EXECUTIVE ORDER N-72-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS the COVID-19 pandemic, as well as physical distancing and other public health measures undertaken in response to it, affect individuals, businesses, and governmental agencies alike, with associated impacts on adherence to certain statutory and regulatory deadlines and requirements; and

WHEREAS the COVID-19 pandemic, as well as physical distancing and other public health measures undertaken in response to it, have also had widespread impacts on state and local governments’ ability to perform certain functions via in-person interactions, and such functions should be performed via other means, including conducting proceedings and operations remotely, to the extent consistent with the protection of public health and safety; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

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.
IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 31st day of July 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State
WHEREAS deploying affordable and reliable broadband networks throughout California will accelerate continuous improvements in economic and workforce development, infrastructure, public safety, education, economy, and an engaged citizenry; and

WHEREAS broadband access, adoption, and training are essential components of digital equity for California’s diverse populations; and

WHEREAS over 2,000,000 Californians do not have access to high-speed broadband service at benchmark speeds of 100 megabits per second download, including 50 percent of rural housing units; and

WHEREAS as of December 2018, 23 percent of California housing units, housing 8.4 million residents, do not have broadband subscriptions; and

WHEREAS despite the increasing importance of broadband for employment, health, public safety information and community connections, 34 percent of adults 60 and over do not currently use the Internet; and

WHEREAS the COVID-19 pandemic has amplified the extent to which broadband is essential for public safety, public health, and economic resilience; and

WHEREAS the COVID-19 pandemic has caused schools to shift to distance learning; and

WHEREAS telehealth greatly expands the ability of Californians to access medical, behavioral and oral health services, and has been prioritized across health systems during the COVID-19 pandemic, yet not all Californians have access to sufficient broadband to allow live video connections; and

WHEREAS effective emergency services require using broadband infrastructure to integrate data in real time from all available sources so decision makers at the local, regional, and statewide level have access to the information necessary for the protection of lives and property; and

WHEREAS local and tribal governments play a critical role in understanding the broadband needs of their communities and in infrastructure planning and permitting.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this Order to become effective immediately.
IT IS HEREBY ORDERED THAT:

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 (CaIOES) 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 CaIOES 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.

IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 14th day of August 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State
EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-75-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS the effects of the COVID-19 pandemic continue to cause serious economic harm and financial uncertainty for many Californians; and

WHEREAS in light of the economic effects of the COVID-19 pandemic, as well as provisions of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act addressing Community Service Block Grant (CSBG) and Low Income Home Energy Assistance Program (LIHEAP) assistance, the Department of Community Services and Development (CSD) requires additional flexibility to ensure that Californians in need receive the maximum amount of CSBG and LIHEAP assistance for which they would otherwise be eligible; and

WHEREAS in light of the disruption to certain nonresidential services for individuals with developmental disabilities caused by COVID-19, the Department of Developmental Services (DDS) requires additional flexibility to ensure that individuals with developmental disabilities retain access to nonresidential services; and

WHEREAS in light of the risk of in-person transmission of SARS-CoV-2, the Department of Social Services (DSS) requires additional flexibility to waive or modify certain regulatory requirements that would otherwise require in-person contact; and

WHEREAS additional flexibility in the time limit that ordinarily applies to CalWORKs benefits will help mitigate the serious and ongoing economic harms the COVID-19 pandemic has imposed on Californians; and

WHEREAS allowing the Franchise Tax Board to share otherwise-confidential income tax return information with the Department of Social Services will help ensure that Californians receive financial assistance to which they are entitled under the CARES Act, which will also mitigate the serious and ongoing economic harms caused by the COVID-19 pandemic; and

WHEREAS it is imperative that home health agencies and pediatric day health and respite care facilities maximize the number of capable healthcare workers to ensure that Californians impacted by COVID-19 are able to access needed healthcare, in the same manner as existing waiver authority in Executive Order N-35-20 allows in other settings; and

