

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

Number	Date Signed	Summary of Provisions	Expiration
202	3/7/20	<ul style="list-style-type: none"> • Establishes a State of Emergency due to the COVID-19 Crisis • Ability to Award Emergency Contracts and Relocate State allows emergency contracts, leases for state services, the ability to relocate state services and contracts for professional services until September 7th. • Emergency Purchasing Ability (Procurement): Allows for the purchase of necessary commodities, services, technology, and materials without following the standard notice and procurement processes until September 7th. • Emergency Purchasing Ability (Centralized Service fund): Allows for purchase of food, supplies, services, and equipment or furnish or provide various centralized services, in responding to and recovering from the disaster emergency until September 7th. • Emergency Purchasing Ability (OSC Approval): purchase necessary goods and services without following the standard procurement processes until September 7th. • Ability to Use Registered Out of State Vehicles: Suspension or modification of Sections 375, 385 and 401 Of Vehicle and Traffic Law which allows valid out of state vehicles to respond to COVID-19 until September 7th. • Governor Authority to Regulate Traffic: • Unlicensed Individuals Can Provide COVID-19 Testing: • Wave or Revise Eligibility Criteria for Health Care Services Contracts: • Health Commissioner Can Issue Emergency Regulations (Facilities): • Changes Related to Discharge, patient rivew and Transfer and Receiving of Patients: • Containment of Individuals with COVID-19: • Allows for emergency medical service personnel to provide community paramedicine, transportation to destinations other than hospitals or health care facilities, telemedicine to facilitate treatment of patients in place until September 7th. • Allows for nursing supervision visits for personal care services provided to individuals affected by the disaster emergency be made as soon as practicable until September 7th. • Permits individuals who meet the federal requirements for high complexity testing to perform testing for the detection of SARS-CoV-2 in specimens collected from individuals suspected of suffering from a COVID-19 infection until September 7th. 	April 6, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
- 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52, 202.56, 202.61, 202.62, 202.63 **all extended by 202.79**
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		<ul style="list-style-type: none"> Permits physicians and certified nurse practitioners to issue a non-patient specific regimen to nurses or any such other persons authorized by law or by this executive order to collect throat or nasopharyngeal swab specimens from individuals suspected of suffering from a COVID-19 infection until September 7th. Allows for rapid approval of the use of the telemental health services, including the requirements for in-person initial assessment prior to the delivery of telemental health services, limitations on who can deliver telemental health services, requirements for who must be present while telemental health services are delivered until September 7th. Procurement of Educational Cleaning Supplies: Permits the Public Health and Health Planning Council and the State Emergency Medical Services Council to meet virtually. 	
