

Section 52064.5(e)(2). - Requires the governing board of school district, the county board of education, and the governing body of a charter school to review data to be publicly reported for Dashboard local indicators in conjunction with the adoption of the LCAP. Waived by Executive Order [N-56-20](#) with respect to the review and adoption that would otherwise be required by July 1, 2020.

Section 52070(d) and 52070.5(d) - Executive Order [N-56-20](#) extends the deadline for a county superintendent or the Superintendent of Public Instruction to approve the LCAP to January 14, 2021.

Sections 51210(a)(7), 51220(d), 51222, and 51223. - Related to minimum instructional minutes in physical education for grades 1-12. Waived, as well the requirements for adequate facilities for physical education courses pursuant to section 51241(b)(2), by Executive Order [N-56-20](#).

Section 60641(a) – requires that students be administered academic assessments in mathematics, English, language arts, and science, as provide for in Education Code section 60640. [Executive Order N-30-20](#) waives these requirements for the 2019-20 school year for all schools in the state.

Section 60800. - Requires each LEA maintaining any of grades 5, 7 and 9 to administer a physical fitness performance test to each student. Waived for the 2019-2020 school year by Executive Order [N-56-20](#).

Sections 69433.9 and 69400 - relates to policy to verify Selective Service registration for applicants eligible for Cal Grants pursuant to Education Code section 69508.5 for the grants received for the 2019-20 and 2020-21 academic years. These regulations and policies are waived by [Executive Order N-65-20](#).

Section 89030.5. Permits a change in the criteria for admission to a California State University campus to become effective only after public hearings have been held and only after a period of at least six months or one year (as applicable) has elapsed after that change is approved by the chancellor, are waived through June 30, 2021 by Executive Order [N-52-20](#).

Articles 1-11, 12, 15.5-18, 20, and 21 of Chapter 2 of Part 6 of Division 1 - Regulations that restrict a child care and development program impacted by COVID-19 from serving children of essential critical infrastructure workers provided that services are provided consistent with an informal directive or bulletin issued by the State Superintendent of Public Instruction pursuant to SB 117 (Chapter 3, Statutes of 2020) and that costs associated with all services provided pursuant to the informal directive or bulletin are within the budget authority of the California Department of Education, are suspended for a period of 60 days by Executive Order [N-45-20](#).

Article 22.5 of Chapter 2 of Part 6 of Division 1 - Any accompanying regulations related to the After School Education and Safety Program that restricts a program funded pursuant to that Article from operating during the hours that school is ordinarily in session while a school is closed to address COVID19 or from serving school-age children of essential critical infrastructure workers, are suspended for a period of 60 days by Executive Order [N-45-20](#).

Article 22.6 of Chapter 2 of Part 6 of Division 1 - Any accompanying regulations related to 21st Century Community Learning Centers grant includes requirements beyond the requirements imposed by federal statutes or regulations, those requirements are suspended for a period of 60 days by Executive Order [N-45-20](#).

## **Elections Code**

Sections 1500, 4000-4007 – refers to the following elections:

- April 7<sup>th</sup>, 2020, Special Recall Election held in the City of Westminster
- May 12, 2020, Special General Election held within the 25<sup>th</sup> Congressional District of California

- May 12, 2020, Special General Election to be held within the 28<sup>th</sup> Senate District of the State

[Executive Order N-34-20](#) requires the elections stated above to be held as an all-mail ballot election and conducted according to those provisions of the elections Code that govern all-mail ballot elections. The respective county elections officials responsible for conducting each respective election shall transmit vote-by-mail ballots to all voters eligible to vote in each respective election.

Sections 3019, 15100-15112, 15300-15376, 15400-15402, 15450-15490, and 15500-15505 – refers to all deadlines associated with completing, auditing, and reporting on the official canvass of the following elections:

- May 12, 2020, Special General Election held within the 25<sup>th</sup> Congressional District of California
  - May 12, 2020, Special General Election to be held within the 28<sup>th</sup> Senate District of the State
- [Executive Order N-34-20](#) extends deadlines related to the official canvassing of these elections by 21 days.

Section 9030(b) - Notwithstanding this section or any other provision of law, the deadline for county elections officials to determine the total number of signatures affixed to a statewide initiative petition filed between August 1, 2020 and December 31, 2020, and to transmit this information to the Secretary of State, is extended to and including January 15, 2021 by [N-76-20](#).

Section 9030(d) and (e) - Notwithstanding these sections or any other provision of law, the deadline for county elections officials to determine the number of qualified voters who have signed a statewide initiative petition filed between August 1, 2020 and December 31, 2020, and to transmit certain related certifications to the Secretary of State, is extended to and including March 9, 2021 by [N-76-20](#).

Section 10010 – Refers to the timeframes for conducting the hearings required when a political subdivision changes from an at-large method of election to a district-based election. Suspended until the state or local public health official discontinues social distancing measures by [Executive Order N-34-20](#). Following this time, hearing shall be held in a manner that ensures the public is provided advance notice and is afforded an

opportunity to participate in the postponed hearings. Timeframes for conducting public hearings set forth to any political subdivision of the State. This suspension shall be in effect until further notice by Executive Order [N-48-20](#).

## **Family Code**

Section 359 and Section 506. Related to the provision of law that allows adult applicants to be married as long as they are physically present within the State of California and present proof of this fact. Executive Order [N-58-20](#) amends this regulation to allow for the couple to be physically present via video or teleconference that includes both live video and audio for the next 60 days.

Section 422(b) related to the solemnization of a marriage. Executive Order [N-58-20](#) amends this regulation to allow being transmitted via email or other electronic means to the person solemnizing the marriage.

Sections 422-423 or Section 506 related to the requirement of entry of a signature upon a marriage license or certificate. Executive Order [N-58-20](#) justifies the use of an electronic reproduction of a signature.

Section 7911.1. In relation to the physical, in-person certification functions including, but not limited to, face-to-face visits, on-site inspections, evaluations, reviews, certification, and complaint investigations, except for investigations regarding allegations that present a serious risk to the health and safety of persons in care (“Priority 1” investigations), required for out-of-state group homes within the Department of Social Services’ jurisdiction as set forth in and accompanying rules, regulations, or interim licensing standard, are suspended for the duration of the COVID-19 emergency in California or any state with a facility certified by the Department of Social Services via Executive Order [N-53-20](#).

Sections 8700, 8700.5, 8801.3, 8801.5, 8808, 8813, 8814, 8814.5, or 8818 - any implementing rule or regulation, that imposes or implies any requirement that a birth parent who performs certain acts related to adoption (including, in particular, acts related to the execution of any relinquishment for adoption, consent to adoption, adoption placement agreement, or waiver of the right to revoke such consent or relinquishment) perform such acts in the physical presence of a representative of DSS, or otherwise in person (including, but not limited to, in the physical presence of certain witnesses), that requirement is suspended by [N-75-20](#) as applied to birth parents who,

consistent with guidance issued by the California Department of Public Health, are known or reasonably suspected to be infected with SARS-CoV-2.

Sections 8702, 8818, or 9203–9205 - any regulation in these sections that imposes or implies any requirement that forms promulgated under these sections be completed or signed in the physical presence of a representative of DSS, or otherwise in person (including, but not limited to, in the physical presence of certain witnesses), that requirement is suspended by [N-75-20](#).

Section 8807. The provisions related to timelines for, and the commencement of, an investigation of a proposed independent adoption and timelines for the corresponding report as required by and accompanying rules or regulations are suspended by Executive Order [N-53-20](#).

### **Financial Code**

Section 1411 - amends to read no financial institution shall have any lien upon or right to set off against any financial assistance or fund via Executive Order [N-57-20](#).

### **Government Code**

Section 911 – relating to the time for presenting a claim, and the time within which the Department of General Services may act upon such a claim. [Executive Order N-35-20](#) provides a 60-day extension.

Section 11517 (c)(2) – related to an agency’s action on an administrative law judge’s proposed decision. [Executive Order N-35-20](#) provides a 60-day extension.

Section 1774(a) – related to the Governor’s reappointment of an incumbent to an office. [Executive Order N-35-20](#) provides a 60-day extension.

Section 1774(b) – related to transmittal of the required information about reappointment of an incumbent to the Secretary of the Senate, are extended for a period of 60 days. [Executive Order N-35-20](#) provides a 60-day extension.

Section 1774(c) - related to the Senate’s confirmation of an individual appointed or reappointed by the Governor to an office. [Executive Order N-65-20](#) provides a 90-day extension.

Section 3304(d) - The deadline for opening and completing investigations of alleged misconduct by public safety officers is extended by 60 days by Executive Order [N-40-20](#).

Section 3505.4(a) and California Code of Regulations, Title 8, section 32802(a)(1) - related to the period in which a party must request that the parties' differences be submitted to a fact finding panel under Meyers-Milias-Brown Act post-impasse resolution procedures. All deadlines and regulations in these sections are extended by 60 days as a result of [Executive Order N-63-20](#).

Section 3548.1 and Section 3591 - related to the period in which a party must request that the parties' differences be submitted to a fact finding panel under Educational Employment Relations Act post-impasse resolution procedures. All deadlines and regulations in these sections are extended by 60 days as a result of [Executive Order N-63-20](#).

Section 4459.8(a) - Establishes the certification authorized by Section 4459.5 is effective for three years from the date of initial certification and expires if not renewed. Notwithstanding the three-year period set forth in Government Code section 4459.8(a), any certification under Government Code section 4459.5 (concerning Certified Access Specialists) that would otherwise have expired between March 19, 2020 and May 31, 2020 is extended for 60 days from the date of [Executive Order N-63-20](#).

Section 7522.56(b), (d), (f), and (g) – States that a retired person shall not serve, be employed by, or be employed through a contract directly by, a public employer in the same public retirement system from which the retiree receives the benefit without reinstatement from retirement. States appointments shall not exceed a total for all employers in that public retirement system of 960 hours or other equivalent limit in a calendar or fiscal year. States that a retired person shall not be eligible to be employed for a period of 180 days following the date of retirement. States that a retired person who accepted a retirement incentive upon retirement shall not be eligible for employment for a period of 180 days. To ensure adequate state staffing during the COVID-19 pandemic, [Executive Order N-25-20](#) suspends this requirement. [Executive Order N-35-20](#) extends this same suspension to local governments to ensure adequate staffing during a time of crisis.

Section 8204 - The term of office for a notary public put forth in this section is extended for a period of 60 days for any notary public whose commission has expired since March 1, 2020 as a result of [Executive Order N-63-20](#).

Administrative Procedure Act, Section 11340 et seq. - Executive Order [N-55-20](#) declares that regulatory action taken by DHCS to implement or interpret [N-55-20](#) exempt from the Administrative Procedure Act.

Administrative Procedures Act Chapter 3.5 of Part 1 of Title 2 - The Administrative Director of the Division of Workers' Compensation shall adopt, amend, or repeal any regulations that the Administrative Director deems necessary to implement executive order providing for a rebuttable presumption that a worker who contracts COVID-19 did so on the job ([Executive Order N-62-20](#)). Any regulations so promulgated by the Administrative Director shall be exempt. [Executive Order N-62-20](#).

Section 12011.5(c) – related to State Bar's transmittal of its report to the Governor of its evaluation of all judicial candidates referred by the Governor. [Executive Order N-35-20](#) provides a 60-day extension.

Section 12730(h)(1) - relates to the definition of "eligible beneficiaries" for purposes of CSBG-funded services in California. Legal definition is altered by [N-75-20](#) for duration of COVID-19 response.

Section 12820 - The deadline for transfer of Division of Juvenile Justice to the California Health and Human Services Agency and the establishment of the Department of Youth and Community Restoration, is extended from July 1, 2020, to July 1, 2021 by Executive Order [N-40-20](#).

Sections 11346.4(b), 11346.1(e) and (h), 11349.4(a), and 11349.3(a) - The deadlines related to the filing, refiling, certification and/or review of regulations and emergency regulations, are extended for a period of 60 calendar days to allow state agencies additional time to finalize regulatory changes pursuant to the Administrative Procedure Act by Executive Order [N-40-20](#).

Section 16367.5 - relates to LIHEAP funding made available under the CARES Act. Provisions in this section are suspended for the duration of State of Emergency by [N-75-20](#).

Section 18671.1 - To protect the health and welfare of employees, state department representatives, hearing officers, administrative law judges, counsel, and others who conduct business relating to evidentiary appeals before the State Personnel Board, the six-month time limitation by which the Board shall render its decision after the filing of an appeal shall be extended by 60 days by Executive Order [N-40-20](#).



Section 19635 - The deadline for serving a notice of adverse action is extended by 60 days by Executive Order [N-40-20](#).

Section 19888.1 – States that the appointing power, to prevent the stoppage of public business when an actual emergency arises, or because the work will be of limited duration, not to exceed 60 working days, may make emergency appointments without utilizing persons on employment lists. The length of employment, and the circumstances appropriate for the appointment of an individual under emergency appointments shall be restricted by the State Personnel Board by rule so as to prevent the use of emergency appointments to circumvent employment lists. To ensure adequate state staffing during the COVID-19 pandemic, [Executive Order N-25-20](#) suspends this requirement. [Executive Order N-35-20](#) extends this same suspension to local governments to ensure adequate staffing during a time of crisis.

Section 19995.4 (b)-(e) - The deadlines related to leadership and development training for supervisors, managers, and career executive assignment employees, are extended for a period of 60 days by Executive Order [N-40-20](#).

Section 21220 – States that a person who has been retired under this system, for service or for disability, may not be employed in any capacity thereafter by the state, the university, a school employer, or a contracting agency. To ensure adequate state staffing during the COVID-19 pandemic, [Executive Order N-25-20](#) suspends this requirement. [Executive Order N-35-20](#) extends this same suspension to local governments to ensure adequate staffing during a time of crisis.

Section 21224(a) – States that a retired person may serve without reinstatement from retirement or loss or interruption of benefits upon appointment by the appointing power of a state agency or public agency employer either during an emergency to prevent stoppage of public business or because the retired person has specialized skills needed in performing work of limited duration. To ensure adequate state staffing during the COVID-19 pandemic, [Executive Order N-25-20](#) suspends this requirement. [Executive Order N-35-20](#) extends this same suspension to local governments to ensure adequate staffing during a time of crisis.

Sections 21220, 21224(a), and 7522.56(b), (d), (f), and (g), 19888.1 – relating to work hour limitations for retired annuitants, permanent and intermittent personnel, and state management and senior supervisors. [Executive Order N-25-20](#) suspends these code section provisions.

Section 22844 - The deadlines related to notification of requirement to enroll in Medicare administrative review of termination of enrollment in basic health benefits plan including requests for administrative review, acknowledgement of receipt of administrative review requests, and provision of administrative review decisions, administrative review of the basis for delayed effective date including requests for administrative review, acknowledgement of receipt of administrative review requests, and provision of administrative review decisions, administrative review of decisions resulting from an appeals process related to coverage including requests for administrative review, acknowledgement of receipt of administrative review requests, and provision of administrative review decisions, requests for administrative hearings related to administrative review decisions and provision of the CalPERS Board of Administration's decision related to administrative hearing, are extended for a period of 60 days by Executive Order [N-40-20](#).

Section 30061(b)(4) - The deadlines shall be extended by 30 days to allow counties sufficient time to submit updated Juvenile Justice Crime Prevention Act and the Youthful Offender Block Grant program plans to the Board of State and Community Corrections by Executive Order [N-40-20](#).

Section 68115 - To the extent any provision of law imposes or implies a limitation on the subject matter the Chairperson of the Judicial Council may address via emergency order or statewide rule, that limitation is suspended by Executive Order [N-38-20](#).

Section 68115 and Section 68072 - To the extent or any other provision of law, imposes or implies a limitation on the authority of the Judicial Council or its Chairperson to provide for an emergency statewide or local rule or order amending the California Rules of Court or any other applicable court rule, or for any other expedited procedure for amending the California Rules of Court or any other applicable court rule, that limitation is suspended Executive Order [N-38-20](#).

## **Harbors and Navigation Code**

Section 1176 and California Code of Regulations, title 7, sections 217.5 and 217.10 - The requirements specified in this section, that a pilot be found fit-for-duty as a condition of having his or her license renewed and that a pilot trainee be found fit-for-duty to be allowed to continue in the training program are temporarily waived. The temporary waiver of a fit-for-duty determination provided by Executive Order [N-52-20](#) applies to pilots whose license expires between April 1, 2020, and July 31, 2020, and to trainees whose anniversary of admission to the training program falls between these same dates.

Section 1171.5 (c) - The three-year maximum length of the training program for pilot trainees specified in this section and California Code of Regulations, title 7, section 214 (c) is extended by one year for trainees who have been unable to train on vessels because of the COVID-19 pandemic under Executive Order [N-52-20](#).

## **Health and Safety Code**

Section 1250 – waives any of the licensing and staffing requirements of Chapters 1, 3.3, 8.5 and 9 of division 2 of the Health and Safety Code and any accompanying regulations with respect to any clinic, adult by [Executive Order N-35-20](#)

Section 1250 - [N-75-20](#) waives any of the licensing and staffing requirements set forth in Chapters 8 and 8.6 of Division 2 of the Health and Safety Code and any accompanying regulations with respect to any home health agency and any pediatric day health and respite care facility put forth in this section.

Section 1280.15 - The deadlines related to notification to the Department of Public Health and to patients of the unauthorized access or disclosure of health information, are extended from a period of 15 days to a period of 60 days when the unauthorized access or disclosure is related to the good faith provision of telehealth services. The administrative penalties and any cause of action arising out of the Section related to unauthorized access or disclosure of health information, are suspended when the unauthorized access or disclosure occurs during the good faith provision of telehealth services as a result of the use of technology that does not fully comply with federal or state law by Executive Order [N-43-20](#).

Section 1280.17 - The administrative penalties for health care providers and any cause of action arising out of the Section related to safeguards of health information, are suspended for health care providers as applied to any inadvertent, unauthorized access or disclosure of health information during the good faith provision of telehealth services as a result of the use of technology that does not fully comply with federal or state law by Executive Order [N-43-20](#).

Sections 1342.8 and 1380.3 and Welfare and Institutions Code sections 14182(b)(9), 14456, and 1449.5. - Executive Order [N-55-20](#) amends these sections of code to allow Department of Health and Consumer Services to temporarily delay or suspend- or permit Medi-Cal managed care plans to temporarily delay or suspend- annual medical

audits, surveys of physician offices, facility site reviews, plan and county data collection from providers and similar audit or review activities.

Section 1797.172(b) – relating to the Director of the Emergency Medical Services authority. [Executive Order N-25-20](#) grants the authority to implement additions to local optional scopes of practice without first consulting with a committee of local EMS medical directors named by the EMS Medical Directors Association of California.

Section 11362.745(a) - Notwithstanding the one-year period set forth in this section, identification cards for persons authorized to engage in the medical use of cannabis and their designated primary caregivers that would otherwise have expired between March 4, 2020 and any day within 60 days from the date of the Executive Order remain valid for 60 days as a result of [Executive Order N-65-20](#).

Section 11834.10(a) and California Code of Regulations, Title 9, section 10513 - Related to the authority of Department of Health and Consumer Services to authorize a licensee to operate beyond the conditions and limitations imposed upon them for the purpose of ensuring sufficient bed capacity. Suspended via Executive Order N-55-20.

Sections 11836.12 and 11837.3(a)(1) and California Code of Regulations, Title 9, section 9876.5(b) - Suspended by Executive Order [N-55-20](#) to the extent that it would prevent DUI educations programs from receiving grant or other funding sources in lieu of raising fees. Would prevent blanket leaves-of-absence for participants in such programs if operations are suspended.

Sections 120125, 120140, 131080, 120130(c), 120135, 120145, 120175 and 120150 – relates to powers given to health officials to take the necessary measures to ascertain the nature of the disease. [Executive Order N-33-20](#) utilizes the power given under these code sections to preserve the public health and safety, and to ensure the healthcare delivery system is capable of serving all, and prioritizing those at the highest risk and vulnerability, and orders the Department of Public Health to develop for the current statewide status of COVID-19.

Section 13127 - Relates to any chemical manufacturing concern, or any flame-retardant application concern, or any concern marketing a flame-retardant fabric or material seeking approved listing from the State Fire Marshal. All deadlines put forth in this section are extended for 60 days as a result of [Executive Order N-63-20](#).

Section 13128 - The annual and renewal registration fee period for chemical manufacturing concerns, concerns marketing a flame-retardant fabric or material,

notwithstanding the deadlines put forth in this section, are extended for 60 days as a result of [Executive Order N-63-20](#).

Section 13144.2 - Relates to application timeframes for any person, firm, corporation, association, or similar organization desiring listing from the State Fire Marshal pursuant to Section 13144.1. The timeframes set forth in this section are suspended for 60 days as a result of [Executive Order N-63-20](#).

Section 13144.3 - Current listings put forth by the State Fire Marshal, notwithstanding the timeframe established in this section, are extended for 60 days by [Executive Order N-63-20](#).

Section 50214, subdivision (a) – restricts a local jurisdiction from expending Homeless Emergency Aid Program funds on preparing for and addressing the impacts of the COVID-19 pandemic on homeless individuals, including through implementing guidance from the Department of Public Health on hand and respiratory hygiene and protective congregate living protocols, and providing isolation and quarantine capacity. [Executive Order N-32-20](#) suspends this code section.

Section 50219, subdivision (c) - restricts a local jurisdiction from expending Homeless Housing, Assistance, and Prevention Program funds on preparing for and addressing the impacts of the COVID-19 pandemic on homeless individuals, including through expanding shelter and housing services and capacity. [Executive Order N-32-20](#) suspends this code section.

Chapter 3.35 of Division 2 - The California Department of Social Services may, for the next 60 days and in consultation with the California Department of Education, waive any accompanying regulations, or other written policies or procedures related to Child Care Provider Registration by Executive Order [N-45-20](#).

Section 107110 - The specific certification requirements are suspended for any person who is licensed under the Medical Practice Act by Executive Order [N-39-20](#).

Sections 116908 and 116910 - The authority of urban and community water systems to discontinue residential service for non-payment is suspended by Executive Order [N-42-20](#).

Sections 123950 and 123870(b) and California Code of Regulation, Title 2, section 60330 - Prevents the California Children's Services Medical Therapy Program from

offering physical and occupational therapy services in non-school settings. Suspended by Executive Order [N-55-20](#).

Section 123148(b)(1) - Suspended to the extent it requires a healthcare professional to review COVID-19 test results before those test results may be disclosed to a patient via the Internet or other electronic means, on the condition that any such disclosure must be conducted in accordance with an order of the State Public Health Officer or a local public health officer, and with guidance issued by the California Department of Public Health pursuant this paragraph. The California Department of Public Health shall issue guidance concerning large-scale COVID-19 testing, as well as appropriate test interpretation, isolation, and care measures to be undertaken in conjunction with such testing. [N-52-20](#)

## **Labor Code**

Sections 98, 98.7, 1700.44, and 2673.1 - related to workers' rights to file complaints and initiate proceedings with the Labor Commissioner are suspended for 60 days as a result of [Executive Order N-63-20](#).

Section 99 - related to the Labor Commissioner's filing of claims and liens of employees. All statutes and regulations are extended by 60 days as a result of [Executive Order N-63-20](#).

Section 123.5 and California Code of Regulations, Title 8, sections 9713, 9714, and 9714.5 - related to the period in which Workers' Compensation Administrative Law Judges must file decisions. All deadlines and regulations in these sections are extended for 60 days as a result of [Executive Order N-63-20](#).

Sections 142.2 and 147 - related to reports by the Division of Occupational Safety and Health (Cal/OSHA) and the Occupational Safety & Health Standards Board (OSHSB) on proposed standards or variances. All deadlines and regulations put forth in these sections are extended by 60 days as a result of [Executive Order N-63-20](#).

Sections 1401(a), 1402, and 1403 – relates to advance notice given to employees when an employer orders a mass layoff, relocation, or termination at a covered establishment. [Executive Order N-31-20](#) suspends these statutes because of the need to prevent or mitigate the spread of COVID-19.

Section 1741 - All Labor Code sections and related regulations setting the time for the Labor Commissioner to issue any citation under the Labor Code, including a civil wage and penalty assessment pursuant to this section are suspended for 60 days as a result of [Executive Order N-63-20](#).

Sections 4616(b)(1) and California Code of Regulations, Title 8, sections 9767.2(a) and (b) and 9767.8(d) - related to the period in which the administrative director must act upon Medical Provider Network applications or requests for modifications or reapprovals. All deadlines and regulations in these sections are extended by 60 days as a result of [Executive Order N-62-20](#).

Section 5313 - related to the period in which the Workers' Compensation Appeals Board must act on any decision submitted by a Workers' Compensation Administrative Law Judge. All deadlines and regulations are extended by 60 days as a result of [Executive Order N-63-20](#).

Section 5402 – Time limitations to reject liability of a workers comp claim are shortened from 90 days to 30 if related to a COVID-19 claim by Executive Order [N-62-20](#).

Section 6317 - related to the issuance of Cal/OSHA citations is suspended for 60 days as a result of [Executive Order N-63-20](#).

Sections 6319, 6600, 6600.5, 6601, and 6601.5 - related to the appeal of citations, notices, or orders of Cal/OSHA are suspended for 60 days as a result of [Executive Order N-63-20](#).

## **Penal Code**

Section 396(b) – Prohibits price gouging in times of emergency. All prohibitions against price gouging set forth in subdivision (b) shall be extended through September 4, 2020 by Executive Order [N-44-20](#).

Section 396, subdivision (f) – relates to the time limitation on protections against residential evictions. [Executive Order N-28-20](#) waives this code section.

Section 2900(b) – The time during which an inmate is housed in the jail or other facility is computed as part of the term of judgement. Suspend intake into Division of Juvenile Justice (DJJ) facilities for 30 days by [Executive Order N-36-20](#).

Section 3041, subdivision (a)(2) - Gives any person the right to be present at a parole hearing, that right is satisfied by the opportunity to appear by video conference video conference by [Executive Order N-36-20](#).

Section 3041.7 – Inmates who choose to go forward with their parole hearing by videoconference during the next 60 days, can do so under [Executive Order N-36-20](#).

Section 3043 – For hearings conducted by video conference during the next 60 days, and during the term of any extensions, the right of victims, victims’ next of kin, members of the victims’ family and victims’ representatives to be present at a parole hearing will be satisfied due to [Executive Order N-36-20](#).

Section 4750(j) – relates to the time limitation set for for any jurisdiction submitting a claim for reimbursement by the State Controller. [Executive Order N-35-20](#) provides a 60-day extension.

Section 11105 - Restricts the exercise of the California Department of Justice’s authority to conduct criminal background checks on identifying information other than fingerprints for individuals performing tasks that require licensure pursuant to pursuant to Division 2 of the Business and Professions Code or providing services or care pursuant to the California Community Care Facilities Act (Chapter 3 of Division 2 of the Health and Safety Code), the California Residential Care Facilities for the Elderly Act (Chapter 3.2 of Division 2 of the Health and Safety Code), the California Child Day Care Facilities Act (Chapter 3.4 of Division 2 of the Health and Safety Code) or In-Home Supportive Services (Article 7 of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code and Welfare and Institutions Code sections 14132.95, 14132.952, and 14132.956). These provisions are suspended for a period of 60 days via Executive Order [N-52-20](#).

Section 13823.15(c) - relates to the requirement for certain domestic violence centers to provide cash or an in-kind match of at least 10 percent of funds received. [Executive Order N-65-20](#) provides a 180-day extension.

## **Public Resources Code**

Section 2100 – relates to any project using Homeless Emergency Aid Program funds, Homeless Housing, Assistance, and Prevention Program funds, or funds appropriated in Senate Bill 89 signed on March 17, 2020. Any regulations adopted pursuant to this provision are suspended by [Executive Order N-32-20](#).



Section 14571.6, subdivisions (a) and (b) - Suspended for a period of 60 days by Executive Order [N-54-20](#).

Sections 14585 and California Code of Regulations, Title 14, section 2500 - Requires a recycling center to operate a minimum number of hours per week or remain open during specific periods of time. Executive Order [N-54-20](#) suspends these regulations for a period of 60 days and permits recycling centers to receive handling fees in accordance with guidelines for weekly hours and times of operation developed by the Department of Resources Recycling and Recovery who shall develop and issue guidance no later than April 27<sup>th</sup>, 2020.

Sections 21000 through 21178 - relates to provisions as applied to the approval of encumbrance of funds for all Energy Commission programs. All deadlines are suspended for 60 days as a result of [Executive Order N-65-20](#).

Sections 21092.3 and 21152, and California Code of Regulations, Title 14, sections 15062(c)(2) and (c)(4); 15072(d); 15075 (a),(d), and (e); 15087(d); and 15094(a), (d), and (e) - Pertains to the timeline of public filing, posting, notice and public access requirements for projects undergoing or exempt from California Environmental Quality Act Review. Executive Order [N-54-20](#) suspends this process for a period of 60 days, but does not include those provisions governing the time for public review.

Sections 21080.3.1 and 21082.3 - Regulates the timelines within which a California Native American tribe must request consultation and a lead agency must begin the consultation process relating to an Environmental Impact Report, Native Declaration or Mitigated Negative Declaration under the California Environmental Quality Act. Executive Order [N-54-20](#) suspends this rule for 60 days.

Section 25216.5, subd. (a), and sections 25500 et seq. - Regarding requirements that prevent the facility from generating additional power during peak demand hours from 3:00 p.m. to 10:00 p.m. All such requirements are suspended by [N-74-20](#) until August 20, 2020.

Sections 30512, 30513, 30603, 30606, 30621, 30622, 30625, 30714, and 30812 and in Government Code sections 65943, 65950, 65952, and 65956 – Pertaining to the time limits set forth in the Permit Streamlining Act. These code sections are suspended via Executive Order [N-52-20](#), with respect to actions by or matters before the California Coastal Commission or the State Water Resources Control Board, for a period of 60 days. This paragraph pauses the time limits in the referenced sections but does not restart them, and should be construed to toll those time frames for 60 days, such that no time should be counted for 60 days, but that any days that elapsed prior to this suspension are still counted.