WHEREAS further clarification of the authority of the Department of Consumer Affairs' to issue scope-of-practice waivers allowing pharmacists and pharmacy technicians to conduct SARS-CoV-2 tests would enhance the State's capacity to test for SARS-CoV-2; and
WHEREAS there remains ongoing need for other waiver authority and other flexibility conferred by prior Executive Orders; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

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.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 24th day of August 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State
WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS in response to the COVID-19 pandemic, California (through action taken in partnership among the Legislature, the Secretary of State, and the Governor’s Office) has enacted legislation establishing special procedures for the November 2020 election, and has otherwise taken action to ensure that the November 2020 election can be held in a manner that is accessible, secure, and safe; and

WHEREAS elections officials throughout California are now working to implement those procedures and otherwise prepare for the November 2020 election, even as the ongoing COVID-19 pandemic continues to impact county elections officials’ operations; and

WHEREAS as a result of disruption caused by the COVID-19 pandemic, certain statewide initiatives that had previously sought to qualify for the November 2020 ballot are now seeking to qualify for the November 2022 ballot, and proponents of these initiatives must submit signatures to county elections officials before court-ordered deadlines in September and October 2020, respectively; and

WHEREAS proponents of one of these initiatives have begun to submit signatures to county elections officials, triggering deadlines set forth in state law for elections officials to count and verify these signatures; and

WHEREAS strict adherence to these deadlines would impair elections officials’ ability to prepare for the November 2020 election amid the COVID-19 pandemic, particularly given the ongoing impacts of the COVID-19 pandemic on county elections’ officials own operations; and

WHEREAS on August 18, 2020, I proclaimed a State of Emergency to exist in California as a result of fires burning statewide, and these ongoing fires are causing further disruption to certain counties’ efforts to count and verify signatures submitted in connection with these ballot initiatives; and

WHEREAS extending the deadlines to count and verify signatures submitted in connection with these ballot initiatives (as set forth in this Order) would not in any way impair these initiatives’ ability to qualify for the November 2022 ballot, or with any other aspect of the November 2022 election; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations as specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic and the fires burning statewide.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections
8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

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.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of August 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State
WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS the Governor’s Office of Emergency Services, the Government Operations Agency (including the Department of General Services), and the California Health and Human Services Agency (including the Department of Public Health) have been working, in the exercise of their discretion, to lease or otherwise acquire and utilize property in connection with the State’s response to the COVID-19 pandemic; and

WHEREAS it is necessary for the State to acquire and utilize additional property for use in the State’s response to the COVID-19 pandemic; in particular, it is necessary for the State to lease or otherwise acquire up to three sites for use as laboratories to increase the capacity to test for SARS-CoV-2, and to enter into other contracts for the operation of those laboratories, thereby facilitating efforts to track and mitigate the spread of the virus; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations as specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, 8572, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

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.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of August 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State
WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS the COVID-19 pandemic, as well as physical distancing and other public health measures undertaken in response to it, continue to affect individuals, businesses, and governmental agencies alike, with associated impacts on adherence to certain statutory and regulatory deadlines and requirements; and

WHEREAS local health officers and other public health officials protecting public health during the COVID-19 pandemic have been subject to threats and other harassment, including threats and harassment targeted at their places of residence, which threatens to chill the performance of their critical duties; and

WHEREAS many businesses have suffered financial hardship as a result of the COVID-19 pandemic, undermining their ability to pay rent and other expenses that have become due; and

WHEREAS numerous local jurisdictions have determined that promoting stability amongst commercial tenancies is necessary to mitigate the economic impacts of COVID-19 and conducive to public health, such as by allowing commercial establishments to decide whether and how to remain open based on public health concerns rather than economic pressures; and

WHEREAS the circumstances warranting these protections continue to exist, and are expected to continue to exist; and

WHEREAS due to the COVID-19 pandemic, it may be impossible or impracticable for lead agencies, responsible agencies, and project applicants to adhere to certain public filing and notice requirements under the California Environmental Quality Act; and

WHEREAS the COVID-19 pandemic has had serious economic and other impacts on health care providers in California, and maintaining a robust system of health care providers is an essential part of preserving public health; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would continue to prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.
NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) Notwithstanding any contrary provision of Title 1, Division 7, Chapter 3.1 of the Government Code, or any other provision of law, the Secretary of State may establish procedures to allow local health officers and other public health officials (as determined by the Secretary of State) to participate in the address-confidentiality program described in that chapter and Title 2, Division 7, Chapter 11 of the California Code of Regulations (the “Safe at Home Confidential Address Program”). The establishment of these procedures shall not be subject to the Administrative Procedure Act.

