

COVID-19 – KEY PROVISIONS TRACKER FOR SHELTER IN PLACE, SAFER AT HOME, AND OTHER WORK REDUCTION ORDERS FOR KEY JURISDICTIONS

| | Key Topics Covered ¹ | Louisiana | Nevada | New Mexico | Oregon | West Virginia | |
|--|--|--|-----------|------------|-----------|---------------|---|
| | | Statewide | Statewide | Statewide | Statewide | Statewide | |
| Restrictions on Individuals' Movements | Stay Home Requirements | ✓ | | ✓ | ✓ | ✓ | |
| | Exempt Activities from Stay Home Requirements | ✓ | | ✓ | ✓ | ✓ | |
| | Public Gatherings Restrictions | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Restrictions on Businesses and Operations | Business Restrictions | ✓ | ✓ | ✓ | ✓ | ✓ | |
| | Exempts Businesses, Sectors, Operations, and/or Services from Business Restrictions | ✓ | ✓ | ✓ | ✓ | ✓ | |
| | Examples of Exemptions | Exempts 16 critical infrastructure sectors | ✓ | ✓ | | | ✓ |
| | | Exempts certain healthcare operations | | ✓ | ✓ | ✓ | ✓ |
| | | Exempts certain essential infrastructure | | ✓ | ✓ | ✓ | ✓ |
| | | Exempts certain essential retail businesses or operations such as grocery stores, convenience stores, laundromats, banks and related financial institutions, pharmacies, restaurants (for take-out/delivery), and other retail food stores, manufacturers, suppliers, distributors and/or services | | ✓ | ✓ | ✓ | ✓ |
| | | Exempts certain businesses that supply or support other necessary businesses | | ✓ | ✓ | ✓ | ✓ |
| | Establishes Procedures for Government to Confirm Case-by-Case Exempt Essential Businesses or Operations | | | | | | |
| Penalties | Civil | | ✓ | ✓ | | ✓ | |
| | Criminal | ✓ | ✓ | ✓ | ✓ | ✓ | |

¹ This document represents a summary of the laws and does not purport to explain all circumstances or nuances. For questions or concerns, please contact any member of the White & Case Employment, Compensation and Benefits team.

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| STAY HOME REQUIREMENTS | | | | |
|---|--|--|--|---|
| Louisiana | Nevada | New Mexico | Oregon | West Virginia |
| Statewide | Statewide | Statewide | Statewide | Statewide |
| <p><input type="checkbox"/> All individuals residing in the State of Louisiana are required to remain at home or at their place of residence, except as needed for essential activities or to perform essential worker functions.</p> | <p><input type="checkbox"/> The State’s order regarding business restrictions does not provide for general quarantine, shelter in place, or stay at home requirements.</p> | <p><input type="checkbox"/> The State’s order regarding business restrictions does not provide for general quarantine, shelter in place or stay at home requirements. However, the order does recommend that all individuals stay at home and undertake only those outings necessary for their health, safety, or welfare.</p> | <p><input type="checkbox"/> All individuals residing in the State of Oregon are required to remain at home or their place of residence, except as needed for essential activities.</p> | <p><input type="checkbox"/> All individuals residing in the State of West Virginia are required to remain at home or their place of residence, except as needed for essential activities.</p> |

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| EXEMPT ACTIVITIES FROM STAY HOME REQUIREMENTS | | | | |
|---|--|--|---|---|
| Louisiana | Nevada | New Mexico | Oregon | West Virginia |
| Statewide | Statewide | Statewide | Statewide | Statewide |
| <ul style="list-style-type: none"> <input type="checkbox"/> Individuals may leave their homes to: (i) obtain food, medicine, and other similar goods necessary for themselves or their family; (ii) obtain non-elective medical care and treatment and other similar vital services for themselves or their family; (iii) provide goods or services in connection with (i) or (ii) above; (iv) travel to and from the home of a family member; and (v) travel to and from the individual's place of worship. <input type="checkbox"/> Individuals may leave their homes to perform essential worker functions, including conducting necessary activities at businesses. <input type="checkbox"/> Individuals may engage in outdoor exercise activities, provided they heed social distancing requirements. | <ul style="list-style-type: none"> <input type="checkbox"/> N/A | <ul style="list-style-type: none"> <input type="checkbox"/> Individuals may leave their homes to undertake those outings necessary for their health, safety or welfare, and to provide services to an essential business. | <ul style="list-style-type: none"> <input type="checkbox"/> Individuals may leave their homes to engage in essential activities. <input type="checkbox"/> Individuals may engage in outdoor exercise activities, provided they heed social distancing requirements. | <ul style="list-style-type: none"> <input type="checkbox"/> Individuals may leave their homes to: (i) obtain food, medicine, and other similar goods necessary for themselves or their family; (ii) obtain non-elective medical care and treatment and other similar vital services for themselves or their family; (iii) visit the home of a family member or another individual who, under the terms of a parenting plan or similar agreement, is entitled to visitation with or the care of a child; and (iv) travel to and from the individual's place of worship. <input type="checkbox"/> Individuals may leave their homes to provide essential government functions or provide services at essential businesses and operations, including minimum basic operations. <input type="checkbox"/> Individuals may engage in outdoor exercise activities, provided they heed social distancing requirements. |