Section 42283 - Prohibits retail establishments from (a) providing without charge reusable grocery bags or recycled bags to customers at point of sale or (b) provide single use carryout

bags to customers at point of sale. [N-54-20](#) suspends this regulation for a period of 60 days to allow people to not have to bring their own bags from home in an effort to prevent the spread of COVID-19.

## **Revenue and Taxation Code**

Division 1 (Sections 75.52, 2610.5, 2618, 2922, 2705, and 4103,) - related to penalties for late payment of property taxes, is suspended until May 6, 2021 to the extent that it requires a tax collector to impose penalties, costs, or interest for the failure to pay taxes on property on the secured or unsecured roll, or to pay a supplemental bill, before the date and time such taxes become delinquent. A tax collector shall cancel such penalties, costs, and interest provided specified conditions are satisfied, under Executive Order [N-61-20](#).

Section 441(b) and Section 463 (a) – The deadline for certain businesses to file Business Personal Property Statements is extended to May 31, 2020 by Executive Order [N-61-20](#).

Section 1604 - Relates to deadlines for decisions on tax assessment appeals filed with a County Assessment Appeals Board. All related deadlines are extended to January 31 by Executive Order [N-72-20](#).

Section 6369(b)(2) - Masks, gloves, eye protection, gowns and other critical materials that protect public health sold to or purchased by the State, such materials sold to or purchased by the State shall be deemed to be intended for use in the prevention of disease by Executive Order [N-46-20](#).

Section 6369(a)(5) - Gross receipts from the sales to or purchases by the State of such materials shall be exempt from sales and use taxes by Executive Order [N-46-20](#).

Section 19522(a)(1) - The deadline related to the submission by the Franchise Tax Board of an annual report to the Legislature on all changes to the Internal Revenue Code enacted into law in 2019, is extended for a period of 60 days by Executive Order [N-40-20](#).

Section 19542 - Notwithstanding this section, [N-75-20](#) allows that the Franchise Tax Board may disclose individual income tax return information for taxable years beginning on or after January 1, 2018, and before January 1, 2020, to DSS for the purpose of informing individuals of financial assistance available under section 2201 of the CARES Act.

## **Unemployment Insurance Code**

Section 1253(d) – Relating to unemployment insurance applicants who are unemployed because of the COVID-19, and who are otherwise eligible for unemployment insurance benefits. [Executive Order N-25-20](#) waives the one-week waiting period for this section.

Section 2627(b)(1) – Relating to the Employment Development Department’s one week waiting period. [Executive Order N-25-20](#) waives this requirement for disability insurance applicants who are unemployed and disabled because of the COVID-19, and who are otherwise eligible for disability insurance benefits.

## **Vehicle Code**

Section 2501 - Requires all licenses issued to privately owned or operated ambulances used to respond to emergency calls, privately owned armored cars, and fleet owner inspection and maintenance stations that expire one year after the licenses are issued are hereby extended for a period of 60 days from the license expiration date. This extension is applicable to licenses expired on or after March 4, 2020, or will expire within 60 days from the date of the issuance of Executive Order [N-52-20](#).

Sections 4000(a)(1) and 5204(a) - Pertains to the registration and registration display requirements for vehicles operated upon a highway. Executive Order [N-54-20](#) suspends these requirements until June 30, 2020. Applicable to registrations expired on or after March 4, 2020, and before June 2020.

Section 4152.5 - Pertaining to the governing of the registration of vehicles previously registered in a foreign jurisdiction. Executive Order [N-54-20](#) suspends this regulation for a period of 60 days from this order (April 22<sup>nd</sup>, 2020).

Section 4156, subdivision (b) - Pertains to the expiration and validation of temporary driving permits. Executive Order [N-54-20](#) suspends the expiration of these permits for a period of 60 days. Applicable to temporary permits that expired on or after March 4<sup>th</sup>, 2020 or that will expire within 60 days of the date of [N-55-20](#) (April 22<sup>nd</sup>, 2020.)

Sections 4603, 9552, 9553, 9554 - Pertains to the timing and imposition of late fees for expiring or late paid vehicle registration. Executive Order [N-54-20](#) waives penalties that may accrue as a result of registrant’s failure to timely submit payment provided the applicant timely submits an application for renewal accompanied by payment within 60 days following the original date of expiration.

Section 5902 - Specifies that a transferee of a vehicle must forward a certificate of ownership and apply for a transfer of registration. Executive Order [N-54-20](#) suspends this regulation for a period of 60 days from the date of the order (April 22<sup>nd</sup>, 2020). Applicable to transfers that occurred on or after March 4<sup>th</sup>, 2020.

Section 12804.9(c) - Refers to holders of current commercial driver's licenses or certificates, whose required medical certificate has or will expire on or after March 1, 2020. Any accompanying regulations, pertaining to possessing a valid medical certificate in order to maintain a valid commercial driver license or certificate, are waived until June 30, 2020 via Executive Order [N-52-20](#).

Section 12814.5(e) - The prohibition against renewals by mail of driver's licenses is waived for a period of 60 days by Executive Order [N-40-20](#).

Section 13002 - Pertains to the expiration of identification cards. Executive Order [N-54-20](#) suspends the expiration of these cards for a period of 60 days for identification cards that expired on or after March 4<sup>th</sup>, 2020, or will expire within 60 days from the date that [N-54-20](#) was issued (April 22<sup>nd</sup>, 2020).

Section 13002.1(b) - The requirements for in-person renewals of identification cards, and any accompanying regulations, are waived for a period of 60 days by Executive Order [N-40-20](#).

Sections 22518, 22520.5 and 22520.6 - Suspended for a period of 60 days, to the extent necessary to allow commercially licensed food trucks to operate and sell food in designated safety roadside rest areas in compliance with a temporary permit issued by Caltrans. Caltrans is authorized to develop and implement a process to issue and administer temporary permits allowing commercially licensed food truck vendors that otherwise are in compliance with state and local licensing and permitting requirements to operate and sell food in designated safety roadside rest areas via Executive Order [N-52-20](#).

Section 34501.2 – relates to the hours-of-service limits for intrastate transportation drivers [Executive Order N-31-20](#) allows for the extension of hours-of-service while operating a vehicle engaged in interstate or intrastate transportation, in support of emergency relief efforts. Will be in effect for the duration of the Federal Motor Carrier Safety Administration's Emergency Declaration 2020-02.

Section 34620 – relates to interstate motor carriers, operating under the provisions of that declaration, who have an active United States Department of Transportation number and interstate operating authority. [Executive Order N-31-20](#) exempts the

requirement to hold an active Motor Carrier Property Permit, while conducting intrastate transportation within California in support of emergency relief efforts.

Section 34620 subdivisions (a) and (b) and California Code of Regulations Title 13, sections 220.00 subdivision (i) and 220.4 - Requires the use of current Motor Carrier Property Permits. Executive Order [N-54-20](#) suspends that requirement through June 30, 2020 for permits that expired on March 31, 2020, through June 30, 2020.

## **Water Code**

Section 85200(d) - The deadline specified for an appointing authority to fill a vacancy on the Delta Stewardship Council is extended for a period of 60 days by Executive Order [N-45-20](#).

## **Welfare and Institutions Code**

Subdivision (d) of Section 309, subdivision (e) of Section 361.2, subdivision (c) of Section 361.4, subdivision (a) of Section 361.45, subdivisions (a) and (e) of Section 727.05, and subparagraph (B) of paragraph (1) of subdivision (a) of Section 16504.5 facilitates the continued provision of care and supervision during the COVID-19 pandemic, the Department of Social Services may, to the extent necessary to ensure such care and supervision and for a period not to exceed 60 days, waive any requirements in, and accompanying regulations and written directives or other related policies or procedures related to the emergency placements of children, wards, and nonminor dependents via the order of Executive Order [N-53-20](#).

Sections 388, 388.1, 11400, and 11403 - Determines state extended foster care eligibility for all youth entering or reentering extended foster care requiring any physical, in-person, face-to-face application, meetings, visits, and signature requirements, as well as the maximum age criteria for nonminor dependents. Suspended by Executive Order [N-53-20](#).

Sections 676.5(a), 1766(b)(3)(A) and 1767(b) - Regulates the right of victims or other individuals to appear at discharge consideration hearings and re-entry discipline hearings as well as the right of the youth to have a parent, guardian, mentor or other individual present at the hearing. Executive Order [N-49-20](#) amends this to allow this rule to be satisfied by the opportunity to appear by the technology that is being used to conduct the hearing.

Section 826.8 - Authorizes the Department of Social Services to, the extent necessary to achieve the purpose of this paragraph, temporarily verify foster care status, as described

in Welfare and Institutions Code, for dependents or wards of the juvenile court whose cases have not been dismissed, for the limited purpose of facilitating foster youth access to programs providing cellular telephones or other communication technology to foster youth under Executive Order [N-53-20](#).

Section 827, subdivisions (a)(1), (a)(4), and (a)(5). - Allows for county child welfare agencies, county probation departments, and Title IV-E agreement Tribes may share information, as specified by the Department of Social Services, from a juvenile case file with entities that are not otherwise entitled under section 827 to access such information without a court order, if sharing such information is necessary to establish eligibility for, or access to cellular technology under Executive Order [N-53-20](#).

Section 1766(b)(2) - Regulates the timeline of the notification of a scheduled discharge consideration hearing to the probation department, the court of the committing county and the youths counsel. Executive Order [N-49-20](#) reduces this timeline from 60 days to 30 days prior to the hearing.

Section 1766(b)(5)(A) - Regulates the timeline that follows the determination that a youth is ready for discharge to county supervision. Executive Order [N-49-20](#) designates that the date of discharge should be no later than 14 days after the date of such determination of discharge.

Section 1961(A) - The deadlines shall be extended by 30 days to allow counties sufficient time to submit updated Juvenile Justice Crime Prevention Act and the Youthful Offender Block Grant program plans to the Board of State and Community Corrections by Executive Order [N-40-20](#).

Sections 4080(d), 4096.5(d) and 5675(b); California Code of Regulations, Title 9, sections 531, 532(a), 534(d), and 1918-1938; California Code of Regulations, Title 22, sections 72443-72475 and 77012; and the Interim Short-Term Residential Treatment Program (STRTP) Regulations, Version II, sections 17(d) and (e), and 20(d), 24(a) and (b) - suspended by Executive Order [N-55-20](#) to the extent that they would restrict Department of Health and Consumer Services from granting Short Term Residential Treatment Programs, Special Treatment Programs, Psychiatric Health Facilities, Mental Health Rehabilitation Centers, Community Treatment Facilities, Community Residential Treatment Systems/Social Rehabilitation Programs and Psychiatric Health Facilities flexibility related to staffing requirements as well as on-site program reviews.

Section 4100 – states that the Director of State Hospitals may adopt emergency regulations in accordance with the Administrative Procedure Act. Also states that the

adoption of emergency regulations is deemed to address an emergency. Pursuant to [Executive Order N-35-20](#), any provisions or requirements that affect the execution of laws relating to care, custody, and treatment of persons with mental illness committed to or in the custody of the State Department State Hospitals, are waived. The waiver expires 30 days from the date of issuance, with the potential for a 30-day extension for waivers.

Section 7200 – Indicates the state hospital institutions that are to be used for the care, treatment, and education of the mentally disordered. Pursuant to [Executive Order N-35-20](#), any provisions or requirements that affect the execution of laws relating to care, custody, and treatment of persons with mental illness committed to or in the custody of the State Department State Hospitals, are waived. The waiver expires 30 days from the date of issuance, with the potential for a 30-day extension for waivers.

Section 10831 - Suspended including implementing sections MPP Section 40-105.3: Requires the Dept of Social Services to implement an identity verification for CalWORKS Applicants who are not able to present photo ID in person by Executive Order [N-59-20](#).

Section 11054 – Implanting regulations MPP sections 40-115.22 and 40-128.11. The requirements set forth in 11054 need not be in writing, County Welfare Depts may accept oral affirmation of belief if applicant is unable to provide a physical signature. [N-59-20](#)

Section 11200 – relates to any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKS) aid or services are received. [Executive Order N-29-20](#) ensures that during the COVID-19 pandemic, months on aid during this crisis are not counted towards the 48-month time limit.

Section 11266.5 - Related to the state eligibility criteria for the lump-sum diversion program. These eligibility requirements are waived by Executive Order [N-59-20](#).

Sections 11400 and 11403 - Determines state eligibility criteria for payments to nonminor dependents living in or requesting approval of a Supervised Independent Living Placement requiring any physical, in-person, face-to-face application, meetings, inspections, visits, and signature requirements. Suspended by Executive Order [N-53-20](#).

Section 11405 - Outlines visitation requirements and accompanying rules or regulations that are suspended by Executive Order [N-53-20](#).

Sections 11460, 11461, 11461.3, 11461.36, 11461.4, 11463, and 11464. - Establishes temporary payment amounts, based on COVID-19-related criteria established by the

Department, not to exceed the rate paid on behalf of an eligible child placed with an intensive services foster care resource family or, for a child determined to require the level of care provided by a short-term residential therapeutic program, the rate established by the Department for that program. Payment amounts shall be determined in consultation with the Department of Finance and shall be subject to such necessary budgetary action as may otherwise be required by law under Executive Order [N-53-20](#).

Section 11461.6 - The California Department of Social Services may, for the next 60 days and in consultation with the California Department of Education, waive any accompanying regulations, or other written policies or procedures related to the Emergency Child Care Bridge for Foster Children by Executive Order [N-45-20](#).

Section 11461.36(e) - Ensures support for foster care placements during the COVID-19 emergency, the 365-day payment limitation pursuant to the Welfare and Institutions Code and accompanying rules or regulations are suspended. Payment may be extended for up to an additional 60 days for any case that reaches 365 days of emergency caregiver payments during the COVID-19 emergency via Executive Order [N-53-20](#).

Section 14043.341 - Requires that in-person signatures and printed names be collected in connection with certain deliveries of Medi-Cal covered drugs. Executive Order [N-55-20](#) suspends this rule and otherwise amends this section to allow any form of delivery service tracking or electronically documented proof of delivery to suffice.

Section 14043.75 or Administrative Procedure Act, Government Code section 11340 et seq. - Amended by Executive Order [N-55-20](#) to allow DCHS, for the purpose of responding to the effects of COVID-19, to issue bulletins or guidance related to provider enrollment without advance notice or public hearing.

Section 14100.2(h) - The criminal penalties and any cause of action arising out of this Section related to persons who knowingly release or possess information about Medi-Cal beneficiaries, are suspended as applied to health care providers, health care facilities, and health care administrators for any inadvertent, unauthorized release of confidential information during the good faith provision of telehealth services by Executive Order [N-43-20](#).

Sections 14132.95, 14132.952, and 14132.956 - Regulations and written policies and procedures related to the In-Home Supportive Services program, are waived for up to 60 days by Executive Order [N-47-20](#).

Sections 14132.100, 14132.101, 14132.106, 14170 and 14087.325(e)(2). - Outlines the deadlines for providers to submit and for Department of Health Care Services to review



a cost report, change of scope of service request or reconciliation request. Executive Order [N-55-20](#) extends this deadline for an additional 90 days beyond the date on which such action would be due otherwise.

Section 14171 subdivisions (e), (f) and (d) - Makes time limitations for administrative hearings and final issue decisions related to the administration or services of Medical or DCHS mandatory. Executive Order [N-55-20](#) suspends these limitations and additionally suspends interest on unrecovered overpayments during delays.

Section 14182(c)(12)(A) - Outlines the timeframes for Department of Health and Consumer Services to allow Medi-Cal managed care plans to conduct beneficiary risk assessments. Executive Order [N-55-20](#) suspends these existing timeframes and extends them for an additional 90 days.

Section 14711(c) - Amended by Executive Order [N-55-20](#) to allow Department of Health and Consumer Services to reimburse county behavioral health departments for administrative costs related to specialty mental health services for up to 30 percent of the total actual cost of direct client services.

Sections 18940 & 11265 – requires redeterminations of benefits for the following: those who are currently eligible for benefits under Medi-Cal, CalFresh, CalWORKs, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In-Home Supportive Services benefits. [Executive Order N-29-20](#) suspends the redetermination process for these programs for a period of 90 days from the date of this executive order.

Article 2 of Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions Code - facilitates the continued provision of care and supervision during the COVID-19 pandemic, the Department of Social Services may, to the extent necessary and for a period not to exceed 60 days, temporarily waive, in whole or in part, Resource Family Approval Program standards set forth in the Resource Family Approval Program pursuant to and any accompanying regulations, written directives, or other related policies or procedures, including but not limited to standards regarding annual updates, inactive status, home environment, caregiver training, complaint investigation protocols, and face-to-face interview requirements under Executive Order [N-53-20](#).

Article 4.5 (commencing with Section 11360) and Article 4.7 (commencing with Section 11385), as applicable, of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code - Determines redetermination requirements for payments made pursuant to the Kinship Guardianship Assistance Program. Suspended via Executive Order [N-53-20](#).

## **Misc. California Statutes**

AB 1762 Section 77 (Chapter 230, Statutes of 2003) - Relates to the use of Laboratory Services Reservation system. The uncodified provisions requiring the use of this system shall not be required in connection with COVID-19 testing under Executive Order [N-55-20](#).

## **Code of Regulations**

Title 1 Section 100(c) - The deadlines related to the filing, refiling, certification and/or review of regulations and emergency regulations, are extended for a period of 60 calendar days to allow state agencies additional time to finalize regulatory changes pursuant to the Administrative Procedure Act by Executive Order [N-40-20](#).

Title 2 Sections 599.517 and 599.518 - The deadlines related to notification of requirement to enroll in Medicare administrative review of termination of enrollment in basic health benefits plan including requests for administrative review, acknowledgement of receipt of administrative review requests, and provision of administrative review decisions, administrative review of the basis for delayed effective date including requests for administrative review, acknowledgement of receipt of administrative review requests, and provision of administrative review decisions, administrative review of decisions resulting from an appeals process related to coverage including requests for administrative review, acknowledgement of receipt of administrative review requests, and provision of administrative review decisions, requests for administrative hearings related to administrative review decisions and provision of the CalPERS Board of Administration's decision related to administrative hearing, are extended for a period of 60 days by Executive Order [N-40-20](#).

Title 5, Section 30023(c)(1) - relates to the certification requirements for applicants whose verification of the minimum grade point average is submitted pursuant to the deadline specified by Section 30023(c)(2) and 30023(c)(4). These certification requirements are waived by [Executive Order N-65-20](#).

Title 5, Sections 30023(c)(2) and 30023(c)(4) - related to the verification of the minimum grade point average of applicants for Cal Grants for the 2020-21 academic year pursuant to Education Code Sections 69434(b), 69435.3(a)(1), and 69436(b). [Executive Order N-65-20](#) provides an extension until September 2, 2020.

Title 8, section 17304 - related to the period in which the Return-To-Work Supplement Program must receive an application for a Return-to-Work Supplement. All deadlines

and regulations in this section are extended for 60 days as a result of [Executive Order N-63-20](#)

Title 8, section 17309 - related to filing a Return-to Work Supplement appeal and any reply or responsive papers. All deadlines and regulations in this section are suspended for 60 days as a result of [Executive Order N-63-20](#).

Title 9 Section 852 - Prevents a patient from receiving psychiatric medication without the patient's physical signature. Suspended by Executive Order [N-55-20](#).

Title 9 Section 13035(f)(1) - Prevents Department of Health and Consumer Services from providing Alcohol or Other Drug Counselors from offering an extension of time to complete their certification. Executive Order [N-55-20](#) suspends this in an effort to mitigate the effects of COVID-19 on those individuals trying to get certified.

Title 15 Section 3041(b)(2) – prohibiting an inmate from being paid during an unauthorized absence from a compensated assignment, shall be waived for any inmate who loses a current compensated assignment as a result of a modified program or transfer until such time as the inmate receives a new compensated assignment by Executive Order [N-40-20](#).

Title 17, section 54326(a)(11) - is suspended by [N-75-20](#) as applied to payments that would otherwise be made in connection with the State of Emergency proclaimed in response to COVID-19.

Title 18 Section 1591(c)(2) – related to sales tax, shall be suspended as applied to masks, gloves, eye protection, gowns and other critical materials that protect public health sold to or purchased by the State, and such materials sold to or purchased by the State shall be deemed intended for use in the prevention of disease by Executive Order [N-46-20](#).

Title 19 Sections 938, 939, and 944 - Current certifications and deadlines for renewing those certifications are suspended for 60 days as a result of Executive Order [N-63-20](#).

Title 22 Section 53887(a)(2)(B)(1) - Prevents the Department of Health and Consumer Services from extending the deadline for fee-for-service providers to submit information required for a Medical Exemption Request. Executive Order [N-55-20](#) suspends this rule and allows for extensions of up to 90 days.

Title 22 Sections 1279.5-2(a)(16)-(17), 1279.5-3(a), 1279.5-5 and 1279.-6 Executive Order [N-50-20](#) Requires the Employment Development Department to waive strict

compliance of establishing an efficient electronic means of expediting access to Work Share programs for lay-off aversions.

## SECTION II

### List of Executive Orders issued since declaration of COVID-19 State of Emergency

#### 1. [Executive Order N-26-20](#)

#### **Ensures California public school districts retain state funding even in the event of physical closure**

March, 13, 2020

1) For purposes of this Order, Local Educational Agency (LEA) means school districts, county offices of education, and charter schools.

2) If an LEA closes its schools to address COVID-19, as provided in Paragraph 4 of this Order, the LEA will continue to receive state funding to support the following during the period of closure:

(i) Continue delivering high-quality educational opportunities to students to the extent feasible through, among other options, distance learning and/or independent study; and Provide school meals in non congregate settings through the Summer Food Service Program and Seamless Summer Option, consistent with the requirements of the California Department of Education and U.S. Department of Agriculture;

(iii) Arrange for, to the extent practicable, supervision for students during ordinary school hours; and

(iv) Continue to pay its employees.

3) If an LEA closes its schools to address COVID-19, the LEA is not prohibited from offering distance learning or independent study to impacted students. To the extent any state or local law might have been interpreted to the contrary, that law is waived.

4) For LEAs that initiate a school closure to address COVID-19, the closure shall qualify as a condition that prevents the maintenance of the LEA's schools during a fiscal year for at least 175 days pursuant to Education Code section 41422. Additionally, for such LEAs, the requirement in Education Code section 41422 to submit affidavits of the

members of the governing board of the school district, the governing board of the county office of education, or the governing board or body of the charter school and of the county superintendent of schools are hereby suspended on the condition that the superintendent of the school district, the county superintendent of schools, or the charter school leader certifies in writing to the Superintendent of Public Instruction that the closure occurred to address COVID-19.

5) The California Department of Education and the Health and Human Services Agency shall jointly develop and issue guidance by March 17, 2020. The guidance shall include, but not necessarily be limited to, the following topics:

(i) Implementing distance learning strategies and addressing equity and access issues that may arise due to differential access to Internet connectivity and technology;

(ii) Ensuring students with disabilities receive a free and appropriate public education consistent with their individualized education program and meeting other procedural requirements under the Individuals with Disabilities Education Act and California law; and

(iii) Providing meals to be served in non congregate settings at school and non-school sites in a manner that protects the safety of both students and school personnel, including classified employees.

6) The Labor and Workforce Development Agency and the Health and Human Services shall jointly develop and issue guidance by March 17, 2020 covering how to support parents to care for their children during ordinary school hours in the event of a school closure.

7) The Governor's Office of Business and Economic Development shall work with the California business community to encourage employers to exercise flexibility in the event of a school closure to enable parents to care for their children during ordinary school hours.

## 2. [Executive Order N-27-20](#)

### **Critical Health and Safety Standards**

March 15, 2020

1) The Department of Social Services, the Division of Occupational Safety and Health, and the Department of Public Health, shall focus on those individuals who are most

vulnerable and on the most serious health and safety issues at licensed facilities.  
Consistent with this directive:

i) licensing and enforcement staff shall focus on providing technical assistance and supporting compliance with core health and safety requirements for caregivers and the cared for;

ii) these Departments and Division, in consultation with the Health and Human Services Agency, shall immediately identify health and community care facilities, and other sites housing populations that are particularly vulnerable to COVID-19, including but not limited to senior citizens and individuals who require assisted-living services due to chronic health conditions;

iii) these Departments and Division shall redirect resources to facilities identified pursuant to (ii) of this section;

iv) staff from these Departments and Division shall have primary focus on providing technical assistance and support to have maximum effect to address the risk of COVID-19; consistent with these requirements, staff shall focus enforcement activities where there are allegations of the most serious violations impacting health and safety.

2) The Health and Human Services Agency shall develop alternatives, in consultation with counties and representatives of labor organizations and consumers, to leverage the in home supportive services programs, the adult protective services programs, the area agencies on aging and regional centers, and other programs to support the home isolation of vulnerable Californians, including seniors and those with

3) To address increased demand for healthcare workers and first responders, Emergency Medical Services Authority, Department of Social Services, and the Department of Public Health shall authorize first responders, health and human services care providers and workers who are asymptomatic to continue working during the period of this emergency, subject to those responders, providers, and workers taking precautions to prevent transmission.

### 3. [Executive Order N-28-20](#)

**Authorizes local governments to halt evictions for renters and homeowners, slows foreclosures, and protects against utility shutoffs**

March 16, 2020

1) The time limitation set forth in Penal Code section 396, subdivision (f), concerning protections against residential eviction, is hereby waived. Those protections shall be in effect through May 31, 2020.

2) Any provision of state law that would preempt or otherwise restrict a local government's exercise of its police power to impose substantive limitations on residential or commercial evictions as described in subparagraphs (i) and (ii) below—including, but not limited to, any such provision of Civil Code sections 1940 et seq. Or 1954.25 et seq.—is hereby suspended to the extent that it would preempt or otherwise restrict such exercise. This paragraph 2 shall only apply to the imposition of limitations on evictions when:

(i) The basis for the eviction is nonpayment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including, but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and

(ii) The decrease in household or business income or the out-of-pocket medical expenses described in subparagraph (i) was caused by the COVID-19 government response to COVID-19, and is documented.

The statutory cause of action for judicial foreclosure, Code of Civil Procedure section 725a et seq.; The statutory cause of action for Unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential or commercial tenant or occupant of residential real property after foreclosure is suspended only as applied to any tenancy, or residential real property and any occupation thereof, to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government.

Nothing in this Order shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

The protections in this paragraph 2 shall be in effect through May 31, 2020, unless extended.

3) All public housing authorities are requested to extend deadlines for housing assistance recipients or applicants to deliver records or documents related to their

eligibility for programs, to the extent that those deadlines are within the discretion of the housing authority.

4) The Department of Business Oversight, in consultation with the Business, Consumer Services, and Housing Agency, shall engage with financial institutions to identify tools to be used to afford Californians relief from the threat of residential foreclosure and displacement, and to otherwise promote housing security and stability during this state of emergency, in furtherance of the objectives of this Order.

5) Financial institutions holding home or commercial mortgages, including banks, credit unions, government-sponsored enterprises, and institutional investors, are requested to implement an immediate moratorium on foreclosures and related evictions when the foreclosure or foreclosure-related eviction arises out of a substantial decrease in household or business income, or substantial out-of-pocket medical expenses, which were caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19.

6) The California Public Utilities Commission is requested to monitor measures undertaken by public and private utility providers to implement customer service protections for critical utilities, including but not limited to electric, gas, water, internet, landline telephone, and cell phone service, in response to COVID-19, and on a weekly basis publicly report these measures.

#### 4. [Executive Order N-29-20](#)

**Ensures that California’s most vulnerable residents can continue to receive health care, food assistance and in-home supportive services in a timely manner**

March 17, 2020

1) As to individuals currently eligible for benefits under Medi-Cal, CalFresh, CalWORKS, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In Home Supportive Services benefits, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including but not limited to California Code of Regulations, Title 22, section 50189(a) and Welfare and Institutions Code sections 18940 and 11265, that would require redetermination of such benefits is suspended for a period of 90 days from the date of this Order. This Order shall be construed to be consistent with applicable federal laws, including but not limited to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on



January 30, 2018) to permit the extension of otherwise-applicable Medicaid time limits in emergency situations.

2) Through June 17, 2020, any month or partial month in which California Work Opportunity and Responsibility to kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall not be counted for purposes of the 48-month time limit set forth in Welfare and Institutions Code Section 11454. Any waiver of this time limit shall not be applied if it will exceed the federal time limits set forth in Code of Federal Regulations, Title 45, section 264.1.

3) Paragraph 11 of Executive Order N-25-20 (March 12, 2020) is withdrawn and superseded by the following text: Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

(i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;

(ii) each teleconference location be accessible to the public;

(iii) members of the public may address the body at each teleconference conference location;

(iv) state and local bodies post agendas at all teleconference locations;

(v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and

(vi) during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

**Accessibility Requirements:** If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

(i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and

(ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

**Notice Requirements:** Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall: Give advance notice of the time of, and post the agenda or, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the times within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website. All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

All state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

5. [Executive Order N-30-20](#)

**Waives this year’s statewide testing for California’s more than 6 million students in K-12 schools**

March 17, 2020

1) Education Code section 60641(a), requiring that all pupils be administered academic assessments in mathematics, English language arts, and science, as provided for in Education Code section 60640, is waived for the 2019-2020 school year for all schools in the state for which the United States Department of Education approves, based on the impact of the COVID-19 pandemic on students and school communities throughout California, a federal waiver of requirements to administer those academic assessments.