2) The timeframe for the protections set forth in Executive Order N-28-20, Paragraph 2, extended via Executive Order N-66-20, Paragraph 21, and Executive Order N-71-20, Paragraph 3, is hereby extended through March 31, 2021, with respect to commercial evictions only.

3) 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 suspended as to meetings taking place after June 30, 2020.

In the event that any corporation holds a shareholder meeting by electronic transmission or by electronic video screen communication under the suspension in this Paragraph, the corporation shall afford a “reasonable opportunity to participate in the meeting” under Corporations Code section 600, subd. (e), by:

(i) Not imposing unreasonable obligations on shareholders seeking to participate in the shareholder meeting; and

(ii) Providing shareholders, as closely as reasonably possible, an opportunity to participate equivalent to the ability of in-person attendees at the corporation’s last in-person meeting, including any ability to vote, ask questions, be heard by other shareholders, or advance proposals. In addition, if such a meeting considers any significant business transaction, controversial proposal, counter-solicitation, or other matter of a sort not considered at the last in-person meeting, the corporation shall provide as closely as reasonably possible an equivalent ability to participate as in-person attendees at the last in-person meeting to consider such a matter.

4) 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 on or after March 4, 2020 shall be valid through and including December 31, 2020.

5) The Director of the Department of Alcoholic Beverage Control shall have the authority to suspend, for a period of up to 30 days, the deadlines for renewing licenses upon payment of annual fees, as specified in Business and Professions Code section 24048. This authorization shall extend through December 31, 2020, and the Director shall consider funding availability in determining whether to exercise this discretion. Nothing in this paragraph shall have any impact upon relief granted pursuant to Executive Order N-40-20, Paragraph 9, and Executive Order N-66-20, Paragraph 14.

6) The provisions of Paragraph 8 of Executive Order N-54-20—conditionally suspending (subject to the conditions set forth in subparagraphs (a)–(c) of that paragraph) certain public filing, posting, notice, and public access requirements for projects undergoing, or deemed exempt from, California Environmental Quality Act review—are hereby extended until this Order is modified or rescinded, or until the State of Emergency is terminated, whichever occurs sooner. A lead agency, responsible agency, or project applicant that complies with the conditions set forth in subparagraphs (a)–(c) of Paragraph 8 of Executive Order N-54-20 shall be deemed to have fully satisfied any applicable requirements for public filing, posting, notice, and public access set forth in Public Resources Code sections 21092.3 and 21152, as well as 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).

Nothing in this Paragraph 6 or in Paragraph 8 of Executive Order N-54-20 shall be construed to limit a lead agency's, responsible agency's, or project applicant's ability to satisfy applicable requirements for public filing, posting, notice, and public access by complying with the laws conditionally suspended by Paragraph 8 of Executive Order N-54-20. A lead agency, responsible agency, or project applicant that is able to comply with those laws (and that therefore need not avail itself of the conditional suspension set forth in Paragraph 8 of Executive Order N-54-20) may do so without further satisfying the conditions set forth in subparagraphs (a)–(c) of Paragraph 8 of Executive Order N-54-20.

7) The Department of Managed Health Care is authorized to take action to assess the impacts of the COVID-19 pandemic on health care providers and health care service plans (including, but not limited to, dental and other specialized plans) in California, including by establishing procedures to require health care service plans to furnish information related to that subject. Action taken pursuant to this Paragraph 7 shall not be subject to the Administrative Procedure Act.