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| PUBLIC GATHERINGS RESTRICTIONS | | | | |
|---|---|--|--|--|
| Louisiana | Nevada | New Mexico | Oregon | West Virginia |
| Statewide | Statewide | Statewide | Statewide | Statewide |
| <p><input type="checkbox"/> All public and private gatherings of 10 or more people are prohibited, except that such restrictions do not apply to normal operations at locations like airports, medical facilities, office buildings, factories or manufacturing facilities or grocery stores.</p> | <p><input type="checkbox"/> The State’s order regarding business restrictions does not address public gatherings. However, in a separate directive, the Governor provided that all public and private gatherings of 10 or more people are prohibited, except as necessary for those living in the same household, those working at or patronizing an essential business, or those providing an essential service.</p> | <p><input type="checkbox"/> All public and private gatherings of 5 or more people that occur outside a single household or living unit are prohibited.</p> | <p><input type="checkbox"/> All public and private gatherings of any number of people that occur outside a single household or living unit are prohibited.</p> | <p><input type="checkbox"/> All public and private gatherings of any number of people that occur outside a single household or living unit are prohibited.</p> |

**COVID-19 – KEY PROVISIONS TRACKER FOR SHELTER IN PLACE, SAFER AT HOME,
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| BUSINESS RESTRICTIONS | | | | |
|---|--|--|--|---|
| Louisiana | Nevada | New Mexico | Oregon | West Virginia |
| Statewide | Statewide | Statewide | Statewide | Statewide |
| <ul style="list-style-type: none"> □ Certain non-essential businesses shall be closed to the public, except to conduct necessary activities. □ Necessary activities for purposes of the order means: payroll, cleaning services, maintenance and/or upkeep, as necessary. □ Certain non-essential businesses include: <ul style="list-style-type: none"> ➢ All places of public amusement, whether indoors or outdoors (including, but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, trampoline parks, aquariums, zoos, museums, arcades, fairs, pool halls, children's play centers, playgrounds, theme parks, any theaters, concert and music halls, adult entertainment venues, racetracks, and other similar businesses); ➢ All personal care and grooming businesses (including, but not limited to, barber shops, beauty salons, nail salons, spas, massage parlors, tattoo parlors, and other similar businesses); and ➢ All malls, except for stores in a mall that have a direct outdoor entrance and exit and that provide essential services and products (as provided by CISA Guidance). □ Louisiana defines “essential worker functions” by deferring to the federal Cybersecurity and Infrastructure Security Agency (“CISA”) guidance on critical infrastructure, which outlines 16 critical sectors and states (“CISA Guidance”): <ul style="list-style-type: none"> (i) For businesses, the focus during this response is maintaining the businesses and services that enable continued economic and social vitality. It is not | <ul style="list-style-type: none"> □ All businesses and operations in the State of Nevada, except for essential businesses and operations, are required to cease all activities, except as otherwise provided below. □ Examples of non-essential business closures include: <ul style="list-style-type: none"> ➢ Those which promote recreational and social gathering activities (including but not limited to, recreation centers, sporting event venues, clubhouses, nightclubs, movie theaters, massage parlors, adult entertainment establishments, brothels, and live entertainment venues); and ➢ Those that promote extended periods of interaction where transmission risk is high (including, but not limited to, fitness establishes such as gyms, beauty shops, barber shops, nail salons, tanning salons and wax salons). □ Businesses not delineated as non-essential may continue operations, except for retail sales, provide they (i) heed social distancing requirements, (ii) perform operations without contact with the general public, (ii) provide services without causing members of the general public to congregate in violation of social distancing requirements. | <ul style="list-style-type: none"> □ All businesses and operations in the State of New Mexico, except for essential businesses, are required to cease all activities. □ Businesses may continue operations involving employees or contractors performing activities at their own residences. | <ul style="list-style-type: none"> □ Certain non-essential business are required to cease all activities. Non-essential businesses include: <p>Amusement parks, aquariums, arcades, art galleries, barber shops and hair salons, bowling alleys, cosmetic stores, dance studios, esthetician practices, fraternal organization facilities, furniture stores, gyms and fitness studios, hookah bars, indoor and outdoor malls, indoor party places, jewelry shops and boutiques, medical spas, facial spas, day spas, non-medical massage therapy services, museums, nail and tanning salons, non-tribal card rooms, skating rinks, senior activity centers, ski resorts, social and private clubs, tattoo parlors, tennis clubs, theaters, yoga studios, and youth clubs.</p> □ Any retail business not included above must cease all activities, <u>unless</u> the business designates an employee or officer to establish, implement and enforce social distancing policies, consistent with guidance from the Oregon Health Authority. □ Work from offices is prohibited where telework and work-from home options are available. □ Businesses may continue operations involving employees or contractors performing activities at their own residences. | <ul style="list-style-type: none"> □ All businesses and operations in the State of West Virginia, except for essential businesses and operations, are required to cease all activities, except to perform minimum basic operations. □ Minimum basic operations means: <ul style="list-style-type: none"> (i) The minimum necessary activities to maintain the value of the business’s inventory, preserve the condition of the business’s physical plant and equipment, ensure security, process payroll and employee benefits, or related functions; and (ii) The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences. □ Businesses, including home-based businesses, may continue operations involving employees or contractors performing activities at their own residences. □ Additionally, small businesses that do not invite in the general public and which have 5 or less employees in the office may continue to operate, provided they heed social distancing requirements. □ All places of amusement, whether indoors or outdoors, must close. Examples of closings include: locations with amusement rides, carnivals, zoos, museums, arcades, fairs, pool halls, bingo halls, malls, children’s play centers, playgrounds, bowling alleys, movie and other theaters, concert and music halls, adult |