6. [Executive Order N-31-20](#)

**Ease restrictions on commercial drivers engaged in support of emergency relief efforts**

March 17, 2020

1) Consistent with the Federal Motor Carrier Safety Administration's Emergency Declaration 2020-02, interstate motor carriers, operating under the provisions of that declaration, who have an active United States Department of Transportation number and interstate operating authority, are exempt from the requirement to hold an active Motor Carrier Property Permit pursuant to California Vehicle Code section 34620, while conducting intrastate transportation within California in support of emergency relief efforts. Additionally, drivers may be permitted or required to exceed the hours-of-service limits specified in California Vehicle Code section 34501.2, and California Code of Regulations, Title 13, section 1212.5, while operating a vehicle engaged in interstate or intrastate transportation, in support of emergency relief efforts. This includes, but is not limited to, transportation to meet immediate needs for: medical

supplies and equipment related to the testing, diagnosis and treatment of COVID-19; supplies and equipment community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap and disinfectants; food for emergency restocking of stores; equipment, supplies and persons necessary to establish and manage temporary housing, quarantine, and isolation facilities related to COVID-19; persons designated by Federal, State or local authorities for medical, isolation, or quarantine purposes, and persons necessary to provide other medical or emergency services, the supply of which may be affected by the COVID-19 response. These waivers shall be in effect for the duration of the Federal Motor Carrier Safety Administration's Emergency Declaration 2020-02.

2) Because of the need to prevent or mitigate the spread of COVID-19, employers have had to close rapidly without providing their employees the advance notice required under California law. Thus, for the period that began March 4, 2020 through the end of this emergency, Labor Code sections that orders a mass layoff, relocation, or termination at a covered establishment on the condition that the employer:

(i) Gives the written notices specified in Labor Code section 1401(a)-(b);

(ii) Consistent with United States Code, Title 29, section 2102(b)(3), gives as much notice as is practicable and, at the time notice is given, provides a brief statement of the basis for reducing the notification period;

(iii) Consistent with United States Code, Title 29, section 2102(b)(2)(A) and Code of Federal Regulations, Title 20, section 639.9(b), orders such a mass layoff, relocation, or termination that is caused by COVID-19-related "business circumstances that were not reasonably foreseeable as of the time that notice would have been required;" and

(iv) For written notice given after the date of this Executive Order, in addition to the other elements detailed in Labor Code section 1401(b), such written notice must contain the following statement: "If you have lost your job or been laid off temporarily, you may be eligible for Unemployment Insurance (UI). More information on UI and other resources available for workers is available at [labor.ca.gov/coronavirus2019](http://labor.ca.gov/coronavirus2019)."

Unless otherwise specified, Labor Code section 1400 provides definitions for the terms used in this suspension.

By March 23, 2020, the Labor and Workforce Development Agency shall provide guidance to the public regarding how this Executive Order will be implemented.

## 7. [Executive Order N-32-20](#)

## **Protect Californians experiencing homelessness from COVID-19 by providing emergency aid to local governments and implementing emergency protective measures**

March 18, 2020

- 1) To the limited extent that any part of Health & Safety Code section 50214, subdivision (a), restricts a local jurisdiction from expending Homeless Emergency Aid Program funds on preparing for and addressing the impacts of the COVID-19 pandemic on homeless individuals, including through implementing guidance from the Department of Public Health on hand and respiratory hygiene and protective congregate living protocols, and providing isolation and quarantine capacity, that part is suspended.
- 2) To the limited extent that any part of Health & Safety Code section 50219, subdivision (c), restricts a local jurisdiction from expending Homeless Housing, Assistance, and Prevention Program funds on preparing for and addressing the impacts of the COVID-19 pandemic on homeless individuals, including through expanding shelter and housing services and capacity, that part is suspended.
- 3) Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are suspended for any project using Homeless Emergency Aid Program funds, Homeless Housing, Assistance, and Prevention Program funds, or funds appropriated in Senate Bill 89, signed on March 17, 2020.

### 8. [Executive Order N-33-20](#)

#### **Stay at Home Order**

March 19, 2020

- 1) To preserve the public health and safety, and to ensure the healthcare delivery system is capable of serving all, and prioritizing those at the highest risk and vulnerability, all residents are directed to immediately heed the current State public health directives, which I ordered the Department of Public Health to develop for the current statewide status of COVID-19. Those directives are consistent with the March 19, 2020, Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response, found at: <https://covid19.ca.gov/>. Those directives follow: ORDER OF THE STATE PUBLIC HEALTH OFFICER March 19, 2020 To protect public health, I as State Public Health Officer and Director of the California Department of Public Health order all individuals living in the State of California to stay home or at their place

of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid19>. In addition, and in consultation with the Director of the Governor's Office of Emergency Services, I may designate additional sectors as critical in order to protect the health and well-being of all Californians. Pursuant to the authority under the Health and Safety Code 120125, 120140, 131080, 120130(c), 120135, 120145, 120175 and 120150, this order is to go into effect immediately and shall stay in effect until further notice. The federal government has identified 16 critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, economic security, public health or safety, or any combination thereof. I order that Californians working in these 16 critical infrastructure sectors may continue their work because of the importance of these sectors to Californians' health and well-being. This Order is being issued to protect the public health of Californians. The California Department of Public Health looks to establish consistency across the state in order to ensure that we mitigate the impact of COVID-19. Our goal is simple, we want to bend the curve, and disrupt the spread of the virus. The supply chain must continue, and Californians must have access to such necessities as food, prescriptions, and health care. When people need to leave their homes or places of residence, whether to obtain or perform the functions above, or to otherwise facilitate authorized necessary activities, they should at all times practice social distancing.

2) The healthcare delivery system shall prioritize services to serving those who are the sickest and shall prioritize resources, including personal protective equipment, for the providers providing direct care to them.

3) The Office of Emergency Services is directed to take necessary steps to ensure compliance with this Order.

4) This Order shall be enforceable pursuant to California law, including, but not limited to, Government Code section 8665.

#### 9. [Executive Order N-34-20](#)

### **Permit vote-by-mail procedures to be used in three upcoming special elections**

March 20, 2020

1) The timeframes for conducting the hearings required when a political subdivision changes from an at-large method of election to a district based election, as set forth in Elections Code section 10010, are suspended for any subdivision, until such time as neither state nor local public health officials recommend or impose social distancing measures in the relevant subdivision. Following that time, the relevant subdivision shall hold the required hearings in a manner that ensures the public is provided advance notice and is afforded an opportunity to participate in the postponed hearings; subdivisions are urged to ensure that this process includes effective outreach to individuals with disabilities, individuals who primarily speak languages other than English, and other individuals who may have particularized needs.

2) Notwithstanding Elections Code sections 3019, 15100–15112, 15300–15376, 15400–15402, 15450–15490, and 15500–15505; California Code of Regulations, Title 2, sections 20027, 20108.75, 20108.8, and 20110–20126; and any other applicable provision of state law, all deadlines associated with completing, auditing, and reporting on the official canvass of the March 3, 2020, Presidential Primary Election are extended by 21 days. Counties are urged to complete activities related to the official canvass according to the deadlines ordinarily imposed by state law, to the extent possible. The Secretary of State is requested to issue guidance to county elections officials concerning compliance with this paragraph.

3) Notwithstanding Elections Code sections 1500 and 4000–4007 (including, but not limited to, the conditions otherwise imposed on all mail ballot elections in Election Code section 4000 and 4001.5), and any other applicable provision of state law, the April 7, 2020, Special Recall Election to be held in the City of Westminster; the May 12, 2020, Special General Election to be held within the 25th Congressional District of the State; and the May 12, 2020, Special General Election to be held within the 28th Senate District of the State shall each be held as an all-mail ballot election and conducted according to those provisions of the Elections Code that govern all-mail ballot elections, including but not limited to Elections Code sections 3000–3026 and 4100. The respective county elections officials responsible for conducting each respective election shall transmit vote-by-mail ballots to all voters eligible to vote in each respective election. Notwithstanding the other provisions of this Order, elections officials are also authorized, and encouraged, to make in-person voting opportunities available on or before Election Day for each of these elections in a manner consistent with public health and safety, to maximize voter accessibility. Elections officials shall provide maximum possible notice to voters about how to participate in each of these elections, paying particular attention to the needs of voters at high risk from COVID-19, individuals with disabilities, and other voters with particularized needs.

4) Notwithstanding Elections Code sections 3019, 15100–15112, 15300– 15376, 15400–15402, 15450–15490, and 15500–15505; California Code of Regulations, Title 2, sections 20027, 20108.75, 20108.8, and 20110–20126; and any other applicable provision of state law including, but not limited to, any applicable state regulation, all deadlines associated with completing, auditing, and reporting on the official canvass of the May 12, 2020, Special General Elections to be held within the 25th Congressional District of the State and the 28th Senate District of the State are extended by 21 days. Counties are urged to complete activities related to the official canvass according to the deadlines ordinarily imposed by state law, to the extent possible. The Secretary of State is requested to issue guidance to county elections officials concerning compliance with this paragraph.

10. [Executive Order N-35-20](#)

**Expands the state’s response to the COVID-19 outbreak**

March 21, 2020

1) In order to assist in the care or to protect the health of individuals not in a hospital or health facility, as defined in Health and Safety Code section 1250, and due to the COVID-19 outbreak, the director of the State Department of Public Health may, for the duration of the declared emergency, waive any of the licensing and staffing requirements of chapters 1, 3.3, 8.5, and 9 of division 2 of the Health and Safety Code and any accompanying regulations with respect to any clinic, adult day health care, hospice, or mobile health care unit. Any waiver shall include alternative measures that, under the circumstances, will allow the clinic, adult day health care, hospice, or mobile health care unit to assist in the care or protect the health of individuals while protecting public health and safety. Any waivers granted pursuant to this paragraph shall be posted on the Department’s website.

2) Notwithstanding Government Code section 54952.2, subdivision (b)(1), or Government Code section 11122.5, subdivision (b)(1), or any other provision of the Brown Act or the Bagley-Keene Act, as applicable, all members of a local legislative body or state body may receive updates (including, but not limited to, simultaneous updates) relevant to the declared emergency (including, but not limited to, updates concerning the impacts of COVID-19, the government response to COVID-19, and other aspects relevant to the declared emergency) from federal, state, and local officials, and may ask questions of those federal, state, and local officials, in order for members of the legislative body to stay apprised of emergency operations and the impact of the emergency on their constituents. Nothing in this Order permits the members of a local



legislative body or state body to take action on, or to discuss amongst themselves, any item of business that is within the subject matter jurisdiction of the legislative body without complying with otherwise applicable requirements of the Brown Act or the Bagley-Keene Act, respectively. Nothing in this section shall impact Paragraph 3 of Executive Order N-29-20.

3) The suspension of statutes identified in Paragraph 7 of Executive Order E25-20, issued on March 12, 2020, shall also apply to local governments, as applicable, to ensure adequate staffing to appropriately respond to the COVID-19 pandemic.

4) Any local ordinance, including those relating to noise limitations, is suspended to the extent it restricts, delays, or otherwise inhibits the delivery of food products, pharmaceuticals, and other emergency necessities distributed through grocery stores and other retail or institutional channels, including, but not limited to, hospitals, jails, restaurants, and schools.

5) To ensure that patients with mental or behavioral health conditions continue to receive the services and support they need, notwithstanding disruptions caused by COVID-19; and to protect the health, safety and welfare of patients with mental or behavioral health conditions committed to the State Department of State Hospitals facilities, as defined by Welfare and Institutions Code Sections 4100 and 7200; the Director of the State Department of State Hospitals may issue directives waiving any provision or requirement of the Welfare and Institutions Code; any provision or requirement of the Penal Code that affects the execution of laws relating to care, custody, and treatment of persons with mental illness committed to or in the custody of the State Department State Hospitals; and the accompanying regulations of Title 9, Division 1 of the California Code of Regulations. The Director shall describe the need for the waiver granted in each directive and articulate how the waiver is necessary to protect the public health or safety (including, but not limited to, the health or safety of the individuals served at any Department-operated facility or the staff serving such individuals) from the threat of COVID-19, or how the waiver is necessary to ensure that services to individuals with mental or behavioral health conditions are not disrupted. Any waiver granted by a directive shall expire 30 days from the date of its issuance, except that the Director may grant one or more 30-day extensions if the waiver continues to be necessary to protect health or safety or to ensure delivery of services. The Director shall rescind a waiver once it is no longer necessary to protect public health or safety or ensure delivery of services. Any waivers and extensions granted pursuant to this paragraph shall be posted on the Department's website.

6) As needed to safeguard health of persons already admitted, committed, or ordered to the facilities described in this paragraph and notwithstanding the Penal Code, the Welfare and Institutions Code, or any other statute or regulation, the Director of the Department of Developmental Disabilities is authorized to deny admission or delay discharge of all individuals judicially or otherwise admitted, committed or ordered to the Porterville Developmental Center; the Canyon Springs Community Facility; a Stabilization, Training Assistance, and Reintegration (STAR) home; or any other facility under the jurisdiction or control of the Department for 30 days after the issuance of this Order. The Director may grant one or more 30-day extensions if such action is necessary to protect the public health or safety (including, but not limited to, the health or safety of the individuals served at any Department-operated facility or the staff serving such individuals) from the threat of COVID-19. The Director of the Department shall describe the need justifying the closure of admissions to and delay in discharges from the Department-operated facility. The Director shall authorize admissions and discharges once the actions described in this paragraph are no longer necessary to protect the public health or safety (including, but not limited to, the health or safety of the individuals served at any Department-operated facility or the staff serving such individuals). The Director shall post the notice of closure of admissions and discharges and the extension of closure to the Department facility on the Department's website.

7) The deadlines specified in Education Code section 44242.7(a), and California Code of Regulations, title 5, section 80306, related to the presentation of disciplinary cases to the Committee of Credentials for initial review; Education Code section 44244(b)(1), related to the formal review of disciplinary cases and determination of any adverse action by the Committee of Credentials; Education Code section 44343.5, related to the processing of military spouse or partner applications; and Education Code section 44350, related to processing educator applications, are extended for a period of 60 days.

8) The deadline specified in Government Code section 11517(c)(2), related to an agency's action on an administrative law judge's proposed decision, is extended for a period of 60 days.

9) The deadlines specified in Government Code section 1774(a), related to the Governor's reappointment of an incumbent to an office, and Government Code section 1774(b), related to transmittal of the required information about reappointment of an incumbent to the Secretary of the Senate, are extended for a period of 60 days.

10)The deadline specified in Government Code section 12011.5(c), related to State Bar’s transmittal of its report to the Governor of its evaluation of all judicial candidates referred by the Governor, is extended for a period of 60 days.

11)The time for presenting a claim pursuant to Government Code section 911, et seq., is hereby extended by 60 days. The time within which the Department of General Services may act upon such claim is extended by 60 days.

12) The time limitation set forth in Penal Code section 4750(j) for any jurisdiction submitting a claim for reimbursement is delayed for a period of 60 days. The State Controller shall have the discretion to provide the additional time extension, as appropriate.

11. [Executive Order N-36-20](#)

**Directing the California Department of Corrections and Rehabilitation (CDCR) Secretary to temporarily halt the intake and/or transfer of inmates and youth into the state’s 35 prisons and four youth correctional facilities**

March 24, 2020

1) To protect the health, safety, and welfare of inmates in the custody of CDCR and staff who work in the facilities, I direct the Secretary of CDCR to use his emergency authority under California Penal Code section 2900(b) to suspend intake into state facilities for 30 days by directing that all persons convicted of felonies shall be received, detained, or housed in the jail or other facility currently detaining or housing them for that period. Consistent with California Penal Code section 2900(b), the time during which such person is housed in the jail or other facility shall be computed as part of the term of judgment. I further order the Secretary to suspend intake into Division of Juvenile Justice (DJJ) facilities for 30 days. To the extent that any statutory or other provisions require DJJ to accept new juveniles into its facilities, such provisions are waived or suspended. The Secretary may grant one or more 30-day extensions of the suspension of intake or commitment if suspension continues to be necessary to protect the health, safety, and welfare of inmates and juveniles in CDCR’s custody and staff who work in the facilities.

2) The Board of Parole Hearings is directed to develop a process for conducting parole hearings by videoconference and shall confer with stakeholders in developing this process. The Board of Parole Hearings shall endeavor to make parole hearings conducted via videoconference accessible to all participants specified in the Penal Code

and the California Code of Regulations. This process shall be operational no later than April 13, 2020.

3) To protect the health and welfare of inmates, hearing board officers, inmates' counsel, victims and their representatives, and representatives of the people, the Board of Parole Hearings is directed to cease conducting in-person parole hearings for 60 days and shall postpone any scheduled parole hearings until April 13, 2020, or an earlier date at which it is able to accommodate conducting parole hearings by video conference. The Secretary may grant one or more 30-day extensions of the prohibition on in-person parole hearings if it continues to be necessary to protect the health, safety, and welfare of inmates in CDCR's custody, staff who work in the facilities, hearing officers, victims and their representatives, and representatives of the people.

4) For the next 60 days, and for the term of any extensions, inmates scheduled for a parole hearing can elect to continue with their timely parole hearing by videoconference, to accept a postponement of their parole hearing, or to waive their hearing.

a. Any parole hearing postponed under this provision shall be rescheduled for the earliest practicable date.

b. All rights for all participants delineated by state law will be applied to hearings postponed and rescheduled.

c. To the extent that an inmate is required to show good cause to waive or postpone his or her hearing under California Code of Regulations, title 15, section 2253, subdivisions (b)(3) and (d)(2), such requirements are suspended for the next 60 days, and for the term of any extensions.

5) For the next 60 days, and for the term of any extensions, to the extent that any law or regulation gives any person the right to be present at a parole hearing, that right is satisfied by the opportunity to appear by videoconference. Specifically:

a. For inmates who choose to go forward with their parole hearing by videoconference during the next 60 days, and during the term of any extensions, the inmate's right to be present and to meet with a Board of Parole Hearing's panel under Penal Code sections 3041, subdivision (a)(2), 3041.5, subdivision (a)(2), and California Code of Regulations, title 15, section 2247, is satisfied by appearance through videoconference.

b. For inmates who choose to go forward with their parole hearing by videoconference during the next 60 days, and during the term of any extensions, Penal

Code section 3041.7 and California Code of Regulations, title 15, section 2256, which provide that an inmate has the right to be represented by an attorney at parole hearings, will be satisfied by the attorney appearing by videoconference and by providing for privileged teleconferencing between the inmate and attorney immediately before and during the hearing. Such inmates will also be provided reasonable time and opportunity for privileged communications by telephone with their retained or appointed counsel prior to the hearing at no charge to either party.

c. For hearings conducted by videoconference during the next 60 days, and during the term of any extensions, the right of victims, victims' next of kin, members of the victims' family and victims' representatives to be present at a parole hearing will be satisfied by the opportunity to appear by videoconference, teleconference, or by written or electronically recorded statement, consistent with California Constitution, Article I, section 28, subdivision (b)(7), Penal Code section 3043, subdivision (b)(1) and California Code of Regulations, title 15, section 2029, and as provided in Penal Code sections 3043.2 and 3043.25.

d. For hearings conducted by videoconference during the next 60 days, and during the term of any extensions, Penal Code section 3041.7 providing that the prosecuting attorney may represent the interests of the people at the hearing will be satisfied by the opportunity to appear by videoconference, teleconference, or a written statement.

12. [Executive Order N-37-20](#)

**Banning the enforcement of eviction orders for renters affected by COVID-19 through May 31, 2020.**

March 27, 2020

1) The deadline specified in Code of Civil Procedure section 1167 shall be extended for a period of 60 days for any tenant who is served, while this Order is in effect, with a complaint that seeks to evict the tenant from a residence or dwelling unit for nonpayment of rent and who satisfies all of the following requirements:

a. Prior to the date of this Order, the tenant paid rent due to the landlord pursuant to an agreement.

b. The tenant notifies the landlord in writing before the rent is due, or within a reasonable period of time afterwards not to exceed 7 days, that the tenant needs to delay all or some payment of rent because of an inability to pay the full amount due to reasons related to COVID-19, including but not limited to the following:

(i) The tenant was unavailable to work because the tenant was sick with a suspected or confirmed case of COVID-19 or caring for a household or family member who was sick with a suspected or confirmed case of COVID-19;

(ii) The tenant experienced a lay-off, loss of hours, or other income reduction resulting from COVID-19, the state of emergency, or related government response; or

(iii) The tenant needed to miss work to care for a child whose school was closed in response to COVID-19.

c. The tenant retains verifiable documentation, such as termination notices, payroll checks, pay stubs, bank statements, medical bills, or signed letters or statements from an employer or supervisor explaining the tenant's changed financial circumstances, to support the tenant's assertion of an inability to pay. This documentation may be provided to the landlord no later than the time upon payment of back-due rent.

2) No writ may be enforced while this Order is in effect to evict a tenant from a residence or dwelling unit for nonpayment of rent who satisfies the requirements of subparagraphs (a)-(c) of paragraph 1.

3) The protections in paragraphs 1 and 2 shall be in effect through May 31, 2020. Nothing in this Order shall prevent a tenant who is able to pay all or some of the rent due from paying that rent in a timely manner or relieve a tenant of liability for unpaid rent. Nothing in this Order shall in any way restrict state or local governmental authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential property.

13. [Executive Order N-38-20](#)

**Enhance the authority of California's Judicial Branch to take emergency action**

March 27, 2020

1) To the extent Government Code section 68115 or any other provision of law imposes or implies a limitation on the subject matter the Chairperson of the Judicial Council may address via emergency order or statewide rule issued pursuant to section 68115, that limitation is suspended. This paragraph is intended to remove any impediment that would otherwise prevent the Chairperson from authorizing, by emergency order or statewide rule, any court to take any action she deems necessary to maintain the safe and orderly operation of that court. Nothing in this paragraph is intended to in any way restrict the Chairperson's existing authority under section 68115, or to alter in any way any order the Chairperson has previously issued pursuant to her authority under section 68115.

2) To the extent Government Code section 68115 or section 68072, or any other provision of law, imposes or implies a limitation on the authority of the Judicial Council or its Chairperson to provide (by emergency order issued pursuant to section 68115 or otherwise) for an emergency statewide or local rule or order amending the California Rules of Court or any other applicable court rule, or for any other expedited procedure for amending the California Rules of Court or any other applicable court rule, that limitation is suspended. This paragraph is intended to remove any impediment that would otherwise prevent the Judicial Council or its Chairperson from establishing (by emergency order or otherwise) an emergency or otherwise expedited procedure for making such amendments to the California Rules of Court or any other applicable court rule as the Judicial Council may, in its discretion, choose to adopt in response to the COVID-19 pandemic. This paragraph should be construed to extend the rulemaking authority of the Judicial Council to its constitutional maximum under Article VI, section 6 of the California Constitution.

3) In the event that the Judicial Council or its Chairperson, in the exercise of rulemaking authority consistent with Paragraph 2, wishes to consider a rule that would otherwise be inconsistent with any statute concerning civil or criminal practice or procedure, the relevant statute is suspended, subject to the following conditions:

- a) The statute is suspended only to the extent it is inconsistent with the proposed rule;
- b) The statute is suspended only if the proposed rule is adopted; and
- c) The statute is suspended only when the adopted rule becomes effective. The purpose of this paragraph is to afford the Judicial Council and its Chairperson maximum flexibility to adopt any rules concerning civil or criminal practice or procedure they may deem necessary to respond to the COVID-19 pandemic, while

ensuring that the rules adopted “shall not be inconsistent with statute,” as provided in Article VI, section 6 of the California Constitution.

4) In addition to any statute suspended pursuant to Paragraph 3, the following statutes are suspended:

a) Code of Civil Procedure section 2025.310, subdivision (b), to the extent that subdivision limits a court’s authority to provide that a party deponent may appear at a deposition by telephone.

b) Code of Civil Procedure section 1010.6, subdivisions (b) through (d), to the extent those subdivisions limit a court’s authority to order parties to accept electronic service, or to perform service electronically.

5) Nothing in this Order is intended to suspend or otherwise interfere with any rule of the California Rules of Court, any local rule of any California court, or any other rule or order of any California court, except to the extent the Judicial Council or its Chairperson may provide consistent with this Order or in a manner otherwise authorized by law.

14. [Executive Order N-39-20](#)

### **Expand California’s health care workforce and recruit health care professionals**

March 30, 2020

1) To assist in the care and/or to protect the health of individuals in hospitals and other health facilities, and due to the COVID-19 outbreak, the director of the State Department of Public Health may, to the extent necessary and only for the duration of the declared emergency, waive any of the licensing and staffing requirements of chapters 2 and 2.4 of division 2 of the Health and Safety Code and any accompanying regulations with respect to any hospital or health facility identified in Health and Safety Code section 1250. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat patients while protecting public health and safety. To the extent the facility maintains a disaster and mass casualty plan, the facility granted a waiver shall be established and operate in accordance with that plan. Any waivers granted pursuant to this paragraph shall be posted on the Department’s website.

2) To facilitate the continued provision of care due to the COVID-19 outbreak, the director of the State Department of Public Health may, to the extent necessary and only



for the duration of the declared emergency, waive any of the professional licensing and certification requirements and amend scopes of practice of chapters 2, 2.35, and 8 of division 2 of the Health and Safety Code and any accompanying regulations with respect to certified nursing assistants, home health aides, and nursing home administrators, and chapter 3, division 2 of the Business and Professions Code and accompanying regulations with respect to certified hemodialysis technicians. The Department shall provide guidance to facilities directing the appropriate qualifications and scope of practice for each classification operating under a waiver based on sound clinical guidelines and the individual's training, education, and work experience. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat patients while protecting public health and safety. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

3) The certification and permitting requirements of the Radiologic Technology Act (as identified in Health and Safety Code section 27) are, only for the duration of the declared emergency, suspended for all persons: (i) whose certificate or permit issued pursuant to the Radiological Technology Act is expired, regardless of expiration date, or has been canceled; or (ii) who hold Radiography certification issued by the American Registry of Radiologic Technologists or are an American Registry of Radiologic Technologists Registered Radiologist Assistant; or (iii) who are credentialed as Radiology Practitioner Assistants by the Certification Board for Radiology Practitioner Assistants; or (iv) who are certified, permitted or otherwise authorized to perform radiologic technology by passing a State-required examination by a state other than the State of California; and (v) who are working under the supervision of a person licensed under the Medical Practice Act, except that the requirement to be under supervision shall not apply to a licentiate of the healing arts, as defined in the Radiological Technology Act; and (vi) who are deemed by a health facility as necessary workforce for purposes of this Order. The specific certification requirements of Health and Safety Code section 107110 are suspended for any person who is licensed under the Medical Practice Act (Business and Professions Code sections 2000, et seq.). Except for persons licensed under the Medical Practice Act, this suspension of certification and permitting requirements shall not apply to persons who have never been either certified or permitted by the Department of Public Health, or certified, permitted, or otherwise authorized by the American Registry of Radiologic Technologists, the Certification Board for Radiology Practitioner Assistants, or any other state. This suspension of certification and permitting requirements shall also not apply to persons whose certificate, permit, or other authorization has been revoked or suspended for cause by

the Department of Public Health, the American Registry of Radiologic Technologists, the Certification Board for Radiology Practitioner Assistants, or any other state.

4) To ensure hospitals are adequately prepared and staffed to treat COVID19 patients, the Director of the State Department of Public Health may temporarily waive licensing requirements in Health and Safety Code section 1277 and sections 70203(a)(2), 70701(a)(1)(E), 70703(b), and 70705(a) of Chapter 1, Article 3, of Title 22, that pertain to the credentialing and privileging of physicians. Any waiver shall include alternate measures that, under the circumstances, ensure the competency of physicians providing medical services at the hospital.

5) To facilitate the continued provision of care to individuals affected by the COVID-19 outbreak, the Director of the Department of Consumer Affairs may to the extent necessary and only for the duration of the declared emergency, waive any of the professional licensing requirements and amend scopes of practice in Division 2 of the Business and Professions Code, and any accompanying regulations. Professional licensing requirements should be interpreted broadly to effectuate the purposes of this executive order, and they include, but are not limited to, the examination, education, experience, and training requirements necessary to obtain and maintain licensure, and requirements governing the practice and permissible activities for licensees. The Department, in conjunction with the relevant licensing board, shall provide guidance identifying the appropriate qualifications and scope of practice for each classification operating under a waiver based on sound clinical guidelines and the individual's training, education, and work experience. Any waiver may include alternative measures that, under the circumstances, will allow the regulated individual to treat patients while protecting public health and safety. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

6) To ensure the continued operation of the Emergency Medical Services (EMS) system without unduly endangering the people of California during the COVID-19 outbreak, the Director of the California Emergency Medical Services Authority may as necessary and only for the duration of the declared emergency, suspend any licensing, certification, or training requirements for EMS personnel as contained in the EMS Act Chapters 2, 3, and 4, and accompanying regulations, including the authority to permit EMS personnel to provide services in any setting as authorized by the Director for the performance of the current scope of practice. The Authority shall provide guidance to local emergency medical services authorities directing the appropriate qualifications and scope of practice for each classification operating under a waiver based on sound clinical

guidelines and the individual's training, education, and work experience. Any waivers granted pursuant to this paragraph shall be posted on the Authority's website.

7) Notwithstanding the Government Code section 14669, or any other law, the Director of the Department of Developmental Services has the authority to enter into a lease, lease-purchase, lease with option to purchase any real or personal property or any other agreement to procure residences or facilities and necessary equipment, goods or services to serve those individuals with development disabilities in crisis, to respond to, mitigate the effects or prevent the spread of COVID-19 to individuals with developmental disabilities or the general community. The leases or agreements may be executed without the review or prior approval of any other state department or agency. The leases or agreements executed pursuant to this provision shall be in effect so long as necessary to address the COVID-19 crisis or its effects.

