

## Governor DeSantis Issued “Stay at Home” Order

By Robert D. Pritt & Sherri Warner

Governor Ron DeSantis has issued an Executive Order, effective at 12:01 am, Friday, April 3<sup>rd</sup> and expires on Thursday, April 30, 2020, that requires people to stay in their homes unless they are working for an essential service, obtaining essential services or engaged in essential activities. Last night, the Order was amended to clarify that the Governor's Order supersedes any conflicting official action or order issued by local officials. See the amended executive order [here](#).

For the purposes of this order essential services are those services outlined by the US Department of Homeland Security in its guidance document released on March 28, 2020. This list includes the following industries:

- Healthcare
- Law enforcement, Public Safety Personnel and First Responders
- Food and Agriculture
- Energy – including electricity, petroleum, natural gas, propane and those in nuclear, hydroelectric and renewable energies
- Water and wastewater
- Transportation and Logistics (including maritime workers)
- Public Works and Infrastructure Support Services
- Communications and Information Technology
- Community and Government Based Operations and Essential Functions (including real estate services)
- Critical Manufacturing
- Hazardous Materials
- Financial Services
- Chemical
- Defense Industrial Base
- Residential/Shelter Facilities and Services
- Commercial Facilities
- Hygiene Products and Services

In addition to the list above the order also incorporates Executive Order 20-89 issued on March 30, 2020 which defined essential businesses as:

- Healthcare Providers
- Grocery stores, farmers' markets, farm and produce stands, food banks, convenience stores and other establishments engaged in the retail sale of food, pet food or other household consumer products including those that sell products necessary for maintaining the safety, sanitation and essential operations of residences.
- Food cultivation

- Businesses that provide food, shelter social services or other necessities of life for economically disadvantaged individuals
- Newspapers, television, radio and other media services
- Gas stations and auto-supply, auto-repair and related facilities
- Banks and related financial institutions
- Hardware stores
- Contractors and tradesmen, appliance repair, exterminators and other service providers who provide services necessary to maintain the safety, sanitation and essential operation of residences or other structures
- Businesses providing mailing and shipping services including post office boxes
- Private colleges, trade schools and technical colleges as needed to facilitate online learning
- Laundromats and dry cleaners
- Restaurants and other facilities that prepare food for carry out only, schools and other entities providing free food service for pick up only
- Businesses that supply office products needed for people to work from home
- Businesses that supply essential businesses with support or supplies to operate and which do not interact with the general public
- Businesses that ship or deliver groceries, food, goods or services directly to residences
- Airlines, taxis and other private transportation
- Home-based care for seniors, adults and children
- Assisted living facilities, nursing homes, adult day care centers and senior residential facilities
- Professional services such as legal or accounting when necessary to assist in compliance with legally mandated activities
- Landscape and pool care businesses, including residential landscape and pool services
- Childcare facilities providing services for children of essential employees. They should operate with children in groups of 10 or less, workers and children should not change groups and each group shall be in a different room and not mix with another group.
- Businesses operating an airport, seaport or other governmental facility including parks and government offices
- Pet supply stores
- Logistics providers, including warehouses, trucking, consolidators, fumigators and handlers
- Telecommunication providers including sales of computers and telecommunications devices along with providing the services to residences
- Providers of propane and natural gas
- Office space and administrative support for above listed entities
- Open construction sites regardless of type of building
- Architectural, engineering and land surveying services
- Factories, manufacturing facilities, bottling plants and other industrial uses
- Waste management services
- Business that are interacting with customers solely through electronic means and delivering products via mailing, shipping or delivery services.

There may be other businesses added to the list. The State Coordinating Officer is required to maintain a comprehensive list online and is available at [www.floridadisaster.org](http://www.floridadisaster.org).

Nothing in the order prohibits people from working from home. Those businesses that are still operating are encouraged to provide delivery, carry-out or curbside services.

Under this order the following are considered Essential Activities:

- Attending religious services
- Participating in recreational activities such as walking, biking, hiking, running and swimming so long as participants follow the social distancing guidelines
- Taking care of pets
- Caring for or assisting loved ones or friends

Other approved activities may be added to the list. An updated list will be kept by the State Coordinating Officer.

Social gatherings in a public space are not considered essential activities and are prohibited. Local jurisdictions are to ensure that groups do not congregate in public spaces.

If you have questions or need clarification, please contact one of the Roetzel attorneys listed.

**Lewis Adkins, Jr.**

Practice Group Manager  
Public Law, Regulatory and Finance  
216.615.4842 | [ladkins@ralaw.com](mailto:ladkins@ralaw.com)

**James D. Fox**

239.649.2705 | [jfox@ralaw.com](mailto:jfox@ralaw.com)

**Beverly Grady**

239.338.4207 | [bgrady@ralaw.com](mailto:bgrady@ralaw.com)

**Robert D. Pritt**

239.649.2714 | [rpritt@ralaw.com](mailto:rpritt@ralaw.com)

**Sherri Warner**

614.723.2110 | [swarner@ralaw.com](mailto:swarner@ralaw.com)