8) As to appointments made prior to the date of this Order, the deadline specified in Government Code section 1774(b) is extended for 30 days from the date of this Order.
IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 23rd day of September 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State
EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-78-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS the Legislature has declared its intent to protect citizens from price gouging during states of emergency, and has enacted statutes consistent with that purpose; and

WHEREAS in particular, the March 4, 2020 Proclamation of a State of Emergency triggered certain protections against price gouging set forth in Penal Code section 396, and (pursuant to the Emergency Services Act) I have issued further Executive Orders extending and expanding those protections; and

WHEREAS the circumstances necessitating those protections against price gouging continue to exist, and are expected to continue to exist; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations as specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, 8627, and 8665, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

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 N-44-20, 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.
IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 3rd day of September 2020.

[Signature]
GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State
EXECUTIVE ORDER N-83-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS the COVID-19 pandemic and the necessary physical distancing measures implemented have significantly impacted many businesses, leading to business closures, loss of employee hours or wages, and layoffs; and

WHEREAS for businesses located along state highways, the only viable additional open spaces to help implement necessary physical distancing measures may be within the state highway right-of-way; and

WHEREAS the COVID-19 pandemic, as well as physical distancing and other public health measures undertaken in response to it, continue to affect individuals, businesses, and governmental agencies alike, with associated impacts on adherence to certain statutory and regulatory deadlines and requirements; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The restrictions on commercial activities on state highway specified in Streets and Highways Code section 731 are suspended for a period of 120 days to the limited extent necessary to allow commercial activities on state highway right-of-way, and only if such activities fully comply with temporary encroachment permits issued on a case-by-case basis by the Department of Transportation.

The Department of Transportation shall develop and implement a process to issue and administer temporary encroachment permits allowing commercial activities on state highway right-of-way. The development and implementation of this process shall not be subject to the Administrative Procedures Act, Government Code section 11340 et seq.

2. Paragraph 13 of Executive Order N-71-20 is withdrawn and superseded by the following text:

The deadline 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, 19984, and any accompanying regulations is June 30, 2021; all required applications and documentation as specified in Business and Professions Code sections 19867, 19868, 19876, 19877, 19984, 19942, and any accompanying regulations are due per existing requirements or 30 calendar days from the date of this Executive Order, whichever date is later; the deadlines for submission of any application or deposit fee, as specified in Business and Professions Code sections 19951(a), 19867, 19868, 19876, 19877, 19942, 19984, and any accompanying regulations is no later than June 30, 2021 or per existing requirements, whichever date is later; 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 is December 31, 2020 for any card room, third-party provider of proposition player service, or tribal vendor that suspended operations due to the proclaimed emergency.

3. Paragraph 5 of Executive Order N-80-20 is withdrawn and superseded by the following text:

The Director of the Department of Alcoholic Beverage Control shall have the authority to suspend, for a period of up to 30 days, the deadlines for renewing licenses upon payment of annual fees, as specified in Business and Professions Code section 24048. This authorization shall extend through June 30, 2021, and the Director shall consider funding availability in determining whether to exercise this discretion. Nothing in this paragraph shall have any impact upon relief granted pursuant to Executive Order N-40-20, Paragraph 9, and Executive Order N-66-20, Paragraph 14.

4. In order to allow those most vulnerable to COVID-19 to self-quarantine, self-isolate, or otherwise remain in their homes to reduce the transmission of COVID-19 and 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(c) against renewals by mail of drivers’ licenses for people 70 years of age or older, and any accompanying regulations, is 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.

5. Paragraph 19 of Executive Order N-71-20 is withdrawn and superseded by the following text:

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 June 30, 2021.

6. Paragraph 20 of Executive Order N-71-20 is withdrawn and superseded by the following text:

7. Paragraph 21 of Executive Order N-71-20 is withdrawn and superseded by the following text:

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 June 30, 2021.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of October 2020.

Gavin Newsom  
Governor of California

ATTEST:

ALEX PADILLA  
Secretary of State