8) The Department of Social Services may, to the extent the Department deems necessary to respond to the COVID-19 crisis, allow any state monthly face-to-face caseworker visitation requirement, standard, or criteria set forth in the Welfare and Institutions Code sections 16501.1, subdivision (l), 16516.5, and 16516.6, as well as accompanying regulations or other written directives, policies or procedures, to be accomplished through videoconferencing, instead of in-person contact. This flexibility shall only be utilized by caseworkers in keeping with guidance from the Department and after a child-specific decision based on the training and experience of the social worker, considering all available information, that an in-person visit is not necessary to ensure the child's safety and wellbeing. Any flexibility granted pursuant to this paragraph shall not waive or conflict with applicable federal requirements in United States Code, Title 42, sections 622, subdivision (b)(17) and 624, subdivision (f), as modified for emergency waivers in guidance issued March 18, 2020, in the Child Welfare Policy Manual Title IV-B, section 7.3, question 8 and shall expire at the end of the emergency declaration, in 90 days, or sooner as determined by the Department. Any flexibility granted pursuant to this paragraph shall be posted to the Department's website.

15. [Executive Order N-40-20](#)

**Provide tax, regulatory and licensing extensions for businesses**

March 30, 2020

1) The deadlines specified in Government Code sections 11346.4(b), 11346.1(e) and (h), 11349.4(a), and 11349.3(a), and the accompanying regulation in Title 1, California Code of Regulations, section 100(c), related to the filing, refiling, certification and/or review of regulations and emergency regulations, are extended for a period of 60 calendar days to allow state agencies additional time to finalize regulatory changes pursuant to the Administrative Procedure Act.

2) The deadlines specified in Government Code section 19995.4 (b)-(e), related to leadership and development training for supervisors, managers, and career executive assignment employees, are extended for a period of 60 days.

3) The deadline specified in Revenue and Taxation Code section 19522(a)(1), related to the submission by the Franchise Tax Board of an annual report to the Legislature on all changes to the Internal Revenue Code enacted into law in 2019, is extended for a period of 60 days.

4) In order to quickly provide relief from interest and penalties for businesses impacted by the proclaimed emergency of COVID-19, the provisions of the Revenue and Taxation Code that apply to the taxes and fees administered by the Department of Tax and Fee Administration requiring a request for an extension and the filing of a statement under penalty of perjury may be suspended by the Department for a period of up to three months after the due date of the return or payment for individuals or businesses filing a return for less than \$1,000,000 in tax. This is effective after the date of this Order and shall remain effective through the reporting of taxes or fees due or the payment of taxes that are due on or by July 31, 2020.

5) The provisions of the Revenue and Taxation Code that apply to the taxes and fees administered by the Department of Tax and Fee Administration and specify the statute of limitations to file a claim for refund for the taxes and fees administered by the Department of Tax and Fee Administration are extended for a period of 60 days for individuals who or businesses that are unable to file a timely claim for refund as a result of this proclaimed emergency related to COVID-19. The provisions in this paragraph are effective after the date of this Order and shall remain effective for all claims for refunds that must otherwise be filed by July 31, 2020.

6) The provisions of the Department of Tax and Fee Administration's Rules for Tax Appeals that interpret and apply the Revenue and Taxation Code to the taxes and fees administered by the Department of Tax and Fee Administration and that provide a 30-day period to file an administrative appeal with the Office of Tax Appeals are extended for a period of 60 days for individuals who or businesses that are unable to file

a timely administrative appeal as a result of this proclaimed emergency related to COVID-19. The provisions in this paragraph are effective after the date of this Order and shall remain effective through July 31, 2020.

7) To protect the health and welfare of employees, state department representatives, hearing officers, administrative law judges, counsel, and others who conduct business relating to evidentiary appeals before the State Personnel Board, the six-month time limitation under Government Code section 18671.1 by which the Board shall render its decision after the filing of an appeal shall be extended by 60 days.

8) The deadlines specified in Government Code section 22844 and California Code of Regulations, title 2, sections 599.517 and 599.518, related to notification of requirement to enroll in Medicare (Cal. Code Regs., tit. 2, § 599.517, subd. (c)(2).), administrative review of termination of enrollment in basic health benefits plan including requests for administrative review, acknowledgement of receipt of administrative review requests, and provision of administrative review decisions (Cal. Code Regs., tit. 2, § 599.517, subd. (g)(2), (3)), administrative review of the basis for delayed effective date including requests for administrative review, acknowledgement of receipt of administrative review requests, and provision of administrative review decisions (Cal. Code Regs., tit. 2, § 599.517, subd. (h)(2), (3).), administrative review of decisions resulting from an appeals process related to coverage including requests for administrative review, acknowledgement of receipt of administrative review requests, and provision of administrative review decisions (Cal. Code Regs., tit. 2, § 599.518, subd. (d)(1), (2).), requests for administrative hearings related to administrative review decisions and provision of the CalPERS Board of Administration's decision related to administrative hearing (Cal. Code Regs., tit. 2, § 599.518, subd. (e)(1), (3).), are extended for a period of 60 days.

9) The Director of the Department of Alcoholic Beverage Control shall have the authority to suspend, for a period of up to 60 days, the deadlines for renewing licenses upon payment of annual fees and license renewal penalty fees that are due, as specified in Business and Professions Code section 24048.

10) The deadlines to pay annual fees, including any installment payments, currently due or that will become due during the proclaimed emergency, as specified in Business and Professions Code sections 19942, 19951, 19954, 19955, and any accompanying regulations; the expiration dates of all licensees, work permits, findings of suitability, or other approvals, as specified in Business and Professions Code sections 19876, 19877, 19912(a)(1)(B), and any accompanying regulations; the deadlines for submission and processing of any application or related fee, as specified in Business and Professions

Code sections 19868, 19876, 19877, 19942, and any accompanying regulations; the deadline for completing the annual financial reports and audited reports, as specified in section 12313 of Title 4 of the California Code of Regulations; and the deadlines for satisfying any outstanding requirements, including conditions or restrictions on licenses, work permits, findings of suitability, or other approvals, as specified in Business and Professions Code sections 19824, 19870, and 19912, are extended for a period of 60 days for any card room or third-party provider of proposition player service that suspends operations due to the proclaimed emergency.

11) For any shareholder meetings that already have been scheduled, or must occur before June 30, 2020, the requirements in Corporations Code sections 20 and 600 to request and receive the consent of shareholders for meetings of shareholders to be held by electronic transmission or by electronic video screen communication are hereby suspended, and the requirement in Corporations Code section 601 to provide written notice of such meetings is hereby suspended, to the extent that a corporation has provided notice to its shareholders that a meeting will occur at a physical location and subsequently provides notice by a press release, website posting and other means reasonably designed to inform shareholders that the meeting will occur by electronic transmission or by electronic video screen communication.

12) The Director of the Department of Consumer Affairs may, for 60 days from the date of this Order, waive any of the continuing education requirements in Divisions 2 and 3 of the Business and Professions Code, and any accompanying regulations.

13) In order to limit the need for in-person transactions at Department of Motor Vehicle offices and thereby facilitate adherence to physical distancing guidelines, the prohibition in Vehicle Code section 12814.5(e) against renewals by mail of driver's licenses and the requirements in Vehicle Code section 13002.1(b) for in-person renewals of identification cards, and any accompanying regulations, are waived for a period of 60 days.

14) To ensure the availability of fairgrounds for emergency activities, the restrictions on the use of the Fair and Expositions Fund contained in Business and Professions Code section 19620.15(h)(3)(C) are suspended, for the duration of the proclaimed emergency, for employees providing critical support for fairgrounds that are or may be activated for emergency activities.

15) The deadline specified in Government Code section 3304(d) for opening and completing investigations of alleged misconduct by public safety officers is extended by 60 days.

16) The deadline for serving a notice of adverse action specified in Government Code section 19635 is extended by 60 days.

17) The deadlines specified in Welfare and Institutions Code section 1961(A) and Government Code section 30061(b)(4) shall be extended by 30 days to allow counties sufficient time to submit updated Juvenile Justice Crime Prevention Act and the Youthful Offender Block Grant program plans to the Board of State and Community Corrections.

18) In order to enhance options for the delivery of food benefits to WIC participants and implement the administrative flexibilities for the WIC Program contemplated in the Families First Coronavirus Response Act, Public Law No. 116-127, and other federal laws and waivers related to the WIC Program and COVID-19, for the duration of the authority granted by Congress or the COVID-19 waivers granted by the U.S. Department of Agriculture Food and Nutrition Service and any extensions thereto, the director of the State Department of Public Health may make temporary changes to Department's regulations governing WIC certification and eligibility, food delivery systems, and authorized supplemental foods in the California Code of Regulations, Title 22, Division 2, Subdivision 6, Chapter 6, Articles 2, 5, 6, and 7 and the California Women, Infants, and Children Program Bulletin Regulations Articles 3, 4, and 5 notwithstanding any other provision of State law. Any regulatory changes made pursuant to this paragraph shall be consistent with federal law and associated waivers and shall be posted on the Department's website.

19) In order to ensure timely payment of unemployment benefits, and as requested, notwithstanding Revenue and Taxation Code section 19542 or any other state laws, the Franchise Tax Board has the authority to share bank account information, received during Franchise Tax Board tax administration, of the Employment Development Department's unemployment benefit claimants, through no later than July 15, 2020, which shall be used solely for the express limited purpose of paying unemployment benefit claims.

20) California Code of Regulations, Title 15, section 3041(b)(2), shall be waived for any inmate who loses a current compensated assignment as a result of a modified program or transfer until such time as the inmate receives a new compensated assignment.

21) The deadline specified in Government Code section 12820 for transfer of Division of Juvenile Justice to the California Health and Human Services Agency and the establishment of the Department of Youth and Community Restoration, is extended from July 1, 2020, to July 1, 2021. This Order is not intended to, and does not, create

any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

16. [Executive Order N-41-20](#)

**Allows for the immediate use of funds to support the state’s continuing efforts to protect public health and respond to the COVID-19 crisis**

April 1, 2020

1) In order to prepare and respond effectively to protect lives in accordance with the State of Emergency declared on March 4, 2020, expenditures shall be made out of the Disaster Response-Emergency Operations Account, a subaccount of the Special Fund for Economic Uncertainties in the General Fund, or any other fund legally available, for personal protective equipment, medical equipment and other expenditures as necessary to support the hospital surge, to provide necessary services to vulnerable populations, and other expenditures necessary to respond to the threat and spread of COVID-19. The Department of Finance may exercise all authority vested in the Governor by Government Code sections 8566, 8628, 8645, and 8646 necessary to facilitate the making of such expenditures.

17. [Executive Order N-42-20](#)

**Restriction on Water Shutoffs to Homes and Small Business During COVID-19 Pandemic**

April 2, 2020

1) The authority of urban and community water systems, as defined in Health and Safety Code section 116902, subdivision (d), to discontinue residential service, as defined in Health and Safety Code section 116902, subdivision (c), for non-payment under Health and Safety Code sections 116908 and 116910, is suspended.

2) Water systems not subject to the requirements of Health and Safety Code sections 116908 and 116910 shall not discontinue residential service, as defined in Health and Safety Code section 116902, subdivision (c), for non-payment.



3) Water systems shall restore any residential service to occupied residences that has been discontinued for nonpayment since March 4, 2020.

4) Water systems shall not discontinue service to any business in the critical infrastructure sectors designated by the State Public Health Officer as critical to protect the health and well-being of all Californians that qualifies as a small business under 13 C.F.R. § 121.201 of the Small Business Administration's regulations.

5) The State Water Resources Control Board shall identify best practices, guidelines, or both to be implemented during the COVID-19 emergency (i) to address non-payment or reduced payments, (ii) to promote and to ensure continuity of service by water systems and wastewater systems, and (iii) to provide measures such as the sharing of supplies, equipment and staffing to relieve water systems under financial distress.

Nothing in this Order eliminates the obligation of water customers to pay for water service, prevents a water system from charging a customer for such service, or reduces the amount a customer already may owe to a water system.

Nothing in this Order modifies the obligations of urban and community waters systems to comply with provisions of the Water Shutoff Protection Act not specifically addressed by this Order or other applicable laws, regulations, and guidelines.

18. [Executive Order N-43-20](#)

**Waves Certain Privacy and Security Laws for Medical Providers to Provide Telehealth Services and Minimize Risk of Penalty**

April 3, 2020

1) The requirements specified in Business and Professions Code section 2290.5(b), related to the responsibility of a health care provider to obtain verbal or written consent before the use of telehealth services and to document that consent, as well as any implementing regulations, are suspended.

2) The penalties specified in Civil Code section 56.35, as well as any cause of action arising out of section 56.35 (including, but not limited to, any cause of action arising out of the Unfair Competition Law that is predicated on section 56.35) are suspended as applied to inadvertent, unauthorized access or disclosure of health information during the good faith provision of telehealth services.

3) The administrative fines, civil penalties, and private right of action specified in Civil Code section 56.36, as well as any other cause of action arising out of section 56.36 (including, but not limited to, any cause of action arising out of the Unfair Competition Law that is predicated on section 56.36, as well as the authority to bring a civil action set forth in subdivision (f) of section 56.36) are suspended as applied to inadvertent, unauthorized access or disclosure of health information during the good faith provision of telehealth services.

4) The civil penalties for health care facilities and providers specified in Civil Code sections 1798.29 and 1798.82, related to the timely notification to patients of a breach of the security system, are suspended as applied to any breach resulting from inadvertent, unauthorized access or disclosure during the good faith provision of telehealth services. Any cause of action arising out of section 1798.29 or section 1798.82 (including, but not limited to, any cause of action arising out of the Unfair Competition Law that is predicated on section 1798.29 or section 1798.82) is likewise suspended as applied to inadvertent, unauthorized access or disclosure that occurs during the good faith provision of telehealth services.

5) The deadlines specified in Health and Safety Code section 1280.15, related to notification to the Department of Public Health and to patients of the unauthorized access or disclosure of health information, are extended from a period of 15 days to a period of 60 days when the unauthorized access or disclosure is related to the good faith provision of telehealth services. The administrative penalties specified in Health and Safety Code section 1280.15, related to unauthorized access or disclosure of health information, are suspended when the unauthorized access or disclosure occurs during the good faith provision of telehealth services as a result of the use of technology that does not fully comply with federal or state law. Any cause of action arising out of section 1280.15 (including, but not limited to, any cause of action arising out of the Unfair Competition Law that is predicated on section 1280.15) is likewise suspended as applied to unauthorized access or disclosure that occurs during the good faith provision of telehealth services as a result of the use of technology that does not fully comply with federal or state law.

6) The administrative penalties for health care providers specified in Health and Safety Code section 1280.17, related to safeguards of health information, are suspended for health care providers as applied to any inadvertent, unauthorized access or disclosure of health information during the good faith provision of telehealth services as a result of the use of technology that does not fully comply with federal or state law. Any cause of action arising out of section 1280.17 (including, but not limited to, any cause of action arising out of the Unfair Competition Law that is predicated on section 1280.17) is

likewise suspended as applied to inadvertent, unauthorized access or disclosure that occurs during the good faith provision of telehealth services as a result of the use of technology that does not fully comply with federal or state law.

7) The criminal penalties specified in Welfare and Institutions Code section 14100.2(h), related to persons who knowingly release or possess information about Medi-Cal beneficiaries, are suspended as applied to health care providers, health care facilities, and health care administrators for any inadvertent, unauthorized release of confidential information during the good faith provision of telehealth services. Any cause of action arising out of section 14100.2 (including, but not limited to, any cause of action arising out of the Unfair Competition Law that is predicated on section 14100.2) is likewise suspended as applied to health care providers, health care facilities, and health care administrators for any inadvertent, unauthorized release of confidential information during the good faith provision of telehealth services.

8) To the extent any provision of this Order suspends any penalty or other enforcement mechanism associated with the violation of any statute where such violation arises out of the good faith provision of telehealth services, such violation shall not constitute unprofessional conduct within the meaning of Article 10.5 of the Business and Professions Code or any other applicable law, or otherwise be cause for professional discipline.

9) Where the provision of telehealth services is conducted by a “covered health care provider” subject to the HIPAA Rules and described in the “Notification of Enforcement Discretion for Telehealth Remote Communications During the COVID-19 Nationwide Public Health Emergency” (“Notification”) issued by the Office for Civil Rights in the U.S. Department of Health and Human Services on March 17, 2020, that covered health care provider shall ensure that its delivery of telehealth services is consistent with that Notification. This paragraph does not impose any mandatory requirements beyond any mandatory requirements imposed by the Notification itself, except that where the Notification encourages particular measures to safeguard patient privacy, but does not require such measures, covered health care providers shall give due consideration to such measures and shall endeavor to adopt them to the extent possible.

10) For purposes of this Order, “telehealth services” includes the use of telehealth services to engage in the provision of behavioral or mental health services, in addition to the use of telehealth services to engage in the provision of medical, surgical, or other health care services. This paragraph should be construed to ensure that the provisions of

this Order apply to the provision of behavioral or mental health services the same extent that those paragraphs apply to other forms of health care.

19. [Executive Order N-44-20](#)

**Prohibition of Price Increases of More than 10% on Consumer Goods, Food and Medical Items**

April 3, 2020

1) The time limitation set forth in Penal Code section 396, subdivision (b), prohibiting price gouging in time of emergency, is hereby waived. All prohibitions against price gouging set forth in subdivision (b) shall be in effect through September 4, 2020.

2) In addition to the prohibitions set forth in Penal Code section 396, a person or other entity (including, but not limited to, any business enterprise of any kind) shall not—from April 4, 2020 until September 4, 2020, and except as set forth below—sell or offer to sell any item from among the following categories of goods for a price that is more than 10 percent greater than the highest price charged by that person or entity for that item on February 4, 2020:

- Food items;
- Consumer goods;
- Medical or emergency supplies; and
- Any other materials previously designated by the U.S. Secretary of Health and Human Services as Scarce Materials or Threatened Materials pursuant to section 102 of the Defense Production Act, 50 U.S.C. § 4512.

A price increase greater than the 10 percent increase specified above shall not be unlawful if the seller can prove either of the following:

a) The increase was directly attributable to additional costs imposed on the seller by suppliers of the item, and the price is no more than 10 percent greater than the total of the cost to the seller plus the markup customarily applied by the seller for that item in the usual course of business on February 4, 2020; or

b) The seller was offering the relevant item for sale at a reduced price on February 4, 2020, and the increased price is not more than 10 percent greater than the price at which the seller ordinarily sold the item.

Additionally, and notwithstanding the foregoing, it shall not be a violation of this Paragraph 2 to sell or offer to sell any medical or emergency supplies to the State

(including, but not limited to, any agency, department, board, commission, or office of the State), or to any political subdivision of the State, on terms acceptable to the State or to the relevant political subdivision of the State, as determined by the Governor's Office of Emergency Services (as to sales or offers of sale to the State) or by the officer or entity within the political subdivision that is responsible for procuring such supplies (as to sales or offers of sale to that subdivision).

3) If a person or other entity (including, but not limited to, any business enterprise of any kind) did not offer an item for sale on February 4, 2020, and that item is among the categories of goods listed in Paragraph 2, that person or entity shall not—from April 4, 2020 until September 4, 2020, and except as set forth below—sell or offer to sell that item for an unconscionably excessive price. For purposes of this Paragraph 3, a price is unconscionably excessive if that price is more than 50 percent greater than whichever of the following applies:

a) The amount that the person or entity paid for the item; or

b) If the person or entity did not purchase the item, the total cost, to the person or entity, of producing and selling the item.

Notwithstanding the foregoing, it shall not be a violation of this Paragraph 3 to sell or offer to sell any medical or emergency supplies to the State (including, but not limited to, any agency, department, board, commission, or office of the State), or to any political subdivision of the State, on any terms acceptable to the State or to the relevant political subdivision of the State, as determined by the Governor's Office of Emergency Services (as to sales or offers of sale to the State) or by the officer or entity within the political subdivision that is responsible for procuring such supplies (as to sales or offers of sale to that subdivision).

4) Each instance in which an item is sold or offered for sale in a manner prohibited by Paragraph 2 or Paragraph 3 shall constitute a separate violation of this Order. Each violation of this Order shall be a misdemeanor punishable as set forth in Government Code section 8665. Each such violation shall also be redressable in the same manner as any other unlawful business practice under the Unfair Competition Law, Business and Professions Code section 17200 et seq., and as otherwise provided by the laws of the State. These remedies are cumulative.

## 20. [Executive Order N-45-20](#)

## **Directive to California Department of Education and California Department of Social Services to Waive Certain Eligibility Requirements and Give Greater Priority for Child Care Enrollment to Essential Infrastructure Workers**

April 4, 2020

- 1) In order to facilitate the continued provision of child care during the COVID-19 outbreak, any provision in Articles 1 through 11, 12, 15.5 through 18, 20, and 21 of Chapter 2 of Part 6 of Division 1 of the Education Code and implementing regulations in Chapter 19 and 19.5 of Division 1 of Title 5, California Code of Regulations, that restricts a child care and development program impacted by COVID-19 from serving children of essential critical infrastructure workers, defined consistent with Executive Order N-33-20 and as described in the document posted at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>, is suspended for a period of 60 days, provided that services are provided consistent with an informal directive or bulletin issued by the State Superintendent of Public Instruction pursuant to SB 117 (Chapter 3, Statutes of 2020) and that costs associated with all services provided pursuant to the informal directive or bulletin are within the budget authority of the California Department of Education.
- 2) In order to ensure that essential critical infrastructure workers can obtain necessary child care to continue working to assist the State's response to COVID-19, the eligibility requirements in Education Code section 8263(a) and any accompanying regulations and the enrollment priorities in Education Code section 8263(b)(2) and (3) are waived with respect to non-CalWORKS early learning and care services provided to children of essential critical infrastructure workers, defined consistent with Executive Order N-33-20 and as described in the document posted at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>.
- 3) The California Department of Education and the California Department of Social Services shall, by April 7, 2020, jointly develop and issue guidance on prioritizing enrollment for children of essential critical infrastructure workers, as authorized by Paragraph 2. This guidance shall include, but need not be limited to, provisions intended to ensure that neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, retain first priority for services as specified in Education Code section 8263(b)(1).
- 4) The California Department of Education and the California Department of Social Services shall, by April 7, 2020, jointly develop and issue guidance on group size,

physical distancing, food safety, and other healthy practices in child care settings that reflects the best practices contained in current guidance from federal, state, and local public health officials related to COVID-19.

5) The requirements in Education Code section 8273 and any accompanying regulations or other written policies or procedures related to assessment of fees for families using preschool and child care and development services pursuant to Chapter 2 of Part 6 of Division 1 of the Education Code are suspended for a period of 60 days.

6) Any provision in Article 22.5 of Chapter 2 of Part 6 of Division 1 of the Education Code and any accompanying regulations related to the After School Education and Safety Program that restricts a program funded pursuant to that Article from operating during the hours that school is ordinarily in session while a school is closed to address COVID19 or from serving school-age children of essential critical infrastructure workers, defined consistent with Executive Order N-33-20 and as described in the document posted at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>, is suspended for a period of 60 days. The California Department of Education may waive any of the reporting, auditing, or other requirements specified in Education Code section 8482.3(f) for the period covered by this suspension.

7) To the extent that any provision in Article 22.6 of Chapter 2 of Part 6 of Division 1 of the Education Code and any accompanying regulations related to 21st Century Community Learning Centers grant includes requirements beyond the requirements imposed by federal statutes or regulations, those requirements are suspended for a period of 60 days.

8) The calculations applicable to calendar year 2019 required by Education Code sections 8483.7(a)(1)(C) and 8483.7(a)(1)(D) for recipients of the After School Education and Safety grant are suspended.

9) The calculations applicable to calendar year 2019 required by Education Code section 8426(d)(2) and (3) for recipients of the 21st Century High School After School and Enrichment for Teens (ASSETs) are suspended, to the extent such suspension is consistent with applicable federal statutes and regulations (including, but not limited to, any applicable federal statutes or regulations with which compliance is required as a condition for the receipt of federal funds).

10) In order to allow California to take advantage of flexibility provided under Public Law 116-127 to provide Pandemic SNAP benefits to children, Education Code sections

49076, 49558 and 49557.3 and any accompanying regulations are waived for the limited purpose of authorizing the sharing of data between the California Department of Social Services and the California Department of Education to identify students who may be eligible for the Pandemic SNAP benefit.

11) The California Department of Social Services may, for the next 60 days and in consultation with the California Department of Education, waive any of the licensing, contractual, and payment requirements specified in Education Code section 8351 and any accompanying regulations, or other written policies or procedures related to CalWORKs Stage One Child Care; in Welfare and Institutions Code section 11461.6 and any accompanying regulations, or other written policies or procedures related to the Emergency Child Care Bridge for Foster Children; and in Chapter 3.35 of Division 2 of the Health and Safety Code and any accompanying regulations, or other written policies or procedures related to Child Care Provider Registration.

12) The deadline specified in Water Code section 85200(d) for an appointing authority to fill a vacancy on the Delta Stewardship Council is extended for a period of 60 days.

21. [Executive Order N-46-20](#)

**Sales Tax Exemption for State Bought Medical Supplies**

April 7, 2020

1) Revenue and Taxation Code section 6369(b)(2) shall be suspended as applied to masks, gloves, eye protection, gowns and other critical materials that protect public health (as may be designated by the Governor's Office of Emergency Services, in consultation with the California Health and Human Services Agency) sold to or purchased by the State, such materials sold to or purchased by the State shall be deemed to be intended for use in the prevention of disease under Revenue and Taxation Code section 6369(b), and gross receipts from the sales to or purchases by the State of such materials shall be exempt from sales and use taxes under Revenue and Taxation Code section 6369(a)(5).

2) California Code of Regulations, Title 18, section 1591(c)(2) shall be suspended as applied to masks, gloves, eye protection, gowns and other critical materials that protect public health (as may be designated by the Governor's Office of Emergency Services, in consultation with the California Health and Human Services Agency) sold to or purchased by the State, and such materials sold to or purchased by the State shall be



deemed intended for use in the prevention of disease under California Code of Regulations, Title 18, section 1591(a)(9)(B).

22. [Executive Order N-47-20](#)

**60-day waiver for In-Home Supportive Services Program Caseworkers to Continue Work With Eldery and Disabled Individuals**

April 7, 2020

1) To facilitate the continued provision of services due to the COVID-19 outbreak, the Department of Social Services may, to the extent necessary and for a period not to exceed 60 days, waive any of the required activities and other requirements of Article 7 of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code, Welfare and Institutions Code sections 14132.95, 14132.952, and 14132.956, and any accompanying regulations and written policies and procedures related to the In-Home Supportive Services program.

2) Paragraph 2 of Executive Order N-45-20 (April 4, 2020) is withdrawn and superseded by the following text.

The eligibility requirements in Education Code section 8263(a); the enrollment priorities in Education Code section 8263(b)(2) and (3) other than prioritizing income-eligible families over families that are not income eligible; and any accompanying regulations are waived with respect to non-CalWORKS early learning and care services provided to children of essential critical infrastructure workers, defined consistent with Executive Order N-33-20 and as described in the document posted at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>, and children with disabilities or special health care needs whose individualized education programs and individual family support plans include early childhood education services. Additionally, the requirement in Education Code section 8263(b)(1) and any accompanying regulations for a written referral from a legal, medical, or social services agency for children at risk of abuse or neglect to have priority for services is waived. Nothing in this Order shall limit the ability of children already enrolled in these services to continue receiving those services.

3) Paragraph 3 of Executive Order N-45-20 (April 4, 2020) is withdrawn and superseded by the following text.

The California Department of Education and the California Department of Social Services shall, by April 8, 2020, jointly develop and issue guidance on prioritizing enrollment for children of essential critical infrastructure workers and children with disabilities or special health care needs whose individualized education programs and individual family support plans include early childhood education services, as authorized by Paragraph 2. This guidance shall include, but need not be limited to, provisions intended to ensure that neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, retain first priority for services as specified in Education Code section 8263(b)(1).

23. [Executive Order N-48-20](#)

**All-mail Ballot Local Elections**

April 9, 2020

1) Notwithstanding Elections Code sections 1500 and 4000–4007 (including, but not limited to, the conditions otherwise imposed on all mail ballot elections in Elections Code sections 4000 and 4001.5), and any other applicable provision of state law, the following elections shall each be held as an all-mail ballot election:

- The May 19, 2020, Special Recall Election to be held in the City of Santa Ana;
- The June 2, 2020, Special Municipal Election to be held in the City of Commerce;  
and
- The June 2, 2020, Special Recall Election to be held in the El Rancho Unified School District.

Each of these elections shall be conducted according to the provisions of the Elections Code that govern all-mail ballot elections, including but not limited to Elections Code sections 3000–3026 and 4100. The respective county elections officials responsible for conducting each respective election shall transmit vote-by-mail ballots to all voters eligible to vote in each respective election.

Notwithstanding any other provision of this Order, elections officials are also authorized to make in-person voting opportunities available for each of these elections, on or before Election Day, in a manner that is consistent with public health and safety. The purpose of this authorization is to maximize voter opportunities to participate in these elections without jeopardizing public health and safety.

Elections officials shall provide maximum possible notice to voters about how to participate in each of these elections, paying particular attention to the needs of voters

at high risk from COVID-19, individuals with disabilities, and other voters with particularized needs.

2) To clarify the scope of Paragraph 1 of Executive Order N-34-20, (March 20, 2020), without changing its effective date, that paragraph is modified to read as follows:

The timeframes set forth in Elections Code section 10010, subdivisions (a) and (e), are suspended as to any political subdivision of the State. The purpose of this suspension is to protect public health and safety during the period when the State Public Health Officer and other public health officials have determined that it is necessary to engage in physical distancing to minimize the spread of COVID-19. This suspension shall be in effect until further notice.

This paragraph pauses the timeframes set forth in Elections Code section 10010, subdivisions (a) and (e), but does not restart them: this paragraph should be construed to toll those timeframes, such that days elapsed during the suspension set forth in this paragraph are not counted, but any days that elapsed prior to that suspension are still counted.