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| BUSINESS RESTRICTIONS | | | | |
|--|------------------|-------------------|------------------|---|
| Louisiana | Nevada | New Mexico | Oregon | West Virginia |
| Statewide | Statewide | Statewide | Statewide | Statewide |
| <p>focused on maintaining business as usual nor is it trying to sustain the operating capacity of non-critical businesses and industries.</p> <p>(ii) Critical functions within supply chains should be considered (e.g., third-party vendors, suppliers, service providers, and contractors) when necessary to maintain critical operations and services, and to avoid or resolve possible interruptions to the supply chain.</p> <p><input type="checkbox"/> In addition, any business not covered by the CISA Guidance and not otherwise ordered closed shall reduce operations to continue with minimum contact with members of the public and essential employees. Further, the 10-person limitation on gathering size shall apply to such business operations. Early learning centers and childcare facilities adhering to additional guidance are exempt.</p> | | | | entertainment venues, racetracks, and social clubs. |

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| EXEMPTS BUSINESSES, SECTORS, OPERATIONS, AND/OR SERVICES FROM BUSINESS RESTRICTIONS | | | | |
|---|--|--|---|--|
| Louisiana | Nevada | New Mexico | Oregon | West Virginia |
| Statewide | Statewide | Statewide | Statewide | Statewide |
| <p>□ <u>Exempt essential worker functions include the 16 federal critical infrastructure sectors as outlined by CISA.</u> The 16 critical sectors are used by CISA to identify key groups of employees to ensure infrastructure functioning, so to sustain normal day-to-day services for these critical areas. CISA’s critical sectors are intentionally broad to include a wide range of stakeholders who either directly or indirectly enable the functionality of infrastructure systems.</p> <p>□ <u>The exempt 16 critical infrastructure sectors include:</u></p> <ul style="list-style-type: none"> ➤ Chemical Sector; ➤ Commercial Facilities Sector; ➤ Communications Sector (includes voice services; terrestrial, satellite, and wireless transmission services; and satellite, wireless and wireline providers); ➤ Critical Manufacturing Sector (includes primary metals manufacturing; machinery manufacturing; electrical equipment, appliance, and component manufacturing; and transportation equipment manufacturing); ➤ Dams Sector; ➤ Defense Industrial Base Sector; ➤ Emergency Services Sector (includes law enforcement, fire and rescue services, emergency medical services, emergency management, and public works); ➤ Energy Sector (includes electricity, oil and gas sourcing, production and supply); ➤ Financial Services Sector (includes depository institutions, providers of investment products, insurance companies, other credit and financing | <p>□ <u>Exempt essential businesses and operations include the 16 federal critical infrastructure sectors outlined by the CISA</u> (see <i>Louisiana</i> section adjacent for the full list of CISA sectors).</p> <p>□ <u>Other exempt essential businesses and operations include:</u></p> <ul style="list-style-type: none"> ➤ Essential healthcare operations; ➤ Essential infrastructure operations; ➤ Grocery stores and retailers that sell food items or other household consumer products; ➤ Businesses that ship or deliver goods directly to residences; ➤ Businesses that sell or rent medical supplies; ➤ Licensed cannabis entities; ➤ Pet supply stores; ➤ Animal shelters; ➤ Banks and financial institutions; ➤ Pawnbrokers as defined in NRS 646.010; ➤ Restaurants and food establishments (only for take-out, pick-up, drive-through or delivery); ➤ Businesses and other entities that provide food, shelter, or social services for economically disadvantaged individuals, vulnerable populations, or victims of crime; ➤ Hardware stores; ➤ Auto-supply, automobile repair facilities and tire shops; ➤ Laundromats and dry cleaners; ➤ Warehouse and storage facilities; ➤ Mail and shipping services; ➤ Businesses that supply products necessary for people to work from home or on a pick-up or delivery basis; ➤ Plumbers, electricians, exterminators, home security, and other service providers who provide services | <p>□ <u>Exempt essential businesses include:</u></p> <ul style="list-style-type: none"> ➤ Health care operations; ➤ Homeless shelters, food banks, and other services providing care to needy populations; ➤ Childcare facilities necessary to provide services to those workers employed by essential businesses; ➤ Grocery stores and businesses that sell food, beverage and household consumer products; ➤ Food, beverage and agriculture services; ➤ All facilities used by law enforcement personnel, first responders, firefighters, emergency management personnel, and dispatch operators; ➤ Infrastructure operations; ➤ Manufacturing operations; ➤ Services necessary to maintain the safety and sanitation of residences and essential businesses; ➤ Media services; ➤ Gas station, automobile repair facilities, automobile repair retailers; ➤ Hardware stores; ➤ Laundromats and dry cleaner services; ➤ Utilities (including their contractors and suppliers); ➤ Funeral homes, crematoriums and cemeteries; ➤ Banks, credit unions, insurance providers, payroll services, brokerage services, and investment management firms; ➤ Real estate services ➤ Businesses providing mailing and shipping services; ➤ Laboratories and defense and national security-related operations supporting the United States | <p>□ All businesses not included as non-essential in the <i>Business Restrictions</i> section above are exempt and may maintain operations, provided such businesses adhere to telework/work-from-home requirements when applicable, and all social distancing requirements.