202.1	3/12/20	<ul style="list-style-type: none"> Statutes requiring prompt payment under the Public Authorities Law are suspended to allow for the purchase of equipment, materials, supplies or services without following the standard procurement processes. Suspends laws related to acquisition of goods or services for \$15,000 or more, where contracts for services over \$100,000 require board approval regardless of the period over which services are being rendered, and the Board may SBVO and MWBE contracts of >\$400,000. Suspends laws related to awarding construction contracts over \$10,000 pursuant to applicable city requirements, and where contracts under \$10,000 do not require a public hearing. Suspends formal bid process for certain contracts Permits meetings to be held via telephone Changes to Hospital Physical Plant and Bed Capacities: Construction of Temporary Hospital Locations: Allows clinical laboratories to operate temporary collecting stations for purposes of COVID-19 testing. Expansion of Capacity for Facilities Certified under Article 16 of the Mental Hygiene Law. New Requirements for Transporting Individuals Receiving Services from the Office of Mental Health. Rapid Discharge of Patients Receiving Treatment from OMH facilities Allowance for Individuals Receiving Services under the Mental Hygiene Law to Receive Services for Immediate or Acute Needs from Different Providers. Telehealth screenings for social service providers 	April 11, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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		<ul style="list-style-type: none"> • Modifies covered health care services, increase subsidy payments, and provide for extension for required reports. • Permit Physicians and Nurses to Issue Non-Patient Specific Regimens for COVID-19 Testing. • Permit Rapid Discharge from General Hospitals and Nursing Homes • Allow Practitioners to Deliver Services Via Technology to Existing Patients. • Changes to the capacity and ratio limits for child day care centers. Waiver of Training and Inspection Requirements; Waiver of Fees for Statewide Register of Child Abuse and Maltreatment. • Suspension of Assessment and Screening Prior to Delivery of Meals to the Elderly Under Expanded In-Home Services for the Elderly Program • Suspension of Reassessments Due to a Change in Circumstance Under EISEP, And Continuation of EISEP for More than 12 Months • Suspension of Requirements for Apportionment of School Aid: • Allows for defendants in criminal proceedings to appear via video • Suspends the waiting periods for UI due to COVID • Allow Assistance to Residents of Nursing Homes with Completion of Absentee Ballot Applications and Voting. 	
202.2	3/12/20	<ul style="list-style-type: none"> • Suspension of Requirements for Absentee Ballots: • Reduction in the number of signatures required for petitions 	April 11, 2020
202.3	3/16/20	<ul style="list-style-type: none"> • Prohibition on non-essential gatherings of more than 50 people. • Closure of All Restaurants and Bars; • Closure of Facilities for Video Lottery Gaming or Casino Gaming: Closure of Gyms, Fitness Centers and Movie Theaters 	April 15, 2020
202.4	3/16/20	<ul style="list-style-type: none"> • Non-Essential Government Personnel to Work From Home: At least 50% of the total personnel of any government or subdivision should be deemed non-essential. • Closed schools (statewide) through 4/1/20 • March 17 Village Elections Postponed: 	April 15, 2020
202.5	3/18/20	<ul style="list-style-type: none"> • Allows for licensed physicians, nurses and physicians assistants in any state to practice in NY without penalty • Allowance for Transfers of Patients to Article 28 Facilities: • Permits expedited assessments, and physician approval, of individuals for admittance to nursing home facilities. 	April 17, 2020