This paragraph shall not preclude a prospective plaintiff obtaining reimbursement from a political subdivision under subdivision (f) of Elections Code section 10010, in the manner set forth in that subdivision.

24. [Executive Order N-49-20](#)

**Directive to Department of Juvenile Justice Calling for All Discharge and Reentry Hearings to be Held Via Videoconference and Shortened Notification Window Before Discharge Consideration Hearings**

April 14, 2020

1) The timeline specified in Welfare & Institutions Code section 1766(b)(2) to provide notification of a scheduled discharge consideration hearing to the probation department, the court of the committing county, and the youth's counsel is reduced from 60 days to 30 days prior to the hearing.

2) For discharge consideration hearings and re-entry disposition hearings conducted by teleconference or videoconference conducted in accordance with Emergency Rule 3 of the California Rules of Court, the right of victims or other individuals to appear at such hearings, and the right of the youth to have a parent, guardian, mentor, or other individual present at the hearing (consistent with California Constitution, Article 1,

section 28, subdivision (b)(7); Welfare & Institutions Code sections 676.5(a), 1766(b)(3)(A), and 1767(b); Penal Code section 679.02; and any related regulations), is satisfied by the opportunity to appear by the technology being used to conduct the hearing. Such individuals retain any rights they may otherwise have to participate in the hearing by a written or recorded statement.

3) The timeline specified in Welfare & Institutions Code section 1766(b)(5)(A) is shortened. After determining that a youth is ready for discharge to county supervision, the BJJ shall, in coordination with county probation and the committing court, set a date of discharge as soon as is practicable, but no later than 14 days after the date of such determination.

4) Re-entry disposition hearings shall be conducted in accordance with the following directives:

a. In accordance with this Order and Emergency Rules of the Judicial Council, re-entry disposition hearings should, whenever practicable, be conducted by teleconference or videoconference at a DJJ facility, at which time the youth shall be released immediately into the custody of county probation. In such cases, the requirement to transport and deliver youth to the custody of the probation department and the related timeframe specified in Welfare and Institutions Code section 1766(b)(6) are waived.

b. When re-entry disposition hearings cannot be conducted at a DJJ facility, whenever practicable, DJJ shall transport and deliver the youth to the custody of probation on the date of the re-entry disposition hearing. The timeframe specified in Welfare and Institutions Code section 1766(b)(6) is waived.

25. [Executive Order N-50-20](#)

### **Directive to Launch New Call Center and Increase Staff at Employment Development Department**

April 15, 2020

1) The Secretary of the Labor and Workforce Development Agency shall take necessary actions to ensure staffing sufficient to process unemployment insurance benefits on a timely basis to ensure eligible individuals receive payments efficiently, including through staffing call centers at least during the hours of 8:00 am through 8:00 pm.

2) The Employment Development Department shall take necessary actions to streamline the application for PUA to ensure that eligible individuals timely receive the

assistance made available to them under the federal CARES Act. Nothing in this paragraph is intended to alter any right or status any individual would otherwise enjoy as a matter of state law, except that individuals who receive PUA benefits shall be subject to the limitation on regular unemployment insurance set forth in Paragraph 4.

3) The Employment Development Department shall establish an efficient electronic means of expediting access to the Work Share program for lay-off aversion. For this purpose only, EDD may waive strict compliance with California Code of Regulations, title 22, sections 1279.5-2(a)(16)-(17), 1279.5-3(a), 1279.5-5 and 1279.5-6, and Unemployment Insurance Code section 1279.5(p).

4) The Employment Development Department shall not permit an individual to establish a claim for regular unemployment insurance benefits using the same base period income that was used to qualify for PUA benefits.

26. [Executive Order N-51-20](#)

**Paid Sick Leave to Food Sector Workers Subject to Stay at Home Orders and Additional Safety Standards for Food Facilities**

April 16, 2020

1) A Food Sector Worker, as defined in paragraph 2 below, shall be entitled to supplemental paid sick leave related to COVID-19 (“COVID19 Supplemental Paid Sick Leave”) as follows:

a. Except as set forth in paragraph 3 below, a Hiring Entity (as defined in paragraph 3 below) shall provide COVID-19 Supplemental Paid Sick Leave to each Food Sector Worker (as defined in paragraph 2 below) who performs work for or through the Hiring Entity if that Food Sector Worker is unable to work due to any of the reasons below:

- i. The Food Sector Worker is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- ii. The Food Sector Worker is advised by a health care provider to self-quarantine or self-isolate due to concerns related to COVID-19; or

iii. The Food Sector Worker is prohibited from working by the Food Sector Worker's Hiring Entity due to health concerns related to the potential transmission of COVID-19.

b. A Food Sector Worker shall be entitled to the following number of hours of COVID-19 Supplemental Paid Sick Leave:

i. A Food Sector Worker is entitled to 80 hours of COVID-19 Supplemental Paid Sick Leave if the Food Sector Worker satisfies either of the following criteria:

1. The Hiring Entity considers the Food Sector Worker to work "full-time"; or
2. The Food Sector Worker worked or was scheduled to work, on average, at least 40 hours per week for the Hiring Entity in the two weeks preceding the date the Food Sector Worker took COVID-19 Supplemental Paid Sick leave.

ii. A Food Sector Worker who does not satisfy any of the criteria in subparagraph (i) above is entitled to an amount of COVID-19 Supplemental Paid Sick Leave as follows:

1. If the Food Sector Worker has a normal weekly schedule, the total number of hours the Food Sector Worker is normally scheduled to work for or through a Hiring Entity over two weeks; or
2. If the Food Sector Worker works a variable number of hours, fourteen times the average number of hours the Food Sector Worker worked each day for or through the Hiring Entity in the six months preceding the date the Food Sector Worker took COVID-19 Supplemental Paid Sick leave. If the Food Sector Worker has worked for the Hiring Entity fewer than six months, this calculation shall instead be made over the entire period the Food Sector Worker has worked for the Hiring Entity.

iii. The total number of hours of COVID-19 Supplemental Paid Sick Leave to which a Food Sector Worker is entitled pursuant to subparagraphs (i) or (ii) above shall be in addition to any paid sick leave that may be available to the Food Sector Worker under Labor Code section 246.

iv. Food Sector Workers may determine how many hours of COVID-19 Supplemental Paid Sick Leave to use, up to the total number of hours to which the Food Sector Worker is entitled pursuant to subparagraphs (i) or (ii) above. Such COVID-19 Supplemental Paid Sick Leave shall be made available for immediate use by the Food Sector Worker, upon the oral or written request of the Worker to the Hiring Entity.

v. Over the period this Executive Order is in effect, a Hiring Entity is not required to provide a Food Sector Worker more than the total number of hours of COVID-19 Supplemental Paid Leave to which the Food Sector Worker is entitled pursuant to subparagraphs (i) or (ii) above.

c. Each hour of COVID-19 Supplemental Paid Sick Leave shall be compensated at a rate equal to the highest of: i. The Food Sector Worker's regular rate of pay for the Food Sector Worker's last pay period; ii. The State minimum wage; or iii. The local minimum wage to which the Food Sector Worker is entitled. Notwithstanding the foregoing, in no event shall a Hiring Entity be required to pay more than \$511 per day and \$5,110 in the aggregate over the period this Executive Order is in effect to a Food Sector Worker for COVID-19 Supplemental Paid Sick Leave taken by the Worker.

d. A Hiring Entity may not require a Food Sector Worker to use any other paid or unpaid leave, paid time-off, or vacation time provided by the Hiring Entity to the Food Sector Worker before the Food Sector Worker uses COVID-19 Supplemental Paid Sick Leave, or in lieu of COVID-19 Supplemental Paid Sick Leave.

2) For purposes of this Executive Order, a Food Sector Worker is any person who satisfies all of the criteria set forth in subparagraphs (a) through (d) of this paragraph 2, as follows:

a. The person satisfies any of the following criteria: i. The person works in one of the industries or occupations defined in Industrial Welfare Commission ("IWC") Wage Order 3-2001 § 2(B); IWC Wage Order 8-2001 § 2(H); IWC Wage Order 13-2001 § 2(H); or IWC Wage Order 14-2001 § 2(D); or ii. The person works for a Hiring Entity (as defined in paragraph 3 below) that operates a food facility, as defined in Health and Safety Code section 113789(a)-(b); or iii. The person delivers food from a food facility, as defined in Health and Safety Code section 113789(a)-(b), for or through a Hiring Entity.

b. The person is exempt, as an Essential Critical Infrastructure Worker, from the requirements imposed by Executive Order N-33- 20 or any other statewide stay-at-home order; and

c. The person leaves the person's home or other place of residence to perform work for or through the person's Hiring Entity, as defined in paragraph 3 below.

3) For purposes of this Executive Order, Hiring Entity means a private sole proprietorship or any kind of private entity whatsoever—including, but not limited to, any kind of corporation, partnership, limited liability company, limited liability partnership, or any other kind of business enterprise, and specifically including any Delivery Network Company (as defined in Revenue and Taxation Code section 6041.5(b)) and any Transportation Network Company (as defined in Public Utilities Code section 5431(c))—that has 500 or more employees in the United States. For purposes of this paragraph 2, Code of Federal Regulations, Title 29, section 826.40(a)(1)-(2) shall be used to determine the number of employees that the Hiring Entity employs.

4) Notwithstanding paragraph 1 of this Executive Order, a Hiring Entity shall not be required to provide a Food Sector Worker with COVID-19 Supplemental Paid Sick Leave if the Hiring Entity provides the relevant Food Sector Worker, as of the effective date of this Executive Order, with a supplemental benefit, such as paid leave, that is payable for the reasons listed in paragraph 1(a) above and that would compensate the Food Sector Worker in an amount equal to or greater than the amount the Food Sector Worker would be compensated through taking COVID-19 Supplemental Paid Sick Leave to which the Food Sector Worker would otherwise be entitled under this Order.

5) In addition to such other remedies as may be provided by the laws of this State or its subdivisions (including, but not limited to, the remedies available to redress any unlawful business practice under the Unfair Competition Law, Business and Professions Code sections 17200 et seq.), the Labor Commissioner shall enforce the provision of COVID-19 Supplemental Paid Sick Leave. For purposes of such enforcement and to implement COVID-19 Supplemental Paid Sick Leave:

a. The Labor Commissioner shall enforce the provision of COVID-19 Supplemental Paid Sick Leave as if such leave constitutes "paid sick days" under Labor Code sections 246(n), 246.5(b)-(c), 247, 247.5, and 248.5.

b. A Food Sector Worker may file a complaint with the Labor Commissioner pursuant to Labor Code section 98 or 98.7.

c. The principles in Labor Code section 249 apply to COVID-19 Supplemental Paid Sick Leave.



d. By April 23, 2020, the Labor Commissioner shall make publicly available a model notice for purposes of Labor Code section 247. For purposes of COVID-19 Supplemental Paid Sick Leave only, if a Hiring Entity's Food Sector Workers do not frequent a workplace, the Hiring Entity may satisfy the notice requirement of Labor Code section 247(a) by disseminating notice through electronic means, such as by electronic mail.

For purposes of the Labor Code sections cited in subparagraphs (a) through (c), in construing this Executive Order, all Food Sector Workers shall be considered "employees," any Hiring Entity shall be considered an "employer," and this Executive Order shall be considered part of the "article" in which those Labor Code sections are codified.

6) The requirement to provide COVID-19 Supplemental Paid Sick Leave as set forth in this Executive Order shall be effective during the pendency of any statewide stay-at-home orders issued by the State Public Health Officer, except that a Food Sector Worker taking COVID-19 Supplemental Paid Sick Leave at the time of the expiration of all such orders shall be permitted to take the full amount of COVID-19 Supplemental Paid Sick Leave to which that Food Sector Worker otherwise would have been entitled under this Order.

7) In addition to the other requirements of this Executive Order, and consistent with Health and Safety Code section 113952, employees working in any food facility, as defined by Health and Safety Code section 113789, shall be permitted to wash their hands every 30 minutes and additionally as needed. This paragraph shall be enforced pursuant to applicable provisions of the Retail Food Code.

27. [Executive Order N-52-20](#)

### **60 Day Extension for Department of Real Estate Deadlines and Various Other Waivers in Response to COVID-19**

April 16, 2020

1) The timeframes set forth in Business and Professions Code, Division 4, Part 1, Chapter 3, Article 2 (Section 10150, et seq.) are hereby extended for a period of 60 days. The deadlines specified in Business and Professions Code, Division 4, Part 1, Chapter 3, Article 4 (Section 10200, et seq.), related to payment of real estate license application, and renewal fees, are hereby extended for a period of 60 days.

- 2) The timeframes set forth in the Business and Professions Code Division 4, Part 1, Chapter 3, Article 2.5 (Section 10170 et seq.), relating to continuing education requirements for real estate licensees, are hereby extended for a period of 60 days.
- 3) The deadlines specified in existing Orders issued by the Real Estate Commissioner pursuant to Business and Professions Code, Division 4, Part 1 are hereby extended for a period of 60 days.
- 4) The June 1, 2020 deadline specified in Education Code section 8434(g), related to the election of a representative for family child care providers, is extended to August 1, 2020.
- 5) The requirements specified in Harbors and Navigation Code section 1176 and in California Code of Regulations, title 7, sections 217.5 and 217.10 that a pilot be found fit-for-duty as a condition of having his or her license renewed and that a pilot trainee be found fit-for-duty to be allowed to continue in the training program are temporarily waived. The temporary waiver of a fit-for-duty determination applies to pilots whose license expires between April 1, 2020, and July 31, 2020, and to trainees whose anniversary of admission to the training program falls between these same dates. These fit-for-duty requirements must be satisfied by December 31, 2020, unless this Order is further extended.
- 6) The training requirements specified in California Code of Regulations, title 7, section 215 relating to continuing education for pilots are temporarily waived for those pilots required to complete training in 2020. These pilots must satisfy these waived training requirements by June 30, 2021, unless this Order is further extended.
- 7) The three-year maximum length of the training program for pilot trainees specified in Harbors and Navigation Code section 1171.5 (c) and California Code of Regulations, title 7, section 214 (c) is extended by one year for trainees who have been unable to train on vessels because of the COVID-19 pandemic.
- 8) The provisions of California Vehicle Code section 2501 requiring all licenses issued to privately owned or operated ambulances used to respond to emergency calls, privately owned armored cars, and fleet owner inspection and maintenance stations that expire one year after the licenses are issued are hereby extended for a period of 60 days from the license expiration date. This extension is applicable to licenses expired on or after March 4, 2020, or will expire within 60 days from the date of this Order.
- 9) For holders of current commercial driver's licenses or certificates, whose required medical certificate has or will expire on or after March 1, 2020, the timeframes set forth

in Vehicle Code section 12804.9(c), and accompanying regulations, pertaining to possessing a valid medical certificate in order to maintain a valid commercial driver license or certificate, are waived until June 30, 2020.

10) The time limits set forth in the Permit Streamlining Act in Government Code sections 65943, 65950, 65952, and 65956, and in Public Resources Code sections 30512, 30513, 30603, 30606, 30621, 30622, 30625, 30714, and 30812 are suspended, with respect to actions by or matters before the California Coastal Commission or the State Water Resources Control Board, for a period of 60 days. This paragraph pauses the time limits in the referenced sections but does not restart them, and should be construed to toll those time frames for 60 days, such that no time should be counted for 60 days, but that any days that elapsed prior to this suspension are still counted.

11) To the extent any provision of state law might restrict the exercise of the California Department of Justice's authority to conduct criminal background checks pursuant to Penal Code section 11105 based on identifying information other than fingerprints for individuals performing tasks that require licensure pursuant to Division 2 of the Business and Professions Code or providing services or care pursuant to the California Community Care Facilities Act (Chapter 3 of Division 2 of the Health and Safety Code), the California Residential Care Facilities for the Elderly Act (Chapter 3.2 of Division 2 of the Health and Safety Code), the California Child Day Care Facilities Act (Chapter 3.4 of Division 2 of the Health and Safety Code) or In-Home Supportive Services (Article 7 of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code and Welfare and Institutions Code sections 14132.95, 14132.952, and 14132.956), those provisions are suspended for a period of 60 days.

12) To the extent any provision of state law might restrict the exercise of the California Department of Justice's authority to waive or eliminate the applicable fee for a criminal background check conducted pursuant to Paragraph 11, those provisions are suspended for a period of 60 days.

13) Health and Safety Code section 123148(b)(1) is suspended to the extent it requires a health care professional to review COVID-19 test results before those test results may be disclosed to a patient via the Internet or other electronic means, on the condition that any such disclosure must be conducted in accordance with an order of the State Public Health Officer or a local public health officer, and with guidance issued by the California Department of Public Health pursuant this paragraph. The California Department of Public Health shall issue guidance concerning large-scale COVID-19 testing, as well as

appropriate test interpretation, isolation, and care measures to be undertaken in conjunction with such testing.

14) All requirements in Education Code section 89030.5, which permits a change in the criteria for admission to a California State University campus to become effective only after public hearings have been held and only after a period of at least six months or one year (as applicable) has elapsed after that change is approved by the chancellor, are waived through June 30, 2021.

15) The restrictions for commercial activities in safety roadside rest areas specified in Streets and Highways Code sections 225 and 225.5 and Vehicle Code sections 22518, 22520.5 and 22520.6, and accompanying regulations, are suspended for a period of 60 days, to the extent necessary to allow commercially licensed food trucks to operate and sell food in designated safety roadside rest areas in compliance with a temporary permit issued by Caltrans. Caltrans is authorized to develop and implement a process to issue and administer temporary permits allowing commercially licensed food truck vendors that otherwise are in compliance with state and local licensing and permitting requirements to operate and sell food in designated safety roadside rest areas. The development and implementation of this process shall not be subject to the Administrative Procedure Act, Government Code section 11340 et seq.

16) Code of Civil Procedure section 695.221(e), concerning credits to the State from certain collections received from federal tax refund offsets when the recipient of such a refund owes past due support, is suspended.

28. [Executive Order N-53-20](#)

### **Temporary Waivers for Foster Youth Programs in Response to COVID-19**

April 17, 2020

1) To facilitate the continued provision of care and supervision during the COVID-19 pandemic, the Department of Social Services may, to the extent necessary and for a period not to exceed 60 days, temporarily waive, in whole or in part, Resource Family Approval Program standards set forth in the Resource Family Approval Program pursuant to Article 2 of Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions Code and any accompanying regulations, written directives, or other related policies or procedures, including but not limited to standards regarding annual updates, inactive status, home environment, caregiver training, complaint investigation protocols, and face-to-face interview requirements.

2) To facilitate the continued provision of care and supervision during the COVID-19 pandemic, the Department of Social Services may, to the extent necessary to ensure such care and supervision and for a period not to exceed 60 days, waive any requirements in subdivision (d) of Section 309, subdivision (e) of Section 361.2, subdivision (c) of Section 361.4, subdivision (a) of Section 361.45, subdivisions (a) and (e) of Section 727.05, and subparagraph (B) of paragraph (1) of subdivision (a) of Section 16504.5 of the Welfare and Institutions Code, and accompanying regulations and written directives or other related policies or procedures related to the emergency placements of children, wards, and nonminor dependents.

3) To ensure support for foster care placements during the COVID-19 emergency, the 365-day payment limitation pursuant to subdivision (e) Section 11461.36 of the Welfare and Institutions Code and accompanying rules or regulations are suspended. Payment may be extended for up to an additional 60 days for any case that reaches 365 days of emergency caregiver payments during the COVID-19 emergency.

4) In order to serve the needs of children, wards, and nonminor dependents in home-based foster care placements whose care and supervision are directly impacted by COVID-19 and notwithstanding any rate established pursuant to, or limited by, sections 11460, 11461, 11461.3, 11461.36, 11461.4, 11463, and 11464 of the Welfare and Institutions Code and accompanying rules and regulations, the Department of Social Services shall establish temporary payment amounts, based on COVID-19-related criteria established by the Department, not to exceed the rate paid on behalf of an eligible child placed with an intensive services foster care resource family or, for a child determined to require the level of care provided by a short-term residential therapeutic program, the rate established by the Department for that program. Payment amounts shall be determined in consultation with the Department of Finance and shall be subject to such necessary budgetary action as may otherwise be required by law.

5) The Department of Social Services may, to the extent necessary to achieve the purpose of this paragraph, temporarily verify foster care status, as described in Welfare and Institutions Code section 826.8, for dependents or wards of the juvenile court whose cases have not been dismissed, for the limited purpose of facilitating foster youth access to programs providing cellular telephones or other communication technology to foster youth.

6) Notwithstanding Welfare and Institutions Code section 827, subdivisions (a)(1), (a)(4), and (a)(5), and for the limited purpose of facilitating current and former dependents' and wards' access to programs providing cellular telephones or other communication technology to foster youth and as otherwise set forth below, the county

child welfare agencies, county probation departments, and Title IV-E agreement Tribes may share information, as specified by the Department of Social Services, from a juvenile case file with entities that are not otherwise entitled under section 827 to access such information without a court order, if sharing such information is necessary to establish eligibility for, or access to, the technology.

7) State eligibility criteria for payments to nonminor dependents living in or requesting approval of a Supervised Independent Living Placement requiring any physical, in-person, face-to-face application, meetings, inspections, visits, and signature requirements, as required by Welfare and Institutions Code sections 11400 and 11403 and accompanying rules or regulations are suspended.

8) State extended foster care eligibility for all youth entering or reentering extended foster care requiring any physical, in-person, face-to-face application, meetings, visits, and signature requirements, as well as the maximum age criteria for nonminor dependents who turn 21 on or after the date of this Order, as required by Welfare and Institutions Code sections 388, 388.1, 11400, and 11403 and accompanying rules or regulations are suspended.

9) Redetermination requirements for payments made pursuant to the Kinship Guardianship Assistance Program, as set forth in Article 4.5 (commencing with Section 11360) and Article 4.7 (commencing with Section 11385), as applicable, of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code and accompanying rules or regulations are suspended.

10) Visitation requirements contained in Section 11405 of the Welfare and Institutions Code and accompanying rules or regulations are suspended.

11) Physical, in-person, face-to-face meetings, visits, evaluations and/or signatures required by Family Code section 8808 and accompanying rules or regulations are suspended.

12) The provisions related to timelines for, and the commencement of, an investigation of a proposed independent adoption and timelines for the corresponding report as required by Family Code section 8807 and accompanying rules or regulations are suspended.

13) The physical, in-person certification functions including, but not limited to, face-to-face visits, on-site inspections, evaluations, reviews, certification, and complaint investigations, except for investigations regarding allegations that present a serious risk to the health and safety of persons in care (“Priority 1” investigations), required for

out-of state group homes within the Department of Social Services' jurisdiction as set forth in Family Code Sections 7911.1 and accompanying rules, regulations, or interim licensing standard, are suspended for the duration of the COVID-19 emergency in California or any state with a facility certified by the Department of Social Services.

14) Any waivers or suspensions of statutes, any accompanying regulations, written directives, or other related policies or procedures, issued pursuant to this Order shall expire no later than June 30, 2020, unless this Order specifies a shorter duration. Any such waivers shall be posted to the Department's website.

29. [Executive Order N-54-20](#)

**DMV Deadline Extensions and Various Miscellaneous Directives Ensuring Consistency with COVID-19 Stay at Home Order**

April 22, 2020

1) The provisions of Vehicle Code section 34620, subdivisions (a) and (b), and California Code of Regulations, Title 13, sections 220.00, subdivision (i) and 220.04, requiring current Motor Carrier Property Permits, are suspended through June 30, 2020. This suspension is applicable to permits that expired on March, 31, 2020, through June 30, 2020.

2) The timeframe set forth in Vehicle Code section 13002, and accompanying regulations, pertaining to the expiration of identification cards, is suspended for a period of 60 days. This suspension is applicable to identification cards that expired on or after March 4, 2020, or will expire within 60 days from the date of this Order.

3) The timeframe set forth in Vehicle Code section 4156, subdivision (b), pertaining to temporary permits, is suspended for a period of 60 days. This suspension is applicable to temporary permits that expired on or after March 4, 2020, or will expire within 60 days from the date of this Order.

4) For vehicle registrations that expire between the dates of March 16, 2020, and May 31, 2020, the requirements in Vehicle Code sections 4603, 9552, 9553, and 9554, and any accompanying regulations, pertaining to the timing and imposition of late fees or other penalties that may accrue as a result of a registrant's failure to timely submit an application for renewal of vehicle registration, are waived provided the applicant timely

submits an application for renewal accompanied by payment within 60 days following the original date of expiration.

5) The provisions of Vehicle Code sections 4000(a)(1) and 5204(a) pertaining to the registration and registration display requirements for vehicles operated upon a highway are hereby suspended until June 30, 2020. This suspension is applicable to registrations expired on or after March 4, 2020 and before June 30, 2020. Additionally, until June 30, 2020, vehicles with registration expiring between September 4, 2019, and January 1, 2020, are exempt from the associated storage authority outlined in Vehicle Code section 22651(o)(1)(a).

6) The timeframe set forth in Vehicle Code section 5902, within which a transferee of a vehicle must forward a certificate of ownership and apply for a transfer of registration, is suspended for a period of 60 days from the date of this Order. This suspension is applicable to transfers that occurred on or after March 4, 2020.

7) The timeframe set forth in Vehicle Code section 4152.5, governing the registration of vehicles previously registered in a foreign jurisdiction, is suspended for a period of 60 days.

8) The public filing, posting, notice, and public access requirements set forth in Public Resources Code sections 21092.3 and 21152, and California Code of Regulations, Title 14, sections 15062(c)(2) and (c)(4); 15072(d); 15075 (a),(d), and (e); 15087(d); and 15094(a), (d), and (e), for projects undergoing, or deemed exempt from, California Environmental Quality Act review, are suspended for a period of 60 days. This suspension does not apply to provisions governing the time for public review. In the event that any lead agency, responsible agency, or project applicant is operating under any of these suspensions, and the lead agency, responsible agency, or project applicant would otherwise have been required to publicly post or file materials concerning the project with any county clerk, or otherwise make such materials available to the public, the lead agency, responsible agency, or project applicant (as applicable) shall do all of the following:

a) Post such materials on the relevant agency's or applicant's public-facing website for the same period of time that physical posting would otherwise be required;

b) Submit all materials electronically to the State Clearinghouse CEQAnet Web Portal; and

c) Engage in outreach to any individuals and entities known by the lead agency, responsible agency, or project applicant to be parties interested in the project in the



manner contemplated by the Public Resources Code sections 21100 et seq. and California Code of Regulations, Title 14, sections 15000 et seq. In addition to the foregoing, lead agencies, responsible agencies, and project applicants are also encouraged to pursue additional methods of public notice and outreach as appropriate for particular projects and communities.

9) The timeframes set forth in Public Resources Code sections 21080.3.1 and 21082.3, within which a California Native American tribe must request consultation and the lead agency must begin the consultation process relating to an Environmental Impact Report, Negative Declaration, or Mitigated Negative Declaration under the California Environmental Quality Act, are suspended for 60 days.

10) Public Resources Code section 14571.6, subdivisions (a) and (b), is suspended for a period of 60 days.

11) Public Resources Code section 14585, and California Code of Regulations, Title 14, section 2500, are suspended for a period of 60 days to the extent that either requires a recycling center to operate a minimum number of hours per week or remain open during specific periods of time, and recycling centers shall be permitted to receive handling fees in accordance with guidelines for weekly hours and times of operation developed and issued by the Department of Resources Recycling and Recovery. The Department of Resources Recycling and Recovery shall develop and issue such guidelines no later than April 27, 2020.

12) Public Resources Code section 42283 is suspended for a period of 60 days to the extent that it prohibits retail establishments from (a) providing without charge reusable grocery bags or recycled paper bags to customers at point of sale, or (b) where it is not possible to provide reusable grocery bags or recycled paper bags, providing single-use carryout bags to customers at point of sale.

30. [Executive Order N-55-20](#)

### **Increased Flexibility on Deadlines and Requirements Relating to California Department of Health Care Services and Medi-Cal**

April 22, 2020

1) Notwithstanding Welfare and Institutions Code sections 14132.100, 14132.101, 14132.107, 14170 and 14087.325(e)(2), the deadlines for providers to submit, and for DHCS to review, a cost report, change in scope of service request, or reconciliation

request are each extended for an additional 90 days beyond the date on which such action would otherwise be due.

2) The time limitations in Welfare and Institutions Code section 14171, subdivisions (e) and (f), and the provision of subdivision (d) making those time limitations mandatory, are suspended. DHCS may conduct administrative hearings and issue final decisions related to the administration or services of Medi-Cal or DHCS notwithstanding the time limitations set forth in section 14171, subdivisions (e) and (f). Notwithstanding the foregoing, DHCS is encouraged to adhere to the timelines set forth in those subdivisions, to the extent reasonably possible. To the extent DHCS delays a matter under this paragraph, Welfare and Institutions Code section 14171 subdivision (h) is suspended, and interest on an unrecovered overpayment shall not accrue during the delay.

3) Notwithstanding any contrary provision of California Code of Regulations (CCR), Title 22, sections 42131 et seq., 42140 et seq., 42180 et seq., and 42700, DHCS is authorized to hold the fair hearing process for California Children's Services grievances and appeals by phone or video conference.

4) The requirement that in-person signatures and printed names be collected in connection with certain deliveries of certain Medi-Cal covered drugs, as set forth in Welfare and Institutions Code section 14043.341, is suspended. Notwithstanding any provision of state law, deliveries to which section 14043.341 otherwise applies may be conducted using any form of delivery-service tracking or electronically documented proof of delivery.

5) Notwithstanding the uncodified provisions of section 77 of AB 1762 (Chapter 230, Statutes of 2003), use of the Laboratory Services Reservation System shall not be required in connection with COVID-19 testing.

6) Notwithstanding Welfare and Institutions Code section 14043.75 or any other provision of law (including, but not limited to, the Administrative Procedure Act, Government Code section 11340 et seq.) DHCS may, for the purpose of responding to the effects of COVID-19, issue bulletins or guidance related to provider enrollment without advance notice or public hearing.