</p> <p>□ Businesses that maintain in-person operations must designate an employee or officer to establish, implement, and enforce social distancing policies.</p> <p>□ <u>Other specific exempt businesses and services include:</u></p> <ul style="list-style-type: none"> ➤ Grocery services; ➤ Health care services; ➤ Medical services; ➤ Pharmacy services; ➤ Pet care services; ➤ Essential government functions; ➤ Restaurants and other food establishments (only for take-out, pick-up, drive-through or delivery); and ➤ Childcare facilities (if limited to groups of 10 or fewer children and essential service providers receive priority). | <p>□ <u>Exempt essential businesses and operations include the 16 federal critical infrastructure sectors outlined by the CISA</u> (see <i>Louisiana</i> section adjacent for the full list of CISA sectors).</p> <p>□ <u>Other exempt essential businesses and operations include:</u></p> <ul style="list-style-type: none"> ➤ Healthcare, public health operations, and health insurance companies; ➤ Grocery stores and pharmacies; ➤ Food, beverage, and agriculture services; ➤ Essential government functions; ➤ Human services organizations; ➤ Childcare facilities and providers; ➤ Essential infrastructure; ➤ Coal mining and coal-fired electric generation facilities; ➤ Manufacturing, distribution, and supply chain services for critical products and industries; ➤ Transportation and travel related businesses; ➤ Gas stations; ➤ Financial and insurance institutions; ➤ Hardware and supply stores; ➤ Restaurants and food establishments (only for take-out, pick-up, drive-through or delivery); ➤ Critical trades (including, but not limited to, building and construction workers, plumbers, electricians, exterminators, and other service providers that are necessary to maintain the safety, sanitation, and essential operation of residences, essential activities and other essential businesses and operations); ➤ Mail, post, shipping, logistics, delivery, and pick-up services; ➤ Religious entities; ➤ Educational institutions; 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| EXEMPTS BUSINESSES, SECTORS, OPERATIONS, AND/OR SERVICES FROM BUSINESS RESTRICTIONS | | | | |
|---|--|---|------------------|---|
| Louisiana | Nevada | New Mexico | Oregon | West Virginia |
| Statewide | Statewide | Statewide | Statewide | Statewide |
| <p>organizations, and the providers of the critical financial utilities and services that support these functions);</p> <ul style="list-style-type: none"> ➤ Food and Agriculture Sector (includes farms, restaurants, food manufacturers, processors, and storage facilities); ➤ Government Facilities Sector; ➤ Healthcare and Public Health Sector; ➤ Information Technology Sector (includes the production and provision of hardware, software, and information technology systems and services, and the Internet); ➤ Nuclear Reactors, Materials, and Waste Sector; ➤ Transportation Systems Sector (includes aviation, highway and motor carriers, maritime transportation, mass transit and passenger rail, pipeline systems, freight rail, postal and shipping); and ➤ Water and Wastewater Systems Sector. | <p>necessary to maintain the safety, sanitation, and essential operations of residences of businesses;</p> <ul style="list-style-type: none"> ➤ Professional services (such as legal services and accounting services); ➤ Child care facilities; ➤ Residential facilities for seniors, adults, and children; ➤ Newspapers, television, radio and other media services; ➤ Hotels, motels, and similar lodging operations; and ➤ Gas stations. | <p>government or a contractor to the government;</p> <ul style="list-style-type: none"> ➤ Restaurants, breweries and distillers (only for delivery or carry-out); ➤ Professional services (such as legal and accounting services, but only where necessary to assist in compliance with legally mandated activities); and ➤ Logistics and businesses that store, ship, and deliver groceries, food, goods or services directly to residences or retailers. | | <ul style="list-style-type: none"> ➤ Laundry services; ➤ Businesses that provide supplies necessary to work from home; ➤ Businesses that provide supplies for other essential businesses and operations; ➤ Home-based care and services; ➤ Residential facilities and shelters; ➤ Professional services (such as legal services and accounting services); ➤ Media and first amendment protected speech; ➤ Hotels and motels; and ➤ Funeral services. |

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| PENALTIES | | | | |
|--|---|--|---|---|
| Louisiana | Nevada | New Mexico | Oregon | West Virginia |
| Statewide | Statewide | Statewide | Statewide | Statewide |
| <p><input type="checkbox"/> Criminal penalties, although guidance is not yet clear:</p> <p>Although the order provides that it will be enforced under La. R.S. 29:271, <i>et seq.</i>, and La. R.S. 29:760, <i>et seq.</i>, such statutes are unclear as to whether civil or criminal penalties apply to certain violations. However, the State website states that is working with local law enforcement to support the order, and certain local district attorneys have stated that violators may be subject to fines or imprisonment.</p> | <p><input type="checkbox"/> Civil and criminal penalties:</p> <p>The order provides that businesses that do not comply with the order, after receiving written notice from law enforcement, may be subject to criminal prosecution and civil penalties under NRS 202.595, NRS 202.450 and any other applicable statute, ordinance, or regulation.</p> | <p><input type="checkbox"/> Civil and criminal penalties, although guidance is not yet clear:</p> <p>The order does not specify the enforcement and penalties for violating the order; however, a press release stated that the state has increased surveillance of businesses to ensure compliance. The press release states that violators of the order could lose their licenses to operate and face civil or criminal penalties.</p> | <p><input type="checkbox"/> Criminal penalties:</p> <p>The order is a public health law, as defined in ORS 431A.005, and may be enforced as permitted under ORS 431A.119. Additionally, any person found to be in violation of this order is subject to the penalties described in ORS 401.990.</p> <p>ORS 401.990 states that any person knowingly violating any provision or order adopted and promulgated under this chapter, shall upon conviction, be guilty of a Class C misdemeanor, which includes up to 30 days in jail and/or a fine up to \$1,250.</p> | <p><input type="checkbox"/> Civil and criminal penalties, although guidance is not yet clear:</p> <p>No formal guidance has yet been provided on penalties or liabilities for violations. The order provides that it is to be enforced by State and local law enforcement, as well as state and local regulatory and/or licensing bodies, to the extent possible under West Virginia law.</p> |