7) Notwithstanding Health and Safety Code section 11834.10(a) and California Code of Regulations, Title 9, sections 10513, concerning licensed substance abuse disorder services residential treatment facilities, DHCS may authorize a licensee otherwise subject to those sections to operate beyond the conditions and limitations otherwise

imposed on that licensee, for the purpose of ensuring sufficient bed capacity amongst such licensees. Any such authorization shall be individualized to a particular facility, and each such authorization shall be in writing and posted on DHCS' website. Additionally, California Code of Regulations, Title 9, 10522(a)(2) is suspended to the extent it requires a physical site visit in connection with an application for a license to operate any substance abuse disorder services residential treatment facility.

8) Welfare and Institutions Code sections 4080(d), 4096.5(d) and 5675(b); California Code of Regulations, Title 9, sections 531, 532(a), 534(d), and 1918-1938; California Code of Regulations, Title 22, sections 72443- 72475 and 77012; and the Interim Short-Term Residential Treatment Program (STRTP) Regulations, Version II, sections 17(d) and (e), and 20(d), 24(a) and (b) are suspended to the extent they would restrict DHCS from granting Short Term Residential Treatment Programs, Special Treatment Programs, Psychiatric Health Facilities, Mental Health Rehabilitation Centers, Community Treatment Facilities, Community Residential Treatment Systems/Social Rehabilitation Programs and Psychiatric Health Facilities flexibility related to staffing requirements, and to the extent they would restrict DHCS from suspending on-site program reviews. DHCS shall implement this paragraph in consultation with the Department of Social Services; shall issue an Information Notice prior to any administrative implementation of this paragraph; and shall post on its website information about the implementation of this paragraph, which shall include the letter of approval (as to each particular facility) of any flexibility related to staffing requirements that DHCS grants to a facility.

9) Notwithstanding Welfare and Institutions Code section 14711(c), DHCS may reimburse county behavioral health departments for administrative costs related to specialty mental health services up to 30 percent of the total actual cost of direct client services.

10) Health and Safety Code sections 11836.12 and 11837.3(a)(1), and California Code of Regulations, Title 9, section 9876.5(b) are suspended to the extent they would prevent DUI educational programs from receiving grant or other funding in lieu of raising fees, to the extent they would prevent DHCS from suspending on-site inspections in connection with any application for a license to conduct such a program (including, but not limited to, an initial application or a renewal of a license), and to the extent they would prevent blanket leaves-of absence for participants in such programs if that program's operations are suspended.

11) California Code of Regulations, Title 9, section 852 is suspended to the extent it prevents a patient from receiving psychiatric medication without the patient's physical signature.

12) California Code of Regulations, Title 9, section 13035(f)(1) is suspended to the extent it would prevent DHCS from providing Alcohol or Other Drug (AOD) counselors an extension of time to complete their certification if their efforts to become certified are impacted by the COVID-19 emergency.

13) Notwithstanding Health and Safety Code sections 1342.8 and 1380.3, as well as Welfare and Institutions Code sections 14182(b)(9), 14456, and 14459.5, DHCS may temporarily delay or suspend—and may permit Medi-Cal managed care plans to temporarily delay or suspend—annual medical audits, surveys of physician offices, facility site reviews, plan and county data collection from providers, and similar audit or review activities.

14) The timeframes in Welfare and Institutions Code section 14182(c)(12)(A) are suspended. DHCS may allow Medi-Cal managed care plans to conduct beneficiary risk assessments according to any timeframe approved by DHCS not to exceed an additional 90 days after the timeframes in section 14182(c)(12)(A). Additionally, to the extent section 14182(c)(12)(A) would impose any limitation on the performance of such assessments by phone or video conference, any such limitation is suspended.

15) Health and Safety Code sections 123950 and 123870(b) and California Code of Regulation, Title 2, section 60330 are suspended to the extent they would prevent the California Children's Services Medical Therapy Program from offering physical and occupational therapy services in non-school settings.

16) California Code of Regulations (CCR), Title 22, section 53887(a)(2)(B)(1) is suspended to the extent it would prevent DHCS from extending the deadline for fee-for-service providers to submit information required for a Medical Exemption Request. Such extensions shall not exceed 90 days after the timeframes in section 53887(a)(2)(B)(1).

17) Regulatory action taken by DHCS to implement or interpret this Order shall be exempt from the Administrative Procedure Act, Government Code section 11340 et seq., and may be taken by means of all-plan letters, all-county letters, provider bulletins or other similar instructions.

18) This Order shall be construed to maintain consistency between state law and federal law. Nothing in this Order shall be construed to create any conflict with any provision of

federal law, including but not limited to any provision of federal law with which the State has agreed to comply, or with which the State is otherwise expected to comply, in connection with the receipt of federal funds. Additionally, to the extent necessary to implement any waiver of any applicable federal-law requirement approved by the federal Centers for Medicare and Medicaid Services in connection with COVID-19, any provision of state law is suspended to the extent it imposes any requirement equivalent to the waived federal-law requirement.

31. [Executive Order N-56-20](#)

**Extension for Local Educational Agencies to Submit Local Control and Accountability Plans and Required Report to Communities Regarding COVID-19 Response**

April 22, 2020

1) For purposes of this Order, Local Educational Agency (LEA) means school districts, county offices of education, and charter schools; and the Local Control and Accountability Plan (LCAP) refers to a local control and accountability plan and annual update adopted using the template specified in Education Code section 52064.

2) The deadline for a local school district governing board, county board of education, or a governing body of a charter school to adopt the LCAP and the budget overview for parents by July 1 of each year, pursuant to Education Code sections 47604.33, 47606.5, 52060, 52061, 52064.1, 52066, and 52067, is extended until December 15, 2020, on the conditions that:

(i) The governing board or body of the LEA adopts, during the same meeting at which the governing board or body of the LEA adopts the annual budget due July 1, 2020, a written report to the community that explains the changes to program offerings that the LEA has made in response to school closures to address the COVID-19 emergency and the major impacts of such closures on students and families, which shall include, at minimum, a description of how the LEA is meeting the needs of unduplicated pupils, defined consistent with Education Code section 42238.02(b)(1), during the period of school closures and the steps taken by the LEA, consistent with Paragraph 2 of Executive Order N-26-20, to support the following during the period of school closures:

- a. Continue delivering high-quality distance learning opportunities;
- b. Provide school meals in non-congregate settings; and
- c. Arrange for supervision of students during ordinary school hours.

(ii) School districts and county boards of education submit the written report adopted pursuant to clause (i) to the county superintendent of schools or the Superintendent of Public Instruction, respectively, in conjunction with submission of the adopted annual budget.

(iii) A charter school submits the written report adopted pursuant to clause (i) to its authorizer in accordance with Education Code 47604.33.

(iv) The LEA posts a copy of the written report adopted pursuant to clause (i) on the homepage of the internet website maintained by the LEA, if such website exists.

3) The California Department of Education shall develop a form that LEAs may use for the written report specified in Paragraph 2.

4) The deadline for a county superintendent or the Superintendent of Public Instruction to approve the LCAP pursuant to Education Code section 52070(d) and 52070.5(d) is extended until January 14, 2021.

5) The deadline for a charter school to submit the LCAP to its chartering authority and the county superintendent of schools is extended to December 15, 2020.

6) Education Code section 52064(j) is waived with respect to any LCAP adopted pursuant to Paragraph 2.

7) For the budget adopted by a governing board of a school district on or before July 1, 2020, the requirements that the governing board adopt a LCAP prior to adopting a budget and that the budget include the expenditures identified in the LCAP pursuant to Education Code section 42127(a)(2)(A); that a county superintendent of schools disapprove the budget by September 15, 2020 if the budget does not include the expenditures necessary to implement the LCAP pursuant to Education Code sections 42127(c)(3) and 42127(d)(1); and that a county superintendent of schools shall not adopt or approve a budget before the LCAP for the budget year is approved pursuant to Education Code section 42127(d)(2), are waived.

8) For the budget adopted by a county board of education on or before July 1, 2020, the requirements that a county board of education adopt a LCAP prior to adopting a budget

and that the budget include the expenditures identified in the LCAP pursuant to Education Code section 1622(a); that the Superintendent of Public Instruction disapprove the budget if the county board of education has not adopted a LCAP or if the budget does not include the expenditures necessary to implement the LCAP pursuant to Education Code section 1622(b)(2); and that the Superintendent of Public Instruction disapprove a revised budget by November 8, 2020 if the Superintendent of Public Instruction determines the budget does not include the expenditures necessary to implement the LCAP pursuant to Education Code section 1622(d), are waived.

9) Education Code section 52064.5(e)(2), requiring the governing board of a school district, the county board of education, and the governing body of a charter school to review data to be publicly reported for Dashboard local indicators in conjunction with adoption of the LCAP, is waived with respect to the review and adoption that would otherwise be required by July 1, 2020.

10) Paragraph 3 of Executive Order N-29-20, including the conditions specified therein, shall apply to meetings held pursuant to Article 3 of Chapter 2 of Part 21 of Division 3 of Title 2 of the Education Code and Education Code section 47604.1(b).

11) The requirements specified in Education Code sections 51210(a)(7), 51220(d), 51222, and 51223, related to minimum instructional minutes in physical education for grades 1-12 are waived, and the requirements specified in Education Code section 51241(b)(2), related to providing adequate facilities for physical education courses, are waived.

12) Education Code section 60800, requiring each LEA maintaining any of grades 5, 7, and 9 to administer a physical fitness performance test to each student in those grades, and Education Code sections 33352(b)(4) and (5), requiring the California Department of Education to collect data regarding the administration of the physical fitness test, are waived for the 2019-20 school year.

### 32. [Executive Order N-57-20](#)

## **Exemption from Garnishment for Those Receiving Federal, State, or Local Aid Due to COVID-19**

April 23, 2020

1) Financial assistance made available under section 2201 of the CARES Act (concerning 2020 Recovery Rebates for Individuals), and any other federal-, state-, or local-government financial assistance made available to individuals in express response to the COVID-19 pandemic, shall be exempt from any attachment, levy, execution, or

garnishment, except as otherwise provided in this Order, without requiring any further action by the person receiving such financial assistance (including, but not limited to, the filing of any claim). This exemption shall extend to funds in any account held by an individual who received such financial assistance, to the extent those funds are traceable to the financial assistance received by that individual. The provisions of Part 2, Title 6.5 and Part 2, Title 9, Division 2 of the Code of Civil Procedure, and such other laws as may be necessary to implement this exemption, are suspended to the extent necessary to implement this exemption.

2) Notwithstanding Civil Code section 3054 or Financial Code section 1411, or any other provision of law, no financial institution shall have any lien upon, or any right of setoff against, any financial assistance or funds described in Paragraph 1. Funds in any account held by an individual who received the financial assistance described in Paragraph 1 shall be exempt from any such lien or setoff—including, but not limited to, any such setoff in connection with fees charged to, or debt arising from, the same account in which the funds are held—to the extent those funds are traceable to such financial assistance received by that individual.

3) The exemption set forth in Paragraph 1 shall not apply to any attachment, levy, execution, or garnishment in connection with any action for, or any judgment awarding, any child support, spousal support, or family support, or any criminal restitution payable to victims.

4) It shall be unlawful to collect any money in a manner inconsistent with Paragraph 1 or Paragraph 2, or to retain any money so collected, including (but not limited to) any money so collected prior to the date of this Order. Any money so collected shall be promptly refunded without any further action (including, but not limited to, the filing of any claim of any kind, or the payment of any fee or penalty of any kind) by the individual entitled to that money under Paragraphs 1 and 2.

33. [Executive Order N-58-20](#)

### **Obtaining Marriage Licenses Via Videoconference**

April 30, 2020

1) Notwithstanding Family Code section 359 or section 426, or any other provision of law, adult applicants to be married may, in the discretion of the county clerk, be permitted to appear before a county clerk to obtain a marriage license via videoconference, rather than in person, if all of the following requirements are met:



a) Both applicants are physically present within the State of California, and present such proof of this fact (which may include, but need not be limited to, oral attestation) as the county clerk may require;

b) The videoconference includes both live video and live audio; and

c) During the videoconference, each applicant presents (via videoconference) photo identification consistent with Family Code section 354. A marriage license issued using the procedure set forth in this Paragraph 1 may be transmitted to the applicants via e-mail or other electronic means.

2) Notwithstanding Family Code section 501 or section 502, or any other provision of law, the procedure set forth in Paragraph 1 may also be used in connection with the issuance of a confidential marriage license, for applicants who are otherwise eligible to obtain a confidential marriage license.

3) Notwithstanding Family Code sections 420–422 or any other provision of law, the solemnization of a marriage may occur via videoconference that includes both live video and live audio—in which both parties to be married, the person solemnizing the marriage, and at least one necessary witness (and not more than two such witnesses, as set forth in Family Code sections 420 and 422(b)) all participate—in which the parties to be married declare (while visible and audible to the person solemnizing the marriage and any necessary witnesses) that they take each other as spouses. Additional persons invited by the parties may, but need not, also observe the videoconference. Before the solemnization of a marriage pursuant to this Paragraph 3, one or both of the parties to be married shall transmit the marriage license via e-mail or other electronic means to the person solemnizing the marriage and to any necessary witnesses. Neither the person solemnizing the marriage nor any necessary witnesses need be physically present within the State of California during the solemnization of a marriage pursuant to this Order.

4) Notwithstanding Family Code section 506 or any other provision of law, the solemnization of a confidential marriage may occur via videoconference that includes both live video and live audio, in which both parties to be married and the person solemnizing the marriage all participate, and in which the parties to be married declare (while visible and audible to the person solemnizing the marriage) that they take each other as spouses. Before the solemnization of a confidential marriage pursuant to this Paragraph 4, one or both of the parties to be married shall transmit the marriage license via e-mail or other electronic means to the person solemnizing the marriage. A person

solemnizing a confidential marriage pursuant to this Order need not be physically present within the State of California during the solemnization of the marriage.

5) Notwithstanding any other provision of law, whenever any provision of law (including, but not limited to, Family Code sections 422–423 or section 506) requires the entry of a signature or other information upon a marriage license or certificate (or any other document required in connection with the act of marriage), a photocopy, scan, or other electronic reproduction of that signature or other information shall have the same legal effect as an original signature, and any legible copy of the marriage license or certificate (or other applicable document) transmitted via e-mail or other electronic means shall have the same legal effect as the original.

6) Nothing in this Order shall in any way alter the grounds for denial of a marriage license set forth in Family Code section 352. Nothing in this Order shall in any way restrict the authority of a county clerk to examine the applicants for a marriage license on oath or to require additional documentary proof as set forth in Family Code section 354. Any procedures related to such examination and proof (including, but not limited, to the reduction of the examination to writing and related signatures) may—but need not—be completed via e-mail or otherwise electronically, in the discretion of the county clerk.

7) The provisions of this Executive Order shall expire 60 days after issuance, unless further extended by future Executive Order

34. [Executive Order N-59-20](#)

### **Temporary Easing of Requirements for Enrollment in CalWORKs Program**

May 1, 2020

1) Notwithstanding sections 40-115.22 and 80-301(m)(3) of the Department of Social Services' Manual of Policies and Procedures ("MPP"), or any other provision of law (including, but not limited to, any provision of Welfare and Institutions Code section 11450(b)), pregnant CalWORKs applicants who do not have another needy child in the family shall be permitted to satisfy the requirement to provide medical verification of pregnancy by means of a sworn statement, or, if necessary, verbal attestation that they are pregnant. Medical verification of pregnancy must be submitted within 30 working days following submittal of the sworn statement or verbal attestation for benefits to continue.

2) Welfare and Institutions Code section 10831 and any implementing regulations, including (but not limited to) MPP section 40-105.3, are suspended to the extent that they require the Department of Social Services to implement an identity verification method for CalWORKs applicants who are not able to present photo identification in person.

3) Notwithstanding Welfare and Institutions Code section 11054 and any implementing regulations, including, but not limited to, MPP Sections 40-115.22 and 40-128.11, the “affirmation setting forth [an applicant’s] belief that [the applicant] meets specific conditions of eligibility” required by section 11054 need not be in writing: County Welfare Departments may accept a CalWORKs applicant’s oral affirmation of belief if the County Welfare Department is unable to accept, or the applicant is unable to provide, a physical signature.

4) Welfare and Institutions Code section 11052.5 is suspended to the extent that it requires CalWORKs applicants to undergo an interview before being granted public assistance if a County Welfare Department has verified the identity of the applicant and has completed all other mandatory verifications pursuant to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code and any implementing regulations, including, but not limited to, MPP Section 40- 131.

5) To the extent state eligibility criteria for the lump-sum diversion program under Welfare and Institutions Code section 11266.5 impose more stringent requirements related to an applicant’s gross income than would otherwise be imposed by federally applicable income eligibility criteria (including, but not limited to, 45 C.F.R. § 260.31(b) and related Temporary Assistance for Needy Families guidance), those state eligibility criteria are suspended, on the condition that applicants seeking to participate in the lump-sum diversion program pursuant to this paragraph shall establish a need for such participation that is related to the COVID-19 pandemic, and on the further condition that total payments issued to an applicant family shall not exceed \$5,000.

6) Welfare and Institutions Code section 11157 and any implementing regulations, including, but not limited to, MPP Sections 44-101(g), 44- 102.14, 44-103.121, and 44-113.21 are suspended to the extent that they require a County Welfare Department to consider Federal Pandemic Unemployment Compensation received by a recipient as income in determining eligibility for the CalWORKs program.

7) The suspensions set forth in Paragraphs 1–5 shall expire on June 30, 2020, except that the Department of Social Services may re-impose any requirement suspended by

Paragraphs 1–5 before June 30, 2020, if necessary to comply with any federal requirement.

35. [Executive Order N-60-20](#)

**Directive to State Public Health Officer to Establish Criteria for Allowing Local Reopening Plans in Response to COVID-19**

May 4, 2020

1) All residents are directed to continue to obey State public health directives, as made available at <https://covid19.ca.gov/stay-homeexcept-for-essential-needs/> and elsewhere as the State Public Health Officer may provide.

2) As the State moves to allow reopening of lower-risk businesses and spaces (“Stage Two”), and then to allow reopening of higher-risk businesses and spaces (“Stage Three”), the State Public Health Officer is directed to establish criteria and procedures—as set forth in this Paragraph 2—to determine whether and how particular local jurisdictions may implement public health measures that depart from the statewide directives of the State Public Health Officer.

In particular, the State Public Health Officer is directed to establish criteria to determine whether and how, in light of the extent to which the public health is menaced by COVID-19 from place to place within the State, local health officers may (during the relevant stages of reopening) issue directives to establish and implement public health measures less restrictive than any public health measures implemented on a statewide basis pursuant to the statewide directives of the State Public Health Officer.

The State Public Health Officer is further directed to establish procedures through which local health officers may (during the relevant stages of reopening) certify that, if their respective jurisdictions are subject to proposed public health measures (which they shall specify to the extent such specification may be required by the State Public Health Officer) that are less restrictive than public health measures implemented on a statewide basis pursuant to the statewide directives of the State Public Health Officer, the public health will not be menaced. The State Public Health Officer shall additionally establish procedures to permit, in a manner consistent with public health and safety, local health officers who submit such certifications to establish and implement such less restrictive public health measures within their respective jurisdictions.

The State Public Health Officer may, from time to time and as she deems necessary to respond to the dynamic threat posed by COVID19, revise the criteria and procedures set

forth in this Paragraph 2. Nothing related to the establishment or implementation of such criteria or procedures, or any other aspect of this Order, shall be subject to the Administrative Procedure Act, Government Code section 11340 et seq. Nothing in this Paragraph 2 shall limit the authority of the State Public Health Officer to take any action she deems necessary to protect public health in the face of the threat posed by COVID-19, including (but not limited to) any necessary revision to the four-stage framework previously articulated by the State Public Health Officer.

3) Nothing in this Order shall be construed to limit the existing authority of local health officers to establish and implement public health measures within their respective jurisdictions that are more restrictive than, or that otherwise exist in addition to, the public health measures imposed on a statewide basis pursuant to the statewide directives of the State Public Health Officer.

### 36. [Executive Order N-61-20](#)

#### **Suspension of Property Tax Collection Due to COVID-19**

May 6, 2020

1) Division 1 of the Revenue and Taxation Code (including sections 75.52, 2610.5, 2618, 2922, 2705, and 4103) is suspended until May 6, 2021 to the extent that it requires a tax collector to impose penalties, costs, or interest for the failure to pay taxes on property on the secured or unsecured roll, or to pay a supplemental bill, before the date and time such taxes became delinquent, and a tax collector shall cancel such penalties, costs, and interest provided all of the following conditions are satisfied:

i) The property for which taxes were not paid is either: a. residential real property occupied by the taxpayer, or b. real property owned and operated by a taxpayer that qualifies as a small business under the Small Business Administration's Regulations, Code of Federal Regulations, Title 13, section 121.201;

ii) The taxes owed on the property in question were not delinquent prior to March 4, 2020;

iii) The taxpayer timely files a claim for relief in a form and manner prescribed by the tax collector; and

iv) The taxpayer demonstrates to the satisfaction of the tax collector that the taxpayer has suffered economic hardship, or was otherwise unable to tender payment of taxes in

a timely fashion, due to the COVID-19 pandemic, or any local, state, or federal government response to COVID-19. Revenue and Taxation Code section 4985.2, subdivision (a) is suspended to the extent necessary to implement this Paragraph 1.

2) The taxes owed on a property by a taxpayer making payments pursuant to an installment plan under Revenue and Taxation Code section 4837.5 or Revenue and Taxation Code, Part 7, Chapter 3 (commencing with section 4186) shall not be considered delinquent under Paragraph 1 of this Order if, on or before March 4, 2020, all payments required by the plan were made.

3) Paragraph 1 shall not apply to any property for which taxes are paid through an impound account.

4) Revenue and Taxation Code section 441, subdivision (b), and section 463, subdivision (a), are suspended until May 31, 2020 to the extent that either imposes a penalty for failing to file a property statement on or before May 7, 2020, such that no penalty shall be imposed upon a taxpayer if the taxpayer files a personal property tax statement as required by Revenue and Taxation Code section 441(a) on or before May 31, 2020.

### 37. [Executive Order N-62-20](#)

#### **COVID-19 Time-Limited Rebuttable Presumption for Worker's Compensation**

May 6, 2020

1) Any COVID-19-related illness of an employee shall be presumed to arise out of and in the course of the employment for purposes of awarding workers' compensation benefits if all of the following requirements are satisfied:

a. The employee tested positive for or was diagnosed with COVID19 within 14 days after a day that the employee performed labor or services at the employee's place of employment at the employer's direction;

b. The day referenced in subparagraph (a) on which the employee performed labor or services at the employee's place of employment at the employer's direction was on or after March 19, 2020;

c. The employee's place of employment referenced in subparagraphs (a) and (b) was not the employee's home or residence; and

d. Where subparagraph (a) is satisfied through a diagnosis of COVID-19, the diagnosis was done by a physician who holds a physician and surgeon license issued by the California Medical Board and that diagnosis is confirmed by further testing within 30 days of the date of the diagnosis.

2) The presumption set forth in Paragraph 1 is disputable and may be controverted by other evidence, but unless so controverted, the Workers' Compensation Appeals Board is bound to find in accordance with it. This presumption shall only apply to dates of injury occurring through 60 days following the date of this Order.

3) Notwithstanding Labor Code section 5402, if liability for a claim of a COVID-19-related illness pursuant to Paragraph 1 is not rejected within 30 days after the date the claim form is filed under Labor Code section 5401, the illness shall be presumed compensable, unless rebutted by evidence only discovered subsequent to the 30-day period.

4) An accepted claim for the COVID-19-related illness referenced in Paragraph 1 shall be eligible for all benefits applicable under the workers' compensation laws of this state, including full hospital, surgical, medical treatment, disability indemnity, and death benefits, and shall be subject to those laws including Labor Code sections 4663 and 4664, except as otherwise provided in this Order.

5) Notwithstanding any applicable workers' compensation statute or regulation, where an employee has paid sick leave benefits specifically available in response to COVID-19, those benefits shall be used and exhausted before any temporary disability benefits or benefits under Labor Code section 4850 are due and payable. Where an employee does not have such sick leave benefits, the employee shall be provided temporary disability benefits or Labor Code section 4850 benefits if applicable, from the date of disability. In no event shall there be a waiting period for temporary disability benefits.

6) To qualify for temporary disability or Labor Code section 4850 benefit payments under this Order, an employee must satisfy either of the following:

a. If the employee tests positive or is diagnosed under Paragraph 1 on or after the date of this Order, the employee must be certified for temporary disability within the first 15 days after the initial diagnosis, and must be recertified for temporary disability every 15 days thereafter, for the first 45 days following diagnosis; or

b. If the employee tested positive or was diagnosed under Paragraph 1 prior to the date of this Order, the employee must obtain a certification, within 15 days of the date of the Order, documenting the period for which the employee was temporarily disabled and

unable to work, and must be recertified for temporary disability every 15 days thereafter, for the first 45 days following diagnosis.

All employees must be certified for temporary disability by a physician holding a physician and surgeon license issued by the California Medical Board. The certifying physician can be a designated workers' compensation physician in an applicable Medical Provider Network or Health Care Organization, a predesignated workers' compensation physician, or a physician in the employee's group health plan. If the employee does not have a designated workers' compensation physician or group health plan, the employee should be certified by a physician of the employee's choosing who holds a physician and surgeon license.

7) The Administrative Director of the Division of Workers' Compensation shall adopt, amend, or repeal any regulations that the Administrative Director deems necessary to implement this Order. Any regulations so promulgated by the Administrative Director shall be exempt from the Administrative Procedures Act (Chapter 3.5 of Part 1 of Title 2 of the Government Code), except that the Administrative Director shall submit the regulations to the Office of Administrative Law for publication in the California Regulatory Notice Register.

8) This Order shall apply to all workers' compensation insurance carriers writing policies that provide coverage in California, self-insured employers, and any other employer carrying its own risk, including the State of California. Nothing in this Order shall be construed to limit the existing authority of insurance carriers to adjust the costs of their policies.

9) The Department of Industrial Relations shall waive collection on any death benefit payment due pursuant to Labor Code section 4706.5 arising out of claims covered by this Order.

38. [Executive Order N-63-20](#)

### **Extending Deadlines Impacted by COVID-19**

May 7, 2020

1) The time in which to complete the evaluation required under Education Code section 17311(b)(3) (concerning Public School Project Inspectors) is extended to September 1, 2020, as to any inspector who has previously passed an initial evaluation under that subdivision and whose reevaluation would otherwise be due on or before May 6, 2020.



2) Notwithstanding the three-year period set forth in Government Code section 4459.8(a), any certification under Government Code section 4459.5 (concerning Certified Access Specialists) that would otherwise have expired between March 19, 2020 and May 31, 2020 is extended for 60 days from the date of this Order. Such certifications may be subject to further renewal as otherwise provided by law.

3) The timeframes set forth in Health and Safety Code sections 13144.2, and 13144.3, are suspended for 60 days. As a result, the deadline for submitting applications under Health and Safety Code section 13144.2 is extended to June 30, 2020, and current listings under Health and Safety Code section 13144.3 are extended to August 29, 2020. No penalty shall be imposed for failure to pay a renewal fee under Health and Safety Code section 13144.2, if that fee is received by June 30, 2020.

4) The timeframes set forth in Health and Safety Code sections 13127 and 13128 are suspended for 60 days. As a result, the deadline for renewing registrations under Health and Safety Code section 13127 is extended to June 30, 2020, and current registrations under Health and Safety Code section 13128 are extended to August 29, 2020. No penalty shall be imposed for failure to pay a registration fee under Health and Safety Code section 13127, subdivision (c)(1), if that fee is received by June 30, 2020.

5) The timeframes set forth in California Code of Regulations, Title 19, sections 938, 939, and 944 are suspended for 60 days. As a result, both current certifications and the deadlines for renewing those certifications under California Code of Regulations, Title 19, sections 938 and 939 are extended to August 29, 2020. In addition, the deadline for filing a notice of renewal under California Code of Regulations, Title 19, sections 944 is extended to June 30, 2020, and no late fee shall be charged if a notice of renewal is received by that date.

6) The term of office specified in Government Code section 8204 is extended for a period of 60 days for any notary public whose commission has expired since March 1, 2020 or whose commission is set to expire over the next 60 days, on the conditions that:

a) The notary public shall annotate on each notarial act completed during the extension the following: “The notary commission extended pursuant to Executive Order N-63-20.”; and

b) The notary public shall maintain a valid surety bond pursuant to Government Code section 8212 during the extension.

7) The requirement in Civil Code section 1185(b)(3)(A) that an identification card or driver’s license issued by the California Department of Motor Vehicles is current or has

been issued within the last 5 years in order to serve as satisfactory evidence of identity for an officer or notary public to acknowledge an instrument is, for a period of 60 days, suspended with respect to any identification card or driver's license issued by the California Department of Motor Vehicles showing an expiration date of March 1, 2020 or later.

8) The deadlines specified in the following statutes and regulations shall be extended for a period of 60 days:

a) Labor Code sections 142.2 and 147, related to reports by the Division of Occupational Safety and Health (Cal/OSHA) and the Occupational Safety & Health Standards Board (OSHSB) on proposed standards or variances;

b) Labor Code section 99, related to the Labor Commissioner's filing of claims and liens of employees, and Civil Code section 8414 to the extent it governs the deadlines for filing and recording such claims and liens;

c) Labor Code sections 4616(b)(1) and California Code of Regulations, Title 8, sections 9767.2(a) and (b) and 9767.8(d), related to the period in which the administrative director must act upon Medical Provider Network applications or requests for modifications or reapprovals;

d) California Code of Regulations, Title 8, section 17304, related to the period in which the Return-To-Work Supplement Program must receive an application for a Return-to-Work Supplement;

e) California Code of Regulations, title 8, section 17309, related to filing a Return-to-Work Supplement appeal and any reply or responsive papers;

f) Labor Code section 123.5 and California Code of Regulations, Title 8, sections 9713, 9714, and 9714.5, related to the period in which Workers' Compensation Administrative Law Judges must file decisions;

g) Labor Code 5313, related to the period in which the Workers' Compensation Appeals Board must act on any decision submitted by a Workers' Compensation Administrative Law Judge;

h) Government Code section 3505.4(a) and California Code of Regulations, Title 8, section 32802(a)(1), related to the period in which a party must request that the parties' differences be submitted to a factfinding panel under Meyers-Milias-Brown Act post-impasse resolution procedures;

i) Government Code section 3548.1, related to the period in which a party must request that the parties' differences be submitted to a factfinding panel under Educational Employment Relations Act post-impasse resolution procedures; and

j) Government Code section 3591, related to the period in which a party must request that the parties' differences be submitted to a factfinding panel under Educational Employment Relations Act post-impasse resolution procedures.

9) The deadlines specified in or that apply to the following statutes and regulations shall be extended for a period of 60 days to the limited extent that the time to issue a citation or file a complaint, claim, or appeal would otherwise elapse in the 60-day period following this Order:

a) All Labor Code sections and related regulations setting the time for the Labor Commissioner to issue any citation under the Labor Code, including a civil wage and penalty assessment pursuant to Labor Code section 1741;

b) All Labor Code sections and related regulations setting deadlines for any employer or other person to appeal or petition for review of any citation issued by the Labor Commissioner;

c) Labor Code sections 98, 98.7, 1700.44, and 2673.1, related to workers' rights to file complaints and initiate proceedings with the Labor Commissioner;

d) Labor Code section 6317, related to the issuance of Cal/OSHA citations; and

e) Labor Code sections 6319, 6600, 6600.5, 6601, and 6601.5, related to the appeal of citations, notices, or orders of Cal/OSHA.

10) Any statute or regulation that requires a public employer to post notice on "employee bulletin boards" is suspended, provided that the public employer provides such notice to its employees through electronic means, such as through electronic mail to its employees, posting on an employer-operated website frequented by its employees, or any other electronic means customarily used by the public employer to communicate with its employees.

11) Any statute or regulation that permits a party or witness to participate in a hearing in person, a member of the public to be physically present at the place where a presiding officer conducts a hearing, or a party to object to a presiding officer conducting all or part of a hearing by telephone, television, or other electronic means, is suspended, provided that all of the following requirements are satisfied:

- a) Each participant in the hearing has an opportunity to participate in and to hear the entire proceeding while it is taking place and to observe exhibits;
- b) A member of the public who is otherwise entitled to observe the hearing may observe the hearing using electronic means; and
- c) The presiding officer satisfies all requirements of the Americans with Disabilities Act and Unruh Civil Rights Act.

12) The timeframe in California Code of Regulations, Title 11, section 1950(c)(1)(C), is extended from 180 days to one year for the purpose of authorizing the Executive Director of the Commission on Peace Officer Standards and Training (POST) to issue discretionary exemptions to individual law enforcement agencies seeking to temporarily reemploy peace officers who retired or separated in good standing from the requesting agency. The term of any such temporary peace officer reemployment shall expire no later than one year from the date of this Order, unless further extended by Executive Order.

13) On a case-by-case basis, POST's Executive Director is authorized to grant individual technical and scheduling waivers or exceptions to address disruptions caused by the COVID-19 pandemic. The Executive Director shall notify the POST Commission of any such waiver or exception and shall rescind the waiver or exception once it is no longer necessary.

14) To protect the health, safety, and welfare of students and instructors in Basic Academy training courses, POST temporarily may allow lecture- based Basic Academy instruction to be delivered online in a format POST deems appropriate. For any instruction conducted online, POST shall require that students be closely monitored by instructors to ensure students gain a thorough understanding of the materials. POST shall continue to require in-person instruction for testing and practical skills training. Any prohibitions set forth in POST policies, procedures, or the California Code of Regulations (including but not limited to California Code of Regulations, Title 11, section 1052) that limit the ability to conduct online Basic Academy training for lecture-based courses are temporarily waived.

15) Law enforcement agencies are encouraged to adopt telephonic, remote, or other procedures for registration and reporting under the Sex Offender Registration Act that are consistent with State and local public health guidance regarding physical distancing, and to post or publicize such procedures through means calculated to reach any person subject to the Act.

a) To the extent that a law enforcement agency institutes telephonic, remote, or other procedures to enable physical distancing, all provisions of the Sex Offender Registration Act (Penal Code sections 290 to 290.024, inclusive) and implementing procedures that require persons subject to the Act to appear in person, and all provisions of the Act and implementing procedures that require such persons to provide a signature, fingerprints, and photograph, are suspended for 60 days.

b) To ensure that lack of technology does not prevent any individual from complying with registration and reporting requirements, law enforcement agencies are encouraged to provide alternative means of registration and reporting, including permitting the physical presence of registrants consistent with State and local public health guidance regarding physical distancing.

The requirement to register and all other registration and reporting requirements of the Sex Offender Registration Act remain in place.

39. [Executive Order N-64-20](#)

### **2020 General Election Vote-By-Mail Ballots**

May 8, 2020

1) Notwithstanding any limitation on the distribution of vote-by-mail ballots in Elections Code sections 1500 and 4000-4007, or any other provision of state law, each county elections officials shall transmit vote-by-mail ballots for the November 3, 2020 General Election to all voters who are, as of the last day on which vote-by-mail ballots may be transmitted to voters in connection with that election, registered to vote in that election. As set forth in this paragraph, every Californian who is eligible to vote in the November 3, 2020 General Election shall receive a vote-by-mail ballot.

2) Nothing in this Order shall be construed to limit the extent to which in-person voting opportunities are made available in connection with the November 3, 2020 General Election. It is the intent of this Order that my Administration continue to work with the Legislature and the Secretary of State to determine how requirements for in-person voting opportunities and other details of the November election will be implemented—guided by California’s longstanding commitment to making its elections accessible, as enshrined in existing California law, while recognizing the exigencies of the COVID-19 pandemic.

3) My Administration continues working in partnership with the Secretary of State and the Legislature on requirements for in-person voting opportunities and on how other

details of the November election will be implemented. Nothing in this Order is intended, or shall be construed, to limit the enactment of legislation on that subject.

40. [Executive Order N-65-20](#)

**The order helps ease the strain on domestic violence service providers. The order also waives the deadline to verify grade point average and waives certain certification requirements and selective service registration verification for Cal Grant applicants. The order suspends programmatic deadlines for entities that receive funding from the Energy Commission for the development and deployment of new technologies that support the state’s clean energy and decarbonization goals. In addition, the order extends the timeframe for local governments to submit claims for reimbursement to the State Controller’s Office.**

May 19, 2020

1) All encumbrance and liquidation deadlines for all funds administered by the Energy Commission shall be suspended for a period of 60 days from the date of this Order, regardless of how the funds may be awarded (e.g., grants, contracts, and loans), in order to allow applicants and recipients an opportunity to work with the Energy Commission to implement mechanisms for meeting grant and loan requirements for projects that have been delayed as a result of the COVID-19 pandemic, and to allow for potential action by the Legislature.

2) The provisions of Public Resources Code sections 21000 through 21178 are suspended, for a period of 60 days from the date of this Order, as applied to the approval of encumbrance of funds for all Energy Commission programs if all of the following criteria are met: (i) The Energy Commission is a responsible agency, not lead agency, under the California Environmental Quality Act; (ii) The Energy Commission approval is solely for the encumbrance of funds; (iii) Any encumbered funds are contingent on the project lead agency approving such project in accordance with the provisions of California Environmental Quality Act; and (iv) The applicant provides documentation of the approval(s) required in subparagraph (iii) prior to receipt of any encumbered funds.

3) The deadline specified in Government Code section 1774(c), related to the Senate’s confirmation of an individual appointed or reappointed by the Governor to an office, is extended for a period of 90 days. Additionally, the deadlines specified in Government

Code section 1774(a), related to the Governor's reappointment of an incumbent to an office, and Government Code section 1774(b), related to transmittal of the required information about reappointment of an incumbent to the Secretary of the Senate, and which were extended via Executive Order N-35-20, are further extended for a period of 60 days from the date of this Order.

4) The requirement for certain domestic violence centers to provide cash or an in-kind match of at least 10 percent of funds received pursuant to Penal Code section 13823.15, as set forth in subdivision (c) of that section, is suspended for a period of 180 days.

5) Notwithstanding the one-year period set forth in Health and Safety Code section 11362.745(a), identification cards issued under Health and Safety Code section 11362.71 (concerning identification cards for persons authorized to engage in the medical use of cannabis and their designated primary caregivers) that would otherwise have expired between March 4, 2020 and any day within 60 days from the date of this Order shall remain valid for 60 days from the date of this Order.

6) The deadline specified in Title 5, California Code of Regulations, sections 30023(c)(2) and 30023(c)(4), to verify the minimum grade point average of applicants for Cal Grants for the 2020-21 academic year pursuant to Education Code Sections 69434(b), 69435.3(a)(1), and 69436(b) is extended to September 2, 2020. Additionally, the certification requirements specified in Title 5, California Code of Regulations, section 30023(c)(1) are waived for applicants whose verification of the minimum grade point average is submitted pursuant to the September 2, 2020 deadline specified above.

7) The requirement in Education Code Sections 69433.9 and 69400 and any accompanying regulations or formal policy to verify Selective Service registration is waived for applicants eligible for Cal Grants pursuant to Education Code section 69508.5 for the grants received for the 2019-20 and 2020-21 academic years. 8) The timeframe set forth in Executive Order N-35-20, Paragraph 7, is extended for an additional 60 days from the date of this Order. 9) The timeframe set forth in Executive Order N-35-20, Paragraph 8, is extended for an additional 60 days from the date of this Order. 10) The timeframe set forth in Executive Order N-35-20, Paragraph 11, is extended for an additional 60 days from the date of this Order. 11) The timeframe set forth in Executive Order N-35-20, Paragraph 12, is extended for an additional 60 days from the date of this Order.

41. [Executive Order N-66-20](#)

**Extending authorization for local governments to halt evictions for renters impacted by the COVID-19 pandemic, through July 28**

May 29, 2020

1) The requirement in Education Code sections 44225(a) and 44259(b)(3) and any accompanying regulations for preliminary multiple credential candidates and preliminary single subject credential candidates to complete the Teaching Performance Assessment (TPA) is suspended for candidates whose teacher preparation program verifies that, during the 2019-20 academic year, the candidate satisfies all of the following conditions: (i) Was placed or employed in a local educational agency impacted by COVID-19 related school site closures; (ii) Was in the process of completing the TPA; (iii) Was unable to complete the TPA due solely to school closures; and (iv) Successfully completed all other preliminary teaching credential requirements. Candidates for whom the TPA requirement is suspended pursuant to this Paragraph 3 must complete and pass a Commission-approved teaching performance assessment prior to being recommended for a clear teaching credential.

2) The requirement in California Code of Regulations, Title 5, section 80054(a)(2)(A) and (B) for preliminary administrative services credential candidates to complete the California Administrator Performance Assessment (CalAPA) is suspended for candidates whose administrator preparation program verifies that, during the 2019-20 academic year, the candidate: (i) Was placed or employed in a local educational agency impacted by COVID-19 related school site closures; (ii) Was in the process of completing the CalAPA; (iii) Was unable to complete the CalAPA due solely to school closures; and (iv) Successfully completed all other preliminary administrative services credential requirements. Candidates for whom the CalAPA requirement is suspended pursuant to this Paragraph 4 must complete and pass a Commission-approved administrator performance assessment prior to being recommended for a clear administrative services credential.

3) The requirements in Education Code sections 44283 and 44283.2, and California Code of Regulations, Title 5, sections 80048.3(a)(5), 80048.8, 80071.5(a)(5), and 80413(a)(4) for preliminary multiple subject credential candidates and Level 1 or preliminary education specialist credential candidates to complete the Reading Instruction Competence Assessment (RICA) are suspended for candidates who, between March 19, 2020 and August 31, 2020, were or are unable to complete the RICA due to COVID-19 related testing center closures. Candidates for whom the RICA requirement is



suspended pursuant to this Paragraph must complete and pass Commission-approved reading instruction competence assessment prior to being recommended for a clear credential.

4) The requirement in Education Code section 44252(f)(1) and any accompanying regulations for credential program applicants to complete the California Basic Educational Skills Test (CBEST) prior to admission to a Commission-approved credential program is suspended for applicants who, between March 19, 2020 and August 31, 2020, were or are unable to complete the CBEST due to COVID-19 related testing center closures. Applicants for whom the CBEST requirement is suspended pursuant to this Paragraph must complete the CBEST during their program prior to recommendation for a preliminary credential. Any use of these applicants' CBEST scores by teacher preparation programs shall be consistent with Education Code section 44252(f).

5) The requirement in Education Code section 44453(a) and any accompanying regulations for applicants for a university intern credential program to complete a subject matter examination (CSET) prior to admission to a university intern credential program; and the requirement in Education Code section 44325(c)(3) and any accompanying regulations for applicants for a university or district intern credential to complete a CSET are suspended for applicants who, between March 19, 2020 and August 31, 2020, were or are unable to complete the CSET due to COVID-19 related testing center closures. Applicants for whom the CSET requirement is suspended pursuant to this Paragraph must complete the CSET prior to being recommended for a preliminary credential. Additionally, notwithstanding the requirement in Education Code section 44326 that district interns teach only in the subject area for which they have met the subject matter requirement, district interns for whom the CSET requirement is suspended pursuant to this Paragraph may teach in the subject area for which they have enrolled.

6) Notwithstanding California Code of Regulations, Title 25, sections 7312(f), 8303, and 8309, the Department of Housing and Community Development shall implement financial and regulatory accommodations for projects adversely affected by the COVID-19 pandemic, including modifications to the rules regarding project reserves, in order to help maintain the projects' feasibility. Any standards and procedures developed to govern such financial and regulatory accommodations shall be exempt from the Administrative Procedures Act (Chapter 3.5 of Part 1 of Title 2 of the Government Code).

7) The requirements specified in California Code of Regulations, Title 25, sections 8402, 8403(a), 8403(c), 8403(g), 8404, 8405, 8406, 8407, 8408, and 8410(a), governing the administration of the Emergency Solutions Grant Program, shall not apply to any funds allocated pursuant to Public Law 116-136. Within 10 days of this Order, the Department of Housing and Community Development shall develop and implement new streamlined procedures and conditions for the administration of such funds. The Department shall post such procedures and guidelines on its publicly accessible website. The development and implementation of such procedures and conditions shall be exempt from the Administrative Procedures Act (Chapter 3.5 of Part 1 of Title 2 of the Government Code.

8) Health and Safety Code sections 50827(a), 50828, 50833(a), and 50833(b), requiring set-asides for economic development and housing in the Community Development Block Grant Program, shall not apply to any funding allocated pursuant to Public Law 116-136 or to funding for the 2019 or 2020 federal fiscal years that is used to respond to the COVID-19 pandemic.

9) Paragraph 1 of Executive Order N-45-20 is withdrawn and superseded by the following text: In order to facilitate the continued provision of child care during the COVID-19 outbreak, any provision in Articles 1 through 11, 12, 15.5 through 18, 20, and 21 of Chapter 2 of Part 6 of Division 1 of the Education Code and implementing regulations in Chapter 19 and 19.5 of Division 1 of Title 5, California Code of Regulations, that restricts a child care and development program impacted by COVID-19 from serving children of essential critical infrastructure workers, as described in the document posted at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf> is suspended through June 30, 2020 (or, for families enrolled in non- CalWORKS early learning and care services, for 60 days following the date of the child's enrollment pursuant to Paragraphs 2 and 3 of Executive Order N-47-20, whichever is longer), on the condition that services are provided consistent with an informal directive or bulletin issued by the State Superintendent of Public Instruction pursuant to SB 117 (Chapter 3, Statutes of 2020) and that costs associated with all services provided pursuant to the informal directive or bulletin are within the budget authority of the California Department of Education.

10) Paragraph 5 of Executive Order N-45-20 is withdrawn and superseded by the following text: The requirements in Education Code section 8273 and any accompanying regulations or other written policies or procedures related to assessment of fees for families using preschool and child care and development services pursuant to

Chapter 2 of Part 6 of Division 1 of the Education Code are suspended through June 30, 2020.

- 11) The timeframe set forth in Executive Order N-40-20, Paragraph 1, is extended for an additional 60 days from the date of this Order.
- 12) The timeframe set forth in Executive Order N-40-20, Paragraph 2, is extended for an additional 60 days from the date of this Order.
- 13) The timeframe set forth in Executive Order N-40-20, Paragraph 7, is extended for an additional 60 days from the date of this Order.
- 14) The timeframe set forth in Executive Order N-40-20, Paragraph 9, is extended for an additional 60 days from the date of this Order.
- 15) The timeframe set forth in Executive Order N-40-20, Paragraph 10, is extended for an additional 60 days from the date of this Order.
- 16) The timeframe set forth in Executive Order N-40-20, Paragraph 12, is extended for an additional 60 days from the date of this Order.
- 17) The timeframe set forth in Executive Order N-40-20, Paragraph 13, is extended for an additional 60 days from the date of this Order.
- 18) The timeframe set forth in Executive Order N-40-20, Paragraph 15, is extended for an additional 30 days from the date of this Order.
- 19) The timeframe set forth in Executive Order N-40-20, Paragraph 16, is extended for an additional 60 days from the date of this Order.
- 20) The timeframe for the protections set forth in Executive Order N-28-20, Paragraph 1, is extended for an additional 60 days from the date of this Order.
- 21) The timeframe for the protections set forth in Executive Order N-28-20, Paragraph 2 is extended for an additional 60 days from the date of this Order.

42. [Executive Order N-67-20](#)

**Ensure that Californians can exercise their right to vote in a safe, secure and accessible manner during the upcoming election**

June 3, 2020

1) As provided by Executive Order N-64-20, all Californians who are registered (and otherwise eligible) to vote in the November 3, 2020 General Election shall receive vote-by-mail ballots. Consistent with Elections Code section 2226, this provision is not intended, and shall not be construed, to mean that voters in an inactive voter registration status shall receive vote-by-mail ballots in connection with the November 3, 2020 General Election.

2) Notwithstanding any contrary provision of state law (including, but not limited to, Elections Code sections 3019.5 and 3019.7), all county elections officials are required to use the Secretary of State's vote-by mail ballot tracking system, created pursuant to Elections Code section 3019.7, and to use Intelligent Mail Barcodes on all vote-by-mail ballot envelopes.

3) Notwithstanding any contrary provision of state law (including, but not limited to, any such provision of Elections Code sections 12200–12286 or 12288, and specifically including the requirement in Elections Code section 12286(a)(3) that at least one polling place be designated per precinct), a county that is not subject to the California Voter's Choice Act shall not, in connection with the November 3, 2020 General Election, be required to make available more than one polling place per 10,000 registered voters, as long as the county complies with all of the following conditions: a) At least one polling place per 10,000 registered voters is made available for voting during the following hours: i) From Saturday, October 31, 2020, through Monday, November 2, 2020, for at least eight hours (during regular hours convenient for members of the public) each day; and ii) On Tuesday, November 3, 2020, from 7 a.m. until 8 p.m. b) At least the following number of vote-by-mail ballot drop-off locations (as defined in Elections Code section 3025(a)(2)) is made available for ballot drop-off beginning no later than 9 a.m. on Tuesday, October 6, 2020, and continuing during regular business hours each day through the close of voting on Tuesday, November 3, 2020: i) At least one vote-by-mail ballot drop-off location per 15,000 registered voters; and ii) Not less than two vote-by-mail ballot drop-off locations regardless of the number of registered voters; and c) At least one vote-by-mail ballot drop-off location required by subparagraph (b) is fully accessible to the public for at least twelve hours each day (during regular hours convenient for members of the public) between Tuesday, October 6, 2020 and Tuesday, November 3, 2020, inclusive.

4) Notwithstanding any contrary provision of state law (including, but not limited to, any such provision of Elections Code section 4005 or section 4007, as applicable), a county that is subject to the California Voter's Choice Act shall not, in connection with the November 3, 2020 General Election, be required to open any vote center (as that term is used in Elections Code sections 357.5, 4005, and 4007) prior to Saturday,

October 31, 2020. Counties are nevertheless encouraged to open vote centers earlier, where feasible and as conditions warrant, to maximize opportunities for voter participation in the November 3, 2020 General Election.

5) Notwithstanding any contrary provision of state law (including, but not limited to, any such provision of Elections Code section 4005(a)(10)), no county elections official shall be required to conduct any in-person public meetings or workshops in connection with the preparation of plans for the administration of the November 3, 2020 General Election, as long as a draft of each such plan is posted on the relevant county election official's website in a manner consistent with Elections Code section 4005(a)(10)(E)(iii) and the relevant county elections official accepts public comment on the draft plan for at least 10 days. Counties are encouraged to take additional steps, where feasible, to facilitate and encourage public participation in the development of such plans.

6) Nothing in this Order is intended, or shall be construed, to limit a county's ability to fulfill the requirements imposed on that county by existing law (including, but not limited to, any provision of law conditionally suspended by Paragraph 3 as to counties not subject to the California Voter's Choice Act) concerning procedures for the November 3, 2020 General Election. In particular, any county described in Paragraph 3 that complies with all such requirements applicable to that county (and that therefore need not avail itself of the conditional suspension set forth in Paragraph 3) may do so without additionally satisfying any separate requirements that would otherwise be imposed by Paragraph 3. Additionally, where feasible, counties are encouraged to exceed the minimum requirements imposed by this Order, or otherwise imposed by law in connection with the administration of the November 3, 2020 General Election, to maximize opportunities for voter participation in that election.

7) The Legislature and the Secretary of State are requested to continue working in partnership with my Administration to ensure that the November 3, 2020 General Election is safe, secure, and accessible for all, including by ensuring (and by working with county elections officials to ensure) that there is sufficient voter education and outreach to prepare voters to participate in that election. Nothing in this Order is intended, or shall be construed, to limit in any way the enactment of legislation concerning the November 3, 2020 General Election.

43. [Executive Order N-68-20](#)

**Helps increase the availability of over-the-counter drugs**

June 5, 2020

1) Notwithstanding Health and Safety Code sections 111615-111635 and 111645-111655, and any implementing regulations in California Code of Regulations, title 17, Division 1, Chapter 5, Subchapter 2, Group 1, Article 2 (pertaining to licensing requirements for over-the-counter drugs and medical devices), an entity need not obtain a license from the California Department of Public Health to manufacture over-the-counter drugs (such as hand sanitizer) or medical devices, as long as that entity receives a temporary registration issued by the Department consistent with this Paragraph 1 and complies with all other applicable laws. Such an entity must submit an application for temporary registration to the Department of Public Health; that application must include self-certification of compliance with temporary FDA guidance for firms not federally registered as over-the-counter drug manufacturers or medical device manufacturers. An entity that receives a temporary registration may manufacture over-the-counter drugs or medical devices under that temporary registration until the earliest of the following occurs:

(i) The expiration of a six-month registration period, after which that entity may apply for a further temporary registration;

(ii) The Department of Public Health suspends or rescinds any applicable temporary registration; or

(iii) The FDA withdraws or otherwise terminates any applicable federal guidance (including, but not limited to, previously issued guidance for firms that lack federal registration). The Department of Public Health may establish requirements and procedures (including, but not limited to, administrative fees) to implement this Paragraph 1 in a manner consistent with public health and safety. The establishment of such requirements and procedures shall not be subject to the Administrative Procedure Act. The Department shall post any temporary registration, and any action taken to suspend or rescind a temporary registration, on the Department's website.

2) Notwithstanding Health and Safety Code sections 111630 and 111800, Chapter 5 of Part 5 of Division 104 of the Health and Safety Code, and Part 6, of Division 104 of the Health and Safety Code, and any implementing regulations in title 17, Division 1, Chapter 5 of the California Code of Regulations, the Department of Public Health shall establish procedures (which shall not be subject to the Administrative Procedure Act) to allow entities affected by the COVID-19 pandemic to submit renewal-fee payments to the Department up to 60 days after the original applicable expiration date, on the condition that the relevant entity submits a request for deferral of renewal fees on the entity's letterhead along with a timely application for renewal. Any penalties for late

submission of renewal fees are suspended as applied to entities that submit their renewal fees in accordance with this Paragraph 2.

3) Paragraph 8(g) of Executive Order N-63-20 is hereby amended to read: Labor Code section 5313, related to the period of time a workers' compensation judge must make and serve the findings, decision, order, or reward in a controversy;

4) The deadlines specified in the following statutes shall each be extended for a period of 60 days:

(i) Labor Code section 5909, related to the period of time a petition for reconsideration is deemed to have been denied by the Workers' Compensation Appeals Board; and

(ii) Labor Code section 5315, related to the period of time in which the Workers' Compensation Appeals Board must act on any decision submitted by a Workers' Compensation judge.

5) Paragraph 11 of Executive Order N-52-20 is withdrawn and superseded by the following text: To the extent any provision of state law might restrict the exercise of the California Department of Justice's authority to conduct criminal background checks pursuant to Penal Code section 11105 based on identifying information other than fingerprints for individuals performing tasks that require licensure pursuant to Division 2 of the Business and Professions Code or providing services or care pursuant to the California Community Care Facilities Act (Chapter 3 of Division 2 of the Health and Safety Code), the California Residential Care Facilities for the Elderly Act (Chapter 3.2 of Division 2 of the Health and Safety Code), the California Child Day Care Facilities Act (Chapter 3.4 of Division 2 of the Health and Safety Code), In-Home Supportive Services (Article 7 of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code, and Welfare and Institutions Code sections 14132.95, 14132.952, and 14132.956), or Services and Supports to Developmentally Disabled Persons Living in the Community (Article 4 of Chapter 6 of Division 4.5 of the Welfare and Institutions Code), those provisions are suspended through July 31, 2020.

6) Paragraph 12 of Executive Order N-52-20 is withdrawn and superseded by the following text: To the extent any provision of state law might restrict the exercise of the California Department of Justice's authority to waive or eliminate the applicable fee for a criminal background check conducted pursuant to Paragraph 5 in this Order, those provisions are suspended through July 31, 2020.

7) The timeframe set forth in Executive Order N-45-20, Paragraph 6, is extended until June 30, 2020.

8) The timeframe set forth in Executive Order N-45-20, Paragraph 7, is extended until June 30, 2020.

9) The timeframe set forth in Executive Order N-45-20, Paragraph 11, is extended for an additional 60 days from the date of this Order.

10) The timeframe set forth in Executive Order N-47-20, Paragraph 1, is extended for an additional 60 days from the date of this Order.

11) The timeframe set forth in Executive Order N-53-20, Paragraph 1, is extended for an additional 60 days from the date of this Order.

12) The timeframe set forth in Executive Order N-53-20, Paragraph 2, is extended for an additional 60 days from the date of this Order.

13) The timeframe set forth in Executive Order N-53-20, Paragraph 5, is extended for an additional 60 days from the date of this Order.

14) The timeframe set forth in Executive Order N-53-20, Paragraph 6, is extended for an additional 60 days from the date of this Order.

15) The timeframe set forth in Executive Order N-53-20, Paragraph 11, is extended for an additional 60 days from the date of this Order.

44. [Executive Order N-69-20](#)

**The order extends waivers temporarily broadening the capability of counties to enroll persons into the California Work Opportunity and Responsibility to Kids (CalWORKs) program. The order also extends permission for commercially-licensed food trucks to operate in roadside rest areas, suspends face-to-face visits for eligibility for extended foster care; and extends deadlines related to the payment of real estate license application and renewal fees and continuing education requirements for licensees**

June 15, 2020



- 1) The provisions of Executive Order N-29-20, Paragraph 2, are extended for an additional 60 days from the date of this Order.
- 2) The timeframe set forth in Executive Order N-39-20, Paragraph 8, is extended for an additional 60 days from the date of this Order.
- 3) The timeframe set forth in Executive Order N-52-20, Paragraph 1, is further extended for an additional 60 days.
- 4) The timeframe set forth in Executive Order N-52-20, Paragraph 2, is further extended for an additional 60 days.
- 5) The timeframe set forth in Executive Order N-52-20, Paragraph 3, is further extended for an additional 60 days.
- 6) The timeframe set forth in Executive Order N-52-20, Paragraph 15, is extended for an additional 60 days from the date of this Order.
- 7) The timeframe set forth in Executive Order N-53-20, Paragraph 7, is extended for an additional 60 days from the date of this Order.
- 8) Paragraph 8 of Executive Order N-53-20 is withdrawn and superseded by the following text: State extended foster care eligibility for all youth entering or reentering extended foster care requiring any physical, in-person, face-to-face application, meetings, visits, and signature requirements, as required by Welfare and Institutions Code sections 388, 388.1, 11400, and 11403 and accompanying rules or regulations, are suspended for an additional 60 days from the date of this Order.
- 9) The timeframe set forth in Executive Order N-53-20, Paragraph 10, is extended for an additional 60 days from the date of this Order.
- 10) The timeframe set forth in Executive Order N-53-20, Paragraph 12, is extended for an additional 60 days from the date of this Order.
- 11) The timeframe set forth in Executive Order N-53-20, Paragraph 13, is extended for an additional 60 days from the date of this Order.
- 12) The timeframe set forth in Executive Order N-54-20, Paragraph 3, is extended for an additional 60 days from the date of this Order.

13) The timeframe set forth in Executive Order N-59-20, Paragraph 1, is extended for an additional 60 days from the date of this Order.

14) The timeframe set forth in Executive Order N-59-20, Paragraph 2, is extended for an additional 60 days from the date of this Order.

15) The timeframe set forth in Executive Order N-59-20, Paragraph 3, is extended for an additional 60 days from the date of this Order.

16) The timeframe set forth in Executive Order N-59-20, Paragraph 4, is extended for an additional 60 days from the date of this Order.

45. [Executive Order N-70-20](#)

**Allows retailers to temporarily pause in-store redemption of beverage containers. The order also temporarily suspends the requirement for recycling centers to hold a minimum number of hours of operation.**

June 22, 2020

1) The provisions of Executive Order N-54-20, Paragraph 10, are extended for an additional 60 days from the date of this Order.

2) The provisions of Executive Order N-54-20, Paragraph 11, are extended for an additional 60 days from the date of this Order.

46. [Executive Order N-71-20](#)

**Extending authorization for local governments to halt evictions for renters impacted by the COVID-19 pandemic, through September 30.**

June 30, 2020

1) Paragraph 4 of Executive Order N-26-20 is withdrawn and superseded by the following text: For LEAs that initiate a school closure between March 13, 2020 and June 30, 2020 to address COVID-19, the closure shall qualify as a condition that prevents the maintenance of the LEA's schools during a fiscal year for at least 175 days pursuant to Education Code section 41422. Additionally, for such LEAs, the requirement in Education Code section 41422 to submit affidavits of the members of the governing

board of the school district, the governing board of the county office of education, or the governing board or body of the charter school and of the county superintendent of schools are hereby suspended on the condition that the superintendent of the school district, the county superintendent of schools, or the charter school leader certifies in writing to the Superintendent of Public Instruction that the closure occurred to address COVID-19.

2) The timeframe for the protections set forth in Executive Order N-28-20, Paragraph 1, extended via Executive Order N-66-20, Paragraph 20, is hereby extended through September 30, 2020.

3) The timeframe for the protections set forth in Executive Order N-28-20, Paragraph 2, extended via Executive Order N-66-20, Paragraph 21, is hereby extended through September 30, 2020.

4) Paragraph 1 of Executive Order N-29-20 is withdrawn and superseded by the following text: As to individuals currently eligible for benefits under Medi-Cal, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including, but not limited, to California Code of Regulations, Title 22, section 50189(a), that would require redetermination of such benefits is suspended. This Order shall be construed to be consistent with applicable federal laws, including, but not limited, to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on January 30, 2018) to permit the extension of otherwise-applicable Medicaid time limits in emergency situations.

5) Paragraph 3 of Executive Order N-65-20 is withdrawn and superseded by the following text: The deadline specified in Government Code section 1774(c), related to the Senate's confirmation of an individual appointed or reappointed by the Governor to an office, is extended for a period of 90 days. Additionally, the deadlines specified in Government Code section 1774(a), related to the Governor's reappointment of an incumbent to an office, and Government Code section 1774(b), related to transmittal of the required information about reappointment of an incumbent to the Secretary of the Senate, and which were extended via Executive Order N-35-20, are further extended for a period of 60 days.

6) Paragraph 10 of Executive Order N-65-20 is withdrawn and superseded by the following text: The timeframes set forth in Executive Order N-35-20, Paragraph 11, are extended by an additional 60 days.

7) The timeframe set forth in Executive Order N-35-20, Paragraph 12, as extended via Executive Order N-65-20, paragraph 11, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

8) The timeframe set forth in Executive Order N-39-20, Paragraph 8, as extended via Executive Order N-69-20, Paragraph 2, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

9) Paragraph 11 of Executive Order N-66-20, is withdrawn and superseded by the following text: The timeframe set forth in Executive Order N-40-20, Paragraph 1, is extended by an additional 60 days.

10) Paragraph 12 of Executive Order N-66-20 is withdrawn and superseded by the following text: The timeframe set forth in Executive Order N-40-20, Paragraph 2, is extended by an additional 60 days.

11) The timeframe set forth in Executive Order N-40-20, Paragraph 7, as extended via Executive Order N-66-20, Paragraph 13, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

12) The timeframe set forth in Executive Order N-40-20, Paragraph 9, as extended via Executive Order N-66-20, Paragraph 14, is hereby extended through August 27, 2020.

13) Paragraph 10 of Executive Order N-40-20, as extended via Executive Order N-66-20, Paragraph 15, is hereby withdrawn and superseded by the following text: The deadlines to pay annual fees, including any installment payments, currently due or that will become due during the proclaimed emergency, as specified in Business and Professions Code sections 19942, 19951, 19954, 19955, and any accompanying regulations; the expiration dates of all licensees, work permits, findings of suitability, or other approvals, as specified in Business and Professions Code sections 19876, 19877, 19912(a)(1)(B), and any accompanying regulations; the deadlines for submission and processing of any renewal application or related fee, as specified in Business and Professions Code sections 19868, 19876, 19877, 19942, and any accompanying regulations; the deadline for completing the annual financial reports and audited reports, as specified in section 12313 of Title 4 of the California Code of Regulations; and the deadlines for satisfying any outstanding requirements, including conditions or restrictions on licenses, work permits, findings of suitability, or other approvals, as specified in Business and Professions Code sections 19824, 19870, and 19912, are extended for an additional 60 days for any card room or third-party provider of proposition player service that suspended operations due to the proclaimed emergency.

14) Paragraph 16 of Executive Order N-66-20, is withdrawn and superseded by the following text: The timeframe set forth in Executive Order N-40-20, Paragraph 12, is extended for an additional 60 days.

15) Paragraph 13 of Executive Order N-40-20, as extended via Executive Order N-66-20, Paragraph 17, is withdrawn and superseded by the following text: In order to limit the need for in-person transactions at Department of Motor Vehicle offices and thereby facilitate adherence to physical distancing guidelines, the prohibition in Vehicle Code section 12814.5(e) against renewals by mail of driver's licenses and the requirements in Vehicle Code section 13002.1(b) for in-person renewals of identification cards, and any accompanying regulations, are waived. This waiver shall be in effect until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

16) Paragraph 18 of Executive Order N-66-20, is withdrawn and superseded by the following text: The timeframe set forth in Executive Order N-40-20, Paragraph 15, is hereby extended by 30 days.

17) Paragraph 19 of Executive Order N-66-20, is withdrawn and superseded by the following text: The timeframe set forth in Executive Order N-40-20, Paragraph 16, is hereby extended for 30 days.

18) Paragraph 1 of Executive Order N-47-20, as extended via Executive Order N-68-20, Paragraph 10, is, effective August 4, 2020, withdrawn and superseded by the following text: The provisions of Welfare and Institutions Code sections 12301.1, 12301.2, and 12309 are suspended to the extent necessary to permit in home initial assessments of IHSS applicants who have known exposure to, present symptoms of, or test positive for COVID-19 to be conducted by video-conferencing, to the extent permitted under federal law.

19) The timeframe set forth in Executive Order N-52-20, Paragraph 1, as extended via Executive Order N-69-20, Paragraph 3, is hereby extended until December 31, 2020.

20) The timeframe set forth in Executive Order N-52-20, Paragraph 2 as extended via Executive Order N-69-20, Paragraph 4, is hereby extended until December 31, 2020.

21) The timeframe set forth in Executive Order N-52-20, Paragraph 3 as extended via Executive Order N-69-20, Paragraph 5, is hereby extended until December 31, 2020.

22) Paragraph 9 of Executive Order N-52-20 is withdrawn and superseded by the following text: Consistent with the Federal Motor Carrier Safety Administration's

Waiver in Response to the COVID-19 National Emergency – For States, CDL Holders, and Interstate Drivers Operating Commercial Motor Vehicles, which was issued on March 24, 2020, and which waives certain federal regulations concerning the validity of commercial driver licenses and permits and the status of medical certifications held by the holders of commercial driver licenses and permits, the timeframes set forth in Vehicle Code section 12804.9(c), and accompanying regulations, pertaining to possessing a valid medical certificate in order to maintain a valid commercial driver license or certificate, are waived. This waiver shall apply to holders of current commercial driver’s licenses or certificates, whose required medical certificate has or will expire on or after March 4, 2020, and shall remain in effect for the duration of the Federal Motor Carrier Safety Administration Waiver in Response to the COVID-19 National Emergency and any subsequently issued Federal Motor Carrier Safety Administration waiver granting the same relief.

23) Paragraph 1 of Executive Order N-53-20, as extended via Executive Order N-68-20, Paragraph 11, is withdrawn and superseded by the following text: To facilitate the continued provision of care and supervision during the COVID-19 pandemic, the Department of Social Services may, to the extent necessary, temporarily waive, in whole or in part, Resource Family Approval Program standards set forth in the Resource Family Approval Program pursuant to Article 2 of Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions Code and any accompanying regulations, written directives, or other related policies or procedures, including but not limited to standards regarding inactive status, home environment, caregiver training, complaint investigation protocols, and face-to-face interview requirements.

24) Paragraph 8 of Executive Order N-69-20, which modified and replaced Paragraph 8 of Executive Order N-53-20, is withdrawn and superseded by the following text: State extended foster care eligibility for all youth entering or reentering extended foster care requiring any physical, in-person, face-to-face application, meetings, visits, and signature requirements, as required by Welfare and Institutions Code sections 388, 388.1, 11400, and 11403 and accompanying rules or regulations, are suspended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner. In addition, to ensure effective transitions for nonminor dependents, the maximum age criteria for state foster care eligibility for nonminor dependents who turn 21 on or after April 17, 2020, as required by Welfare and Institutions Code sections 11400 and 11403 and accompanying rules or regulations, is suspended through June 30, 2020.

25) Paragraph 10 of Executive Order N-53-20, as extended via Executive Order N-69-20, Paragraph 9, is withdrawn and superseded by the following text: Physical, in-person,

face-to-face visitation requirements contained in Section 11405 of the Welfare and Institutions Code and accompanying rules or regulations are suspended.

26)The timeframe set forth in Executive Order N-53-20, Paragraph 11, as extended via Executive Order N-68-20, Paragraph 15, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

27)The timeframe set forth in Executive Order N-53-20, Paragraph 12, as extended via Executive Order N-69-20, Paragraph 10, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

28)The timeframe set forth in Executive Order N-53-20, Paragraph 13, as extended via Executive Order N-69-20, Paragraph 11, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

29)The provisions of Executive Order N-58-20 are hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

30)The timeframe set forth in Executive Order N-59-20, Paragraph 1, as extended via Executive Order N-69-20, Paragraph 13, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

31)The timeframe set forth in Executive Order N-59-20, Paragraph 2, as extended via Executive Order N-69-20, Paragraph 14, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

32)The timeframe set forth in Executive Order N-59-20, Paragraph 3, as extended via Executive Order N-69-20, Paragraph 15, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

33)The timeframe set forth in Executive Order N-59-20, Paragraph 4, as extended via Executive Order N-69-20, Paragraph 16, is hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

34)The timeframe set forth in Executive Order N-63-20, Paragraph 6, is extended by 120 days.

35)The timeframe set forth in Executive Order N-65-20, Paragraph 5, is extended by an additional 60 days.

36)The provisions of Executive Order N-63-20, Paragraph 15, are hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

37)Executive Order N-63-20, Paragraphs 8(g) (as modified by Executive Order N-68-30, paragraph 3), 8(h), 8(i), and 8(j), shall become inoperative on August 29, 2020.

38)Executive Order N-68-20, Paragraphs 4(i) and 4(ii), shall become inoperative on August 29, 2020.

39)The deadlines specified in, or that apply to, the statutes and regulations identified in Paragraphs 9(a), 9(c), and 9(d) of Executive Order N-63-20, including as previously extended, are hereby suspended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

40)The timeframe set forth in Executive Order N-63-20, Paragraph 8(a), is modified so that the deadlines extend for up to 120 days.

41)The deadlines specified in, or that apply to, the statutes and regulations identified in Paragraphs 9(b) and 9(e) of Executive Order N63-20, and which were not previously extended, shall be extended for a period of 15 days.

47. [Executive Order N-72-20](#)

### **Extension for Decisions on Pending Tax Assessment Appeals**

July 31, 2020

1) Notwithstanding Revenue and Taxation Code section 1604 or any other law, for any pending assessment appeal filed with a County Assessment Appeals Board on or before March 4, 2020, the deadline within which the County Assessment Appeals Board must render a decision is hereby extended until January 31, 2021.



48. [Executive Order N-73-20](#)

**Distance Learning Standards and Funding**

August 14, 2020

1. California state agencies subject to my authority are directed to pursue a minimum broadband speed goal of 100 megabits per second download speed to guide infrastructure investments and program implementation to benefit all Californians.

2. The California Broadband Council is requested to create a new State Broadband Action Plan by December 31, 2020, and to review the plan annually thereafter. The California Department of Technology's Office of Broadband and Digital Literacy is directed to support and monitor implementation of the Plan and this Executive Order. The Plan shall incorporate the 100 megabits per second goal, and include the following elements:

a. A roadmap to accelerate the deployment and adoption of broadband by state agencies and to support such deployment and adoption by local governments.

b. Publicly accessible information on all federal and state funding opportunities and eligibility requirements.

c. Provisions to maximize the inclusion of tribal lands in all broadband access and adoption opportunities developed in consultation with tribal governments.

**MAPPING AND DATA**

3. The California Public Utilities Commission (CPUC) is requested to lead data aggregation and mapping efforts in collaboration with the California State Transportation Agency (CalSTA) and other relevant state agencies, local and tribal governments, and regional consortia. These efforts should address:

a. Locations without broadband access;

b. Information on public and private broadband network infrastructure;

c. State-owned infrastructure and rights of way;

d. The costs of deploying various middle and last-mile network components; and

e. Information to support the development of local broadband infrastructure deployment and digital equity plans.

4. The California Department of Technology (CDT), in collaboration with the Governor's Office of Business and Economic Development (GO-Biz) and the Department of General Services (DGS), is directed to regularly convene private-sector companies in an effort to understand and predict current and future demand for broadband, for the purpose of enabling the State to more effectively allocate resources and manage policies and programs supporting broadband goals and continuing the State's leadership in broadband innovation.

### **FUNDING**

5. GO-Biz is directed to identify funding opportunities for broadband deployment and adoption by: a. Collaborating with all cabinet-level agencies, independent departments, and independent constitutional officers to create a list of funding sources to support broadband, equipment, and digital literacy; and b. Coordinating efforts of state agencies to maximize federal broadband funding for California.

6. CDT, in collaboration with DGS, is directed to seek opportunities to leverage the State's contract authorities as resources to further statewide broadband access and adoption.

### **DEPLOYMENT**

7. CalSTA and California Department of Transportation (Caltrans) are directed to work with the California Transportation Commission (CTC) to identify and incorporate the installation of conduit and/or fiber into all appropriate and feasible transportation projects along strategic corridors.

8. CPUC, in collaboration with CDT and other relevant agencies, is requested to seek opportunities to use programs under its jurisdiction to accelerate broadband deployment and to leverage utility infrastructure to increase access to existing fiber and cost-effectively deploy new fiber.

9. DGS is directed to provide an inventory of state property for possible use for broadband infrastructure based on such criteria as may be provided by the CPUC, Caltrans, and other relevant agencies, to accelerate broadband deployment.

10. The Governor's Office of Emergency Services (CalOES) is directed to coordinate with jurisdictions implementing Next-Generation 9-1-1 to expand broadband infrastructure to enhance public safety and disaster preparedness, response, recovery, and mitigation capabilities.

11. The California Department of Food and Agriculture (CDFA) is directed to identify and facilitate new broadband projects that support precision agriculture and food systems in rural communities. CDFA is also directed to work with CalOES to inventory the status of existing broadband connectivity at all fairgrounds.

12. The California Department of Housing and Community Development and the California Housing Finance Agency are directed to provide recommendations to the CPUC to increase free or low-cost broadband connectivity at all publicly subsidized housing communities for residential units.

#### **ADOPTION**

13. GO-Biz is directed to coordinate the outreach efforts of existing statewide programs and institutions to inform residents of affordable Internet service offerings, including: a. The CPUC is requested to develop tools for low-income individuals and social service organizations to easily identify and subscribe to affordable broadband plans; b. The California Emerging Technologies Fund is directed to continue promoting affordable home Internet service offers to recipients of the National School Lunch Program; and c. The California State Library, in consultation with local libraries, is directed to promote affordable home Internet services within their communities.

14. The California Department of Education is requested to continue leading statewide efforts to ensure that students have the computing devices and connectivity necessary for distance learning and online instruction.

15. The California Department of Aging, in partnership with CDT and CPUC, is directed to analyze the needs of people ages 60 and older for access to affordable, reliable, high-speed broadband, and to identify program and partnership opportunities to close the digital divide among older Californians.

49. [Executive Order N-74-20](#)

**Additional Energy Capacity**

August 16, 2020

- 1) Permitting requirements or conditions of certification adopted by the Energy Commission pursuant to section 25216.5, subd. (a), and sections 25500 et seq. of the Public Resources Code, as well as related permitting requirements adopted by local air quality management districts, that restrict the amount of power that a facility may generate, restrict the amount of fuel that a facility may use, or impose air quality requirements that prevent the facility from generating additional power during peak demand hours from 3:00 p.m. to 10:00 p.m., or as otherwise needed to respond to the Extreme Heat Event, are suspended.
- 2) Any facility that operates in violation of permitting requirements or conditions of a certificate suspended by Paragraph 1 of this Order shall (a) notify the relevant local air quality management district, the Energy Commission, and the Air Resources Board of its actions within 48 hours and (b) report additional fuel use, additional hours of operation, and energy produced by that additional use and operation to the relevant local air quality management district, the Energy Commission, and the Air Resources Board within 30 days of this Order.
- 3) The suspension in Paragraph 1 shall expire at 11:59 p.m. on August 20, 2020.

50. [Executive Order N-75-20](#)

**Increased Availability of CLIA-waived COVID-19 Testing**

August 24, 2020

- 1) Notwithstanding the definition of “eligible beneficiaries” in Government Code section 12730(h)(1) or any other provision of law, “eligible beneficiaries” for purposes of CSBG-funded services in California shall include all individuals living in households with incomes up to 200 percent of the Federal Poverty Level. This definition of “eligible beneficiaries” shall be in effect throughout the duration of the State of Emergency that began March 4, 2020, except that this definition shall not remain in effect beyond the maximum time consistent with federal law. This Paragraph 1 shall be construed to be

consistent with federal law and does not in any way affect the definition of “eligible beneficiaries” in Government Code section 12730(h)(2).

2) As applied to LIHEAP funding made available under the CARES Act, and throughout the duration of the State of Emergency that began March 4, 2020, the provisions of Government Code section 16367.5 are suspended as follows: a) The requirement that CSD “afford local service providers maximum flexibility and control” is suspended to facilitate the rapid distribution of CARES Act funding for LIHEAP through a consistent, statewide COVID-19 response program; b) Section 16367.5(c) is suspended to the extent it requires the maximum allowable amount of CARES Act funding to be allocated for weatherization and related services; c) Section 16367.5(d) is suspended to the extent it requires the maximum allowable amount of CARES Act funding to be allocated for services that encourage and enable households to reduce their home energy needs; d) Section 16367.5(e) is suspended to the extent it requires at least 5% of CARES Act funding to be reserved for the Energy Crisis Assistance Intervention Program, outreach, and related services requirements; e) Section 16367.5(h) is suspended for the purpose of enhancing CSD’s ability to direct CARES Act funding towards households specifically impacted by the COVID-19 pandemic; and f) Section 16367.5(i) is suspended to the extent it requires at least 5% of CARES Act funding to be allocated for operating the direct home energy assistance payment program.

3) Title 17, section 54326(a)(11) of the California Code of Regulations is suspended as applied to payments that would otherwise be made in connection with the State of Emergency proclaimed in response to COVID-19. Notwithstanding any other provision of law, DDS is directed to develop and implement policies and procedures to allow delivery of nonresidential services to individuals with developmental disabilities. The development and implementation of such policies and procedures shall not be subject to the Administrative Procedure Act.

4) To the extent Family Code sections 8702, 8818, or 9203–9205, or any implementing rule or regulation, imposes or implies any requirement that forms promulgated under those sections be completed or signed in the physical presence of a representative of DSS, or otherwise in person (including, but not limited to, in the physical presence of certain witnesses), that requirement is suspended. DSS is directed to develop and implement policies and procedures to allow such forms to be completed, signed, and witnessed remotely. The development and implementation of such policies and procedures shall not be subject to the Administrative Procedure Act.

5) To the extent Family Code sections 8700, 8700.5, 8801.3, 8801.5, 8808, 8813, 8814, 8814.5, or 8818, or any implementing rule or regulation, imposes or implies any

requirement that a birth parent who performs certain acts related to adoption (including, in particular, acts related to the execution of any relinquishment for adoption, consent to adoption, adoption placement agreement, or waiver of the right to revoke such consent or relinquishment) perform such acts in the physical presence of a representative of DSS, or otherwise in person (including, but not limited to, in the physical presence of certain witnesses), that requirement is suspended as applied to birth parents who, consistent with guidance issued by the California Department of Public Health, are known or reasonably suspected to be infected with SARS-CoV-2. DSS is directed to develop and implement policies and procedures to allow such acts to be performed remotely with birth parents in this circumstance. The development and implementation of such policies and procedures shall not be subject to the Administrative Procedure Act.

6) Notwithstanding any contrary provision of law (including, but not limited to, section 31-320.3 of the DSS Manual of Policies and Procedures), DSS may develop and implement policies and procedures to allow any periodic caseworker visitation requirement to be fulfilled through videoconferencing technology, rather than through in-person visits. Any such use of videoconferencing technology shall be conducted in accordance with guidance from the DSS, and only after a child-specific decision based on the training and experience of the social worker, considering all available information, that an in-person visit is not necessary to ensure the child's safety or well-being. DSS shall adopt policies to ensure that the use of videoconferencing technology shall not be substituted for an in-person visit when an in-person visit is necessary to protect the safety, health, or well-being of the child. The development and implementation of any policies and procedures pursuant to this paragraph shall not be subject to the Administrative Procedure Act.

7) The requirement that each child in foster care receive an in-person medical and dental examination within 30 days of placement, as set forth in in section 31-405.241 of the DSS Manual of Policies and Procedures, is suspended for the purpose of protecting the health and safety of children and others during the COVID-19 pandemic. During the State of Emergency proclaimed in response to COVID-19, each child in foster care shall receive a medical and dental examination no later than 90 calendar days after placement. This suspension shall not affect or delay any child's access to emergency or otherwise necessary medical and dental care.

8) Through June, 30, 2021 or the termination of the State of Emergency, whichever is sooner, any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall (to the extent consistent with the federal

time limits set forth in 45 C.F.R. § 264.1 and other applicable provisions of federal law) not be counted for purposes of the 48-month time limit set forth in Welfare and Institutions Code Section 11454.

9) Notwithstanding Revenue & Taxation Code section 19542 or any other provision of law, the Franchise Tax Board may disclose individual income tax return information for taxable years beginning on or after January 1, 2018, and before January 1, 2020, to DSS for the purpose of informing individuals of financial assistance available under section 2201 of the CARES Act (concerning 2020 Recovery Rebates for individuals). Except as expressly provided in this paragraph or as otherwise provided by law, such tax return information shall remain confidential.

10) In order to assist in the care or protect the health of individuals not in a hospital or health facility, as defined in Health and Safety Code section 1250, and due to the COVID-19 pandemic, the Department of Public Health may, for the duration of the state of emergency proclaimed in response to COVID-19, waive any of the licensing and staffing requirements set forth in Chapters 8 and 8.6 of Division 2 of the Health and Safety Code and any accompanying regulations with respect to any home health agency and any pediatric day health and respite care facility. Any such waiver shall include alternative measures that, under the circumstances, will allow the home health agency or pediatric day health and respite care facility to assist in the care or protect the health of individuals while protecting public health and safety. Any waivers issued pursuant to this paragraph shall be posted on the Department of Public Health's website. This paragraph shall be construed to extend the waiver authority set forth in Paragraph 1 of Executive Order N-35-20 to home health agencies and pediatric day health and respite care facilities.

11) The Department of Consumer Affairs, in consultation with the Department of Public Health, may amend scopes of practice to allow pharmacists and pharmacy technicians to conduct any aspect of any point-of-care test for the presence of SARS-CoV-2 that is deemed or classified as CLIA waived; to that end, the Department of Consumer Affairs (in consultation with the Department of Public Health) may waive any provision of the Business and Professions Code, or any other provision of law, to the extent that provision would prevent or in any way restrict any pharmacist or pharmacy technician from conducting any aspect of any such test. Any such waiver shall be in writing, shall be posted on the website of the Department of Consumer Affairs, and may be subject to such conditions as the Department of Consumer Affairs (in consultation with the Department of Public Health) deems appropriate to protect public health and safety, and to ensure the timely and accurate reporting of test results. This paragraph does not

in any way restrict existing authority to waive provisions of the Business and Professions Code or otherwise amend scopes of practice.

12) The timeframe set forth in Paragraph 12 of Executive Order N-40-20 is extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner.

13) The deadline specified in Government Code section 1774(c) (related to the Senate's confirmation of an individual appointed or reappointed by the Governor to an office) is extended until April 1, 2021 for an individual appointed or reappointed to an office specified in Penal Code section 13500 et seq. or Business and Professions Code section 2001 et seq. Additionally, the deadlines specified in Government Code section 1774(a) (related to the Governor's appointment or reappointment of an incumbent to an office) and Government Code section 1774(b) (related to transmittal of certain information about an appointment or reappointment to the Secretary of the Senate) are, for an individual appointed or reappointed by the Governor pursuant to Education Code section 66602 et seq., extended until September 30, 2021. Except as expressly provided in this paragraph, this paragraph does not supersede or in any way alter the operation of any provision of any prior Executive Order.

14) Notwithstanding the timeframe set forth in Paragraph 14 of Executive Order N-53-20, Paragraph 4 of Executive Order N-53-20 shall remain in effect, without interruption, through September 30, 2020.

#### 51. [Executive Order N-76-20](#)

### **Assistance for Election Officials in Preparation for November Elections**

August 26, 2020

1) Notwithstanding Elections Code section 9030(b) or any other provision of law, the deadline for county elections officials to determine the total number of signatures affixed to a statewide initiative petition filed between August 1, 2020 and December 31, 2020, and to transmit this information to the Secretary of State, is extended to and including January 15, 2021. The deadline for the Secretary of State to transmit certain related notifications to county elections officials and initiative proponents, as set forth in Elections Code section 9030(b) and (c), is extended to and including January 22, 2021.



2) Notwithstanding Elections Code section 9030(d) and (e), or any other provision of law, the deadline for county elections officials to determine the number of qualified voters who have signed a statewide initiative petition filed between August 1, 2020 and December 31, 2020, and to transmit certain related certifications to the Secretary of State, is extended to and including March 9, 2021.

3) This Order is not intended, and should not to be construed, to in any way limit the authority of the Superior Court for Sacramento County (or any other court of competent jurisdiction) to order appropriate relief in, or otherwise exercise jurisdiction over, Case No. 34-2020-80003413 or Case No. 34-2020-80003404, or any other case concerning the qualification of statewide initiatives for the November 2022 ballot.

## 52. [Executive Order N-77-20](#)

### **Establishment of Labs to Increase COVID-19 Testing Capacity**

August 28, 2020

1) Notwithstanding any provision of law that would otherwise regulate the State's acquisition or utilization of property, or that would otherwise affect the procedures for such acquisition or utilization, the Department of General Services and the Department of Public Health are authorized to enter into agreements, and to take such action as might be necessary or convenient to carry out such agreements, to acquire and utilize property at up to three sites (as determined by the Department of General Services and the Department of Public Health) for use as laboratories to increase the capacity to test for SARS-CoV-2. Any provision of law that would restrict, delay, or otherwise inhibit the State's acquisition or utilization of such sites is suspended. For purposes of this Order, the "acquisition" of property includes the acquisition of any property interest or right of any kind (including, but not limited to, any leasehold interest), and the "utilization" of property includes, but is not limited to, occupancy, construction, alteration, repair, and all other activities necessary to establish, maintain, and operate a laboratory at each site.

2) Notwithstanding Paragraph 1, the Department of General Services and the Department of Public Health are directed to use all reasonable efforts to ensure that the State's acquisition and utilization of the property specified in this Order is consistent with all laws that would otherwise apply to the State's acquisition or utilization of such property, and are further directed to prioritize efforts to ensure consistency with applicable laws that promote health, safety, and accessibility. Additionally, the Department of General Services and the Department of Public Health are specifically directed to ensure consistency with all sections of Title 24 of

the California Code of Regulations, the California Building Standards Code, that apply to the work necessary to utilize such property, other than sections pertaining to enforcement.

3) Nothing in this Order shall be construed to in any way restrict any State entity's existing authority to acquire or utilize property for use in response to the COVID-19 pandemic.

### 53. [Executive Order N-78-20](#)

#### **Extension of Consumer Protections During COVID-19 Response**

September 3, 2020

1) The waiver of the time limitation set forth in Penal Code section 396, subdivision (b)—as set forth in Paragraph 4 of the March 4, 2020 Proclamation of a State of Emergency and Paragraph 1 of Executive Order N-44-20—is further extended such that all prohibitions against price gouging set forth that subdivision shall remain in effect through March 4, 2021.

2) The prohibitions set forth in Paragraphs 2 and 3 of Executive Order N44-20, prohibiting certain sales and offers of sale between April 4, 2020 and September 4, 2020, are extended to prohibit such sales and offers of sale through March 4, 2021.

This Paragraph 2 extends the duration of Paragraphs 2 and 3 of Executive Order N-44-20; it does not otherwise alter the scope of conduct prohibited by those paragraphs. Through March 4, 2021, each instance in which an item is sold or offered for sale in a manner prohibited by Paragraph 2 or Paragraph 3 of Executive Order N-44-20 shall constitute a separate violation of Executive Order N-44-20 and this Order, redressable as set forth in Paragraph 4 of Executive Order N-44- 20.