Executive Order Batches

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		<ul style="list-style-type: none"> • Allowance for Health Agencies and Programs to Quickly Conduct In-Home Supervision of Home Health Aides: • Initial Patient Visits for Health Agencies to be Made within 48 hours of receipt a Return or Acceptance of a Referral: • Extension of Time For Home Care Service Entities to Submit Information to Home Care Worker Registry: • Requirement that Parties to a Fair Hearing Appear by Written, Telephonic, Video or Other Electronic Means: • Reimbursement to Medical Indemnity Fund Enrollees for Costs Related to Cleaning Residences Where Someone Has Had COVID-19. • Allowing Certain Privileged and Credentialed Health Care Providers to Work in New York State Health Facilities: suspension/modification to provisions of Public Health Law and the NYCRR to allow staff with necessary professional competency and who are privileged and credentialed to work in a facility in New York or in another state to practice in a facility in New York State. This is relevant for medical staff, nursing services staff, staff dealing in admissions/discharge, respiratory services, emergency services and critical care and special care services. • Adoption of Minimum Standards for Hospitals to Temporary Facility Created to Treat COVID-19 Patients: suspension/modification of Part 405 of Title 10 of the NYCRR (dealing with minimum standards of hospitals) to adopt existing policies and procedures in a new, temporary facility created for the purpose of treating patients during the COVID-19 outbreak. • Suspension/Modification of Rules Related to Energy Conservation Building Code, and Administration and Enforcement of the Same to Allow for Changes to Hospitals, Increases in Capacity and Construction of Temporary Hospital Locations. • Suspension/Modification of Rules to Prevent Transportation to and Attendance at Adult Day Care Programs. • Office of People with Development Disabilities May Take Emergency Action to Suspend/Limit a Provider's Operating Certificate. • Facilities Operated/Certified by Office of Persons with Development Disabilities May Temporarily Deviate from an Individual's Service Plan and Relocate Individuals in Order to Maintain Health and Safety of that Individual. • Restrictions on Visitors to Facilities Providing Services to People with Development Disabilities and Restrictions on Community Outings for Such Facilities in Order to Prevent Spread of COVID-19. • Allowance for Abbreviated Training of Direct Support Professionals and Professionals Employed at Facilities Providing Services to People with Development Disabilities that Are Experiencing Staffing Shortages. • Modification of background checks for child daycare • Suspends requirements for school age day care programs operated by OCFS. • Suspends waiting periods for certain UI claims. 	
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		<ul style="list-style-type: none"> Permits business corporations to utilize electronic consent in certain instances Suspension of Certain Public Hearings for Utilities. Postpones of any Village Election set to be Held March 18, 2020. Directive that All Indoor Common Portions of Retail Shopping Malls Stores with External Entrances May Remain Open, and Restaurants May Continue Take Out/Delivery Services. Closure of places of public amusement, exempts public parks and open recreation areas. Prohibits municipalities from issuing any mandates related to COVID-19 without DOH approval. 	
202.6	3/18/20	<ul style="list-style-type: none"> In-person workforce reduced by 50% Suspends certain qualifications to hold public office Lifts prohibitions against solicitations of gifts to assist the State. “Revolving Door” prohibitions do not apply to those assisting the state during the COVID crisis. Code of Ethics / Conflict of Interest Rules Do Not Apply to Those Assisting the State: Lobbyist Gift Rules Do Not Apply to Gifts Made in Furtherance of Response Effort: State Grant Gift or Bequest Rules Do Not Apply to Gifts in Furtherance of Facilitating Emergency Response:. 	April 17, 2020
202.7	3/19/20	<ul style="list-style-type: none"> In-Person Workforce Shall be Reduced by 75%: E-Notary: (Notarial acts required under state law may be performed using audio-video technology) 	April 18, 2020
202.8	3/20/20	<ul style="list-style-type: none"> Tolls the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding, as prescribed by the procedural laws of the state, including but not limited to the criminal procedure law, the family court act, the civil practice law and rules, the court of claims act, the surrogate’s court procedure act, and the uniform court acts, or by any other statute, local law, ordinance, order, rule, or regulation, or part thereof, until April 19, 2020 Provides for a period of validity and expiration of a driver’s license, in order to extend for the duration of this executive order the validity of driver’s licenses that expire on or after March 1, 2020; Extension of Period of Validity of Non-Driver Identification Cards: suspension of subdivision 1 of Section 491 of Vehicle Traffic Law in order to extend the duration of validity of non-driver identification cards that expire on or after March 1, 2020. Extension of Period of Validity of Vehicle Registration Certificates of Number Plates for Vehicles: suspension of Sections 401, 410, 2222, 2251, 2261 and 2282(4) of the Vehicle and Traffic Law in order to extend the duration of validity of registration certificates or number plates 	April 19, 2020

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		<p>for motor vehicles, trailers, motorcycles, snowmobiles, vessels, limit use vehicles and all-terrain vehicles that expire on or after March 1, 2020.</p> <ul style="list-style-type: none"> • Extends Period of Validity of Temporary Registration Documents: suspension of Section 420-a of Vehicle and Traffic Law to extend the duration of validity of temporary registration documents. • Suspension of section 602(a) and 605(a) of Business Corporation Law to the extent they require meetings of shareholders to be noticed and held at physical locations. • 100% of Workforce of Non-Essential Businesses • Prohibits Eviction or Foreclosure of Residential or Commercial Tenants for 90 days. • Prohibits In-Person Appointments at Department of Motor Vehicles: all in-person appointments at any state or county department of motor vehicles is canceled, and only on-line transactions will be permitted as of March 20 at 8:00 p.m. • Abatement of Interest for Certain Taxpayers for 60 days: authorization of abatement of interest for a period of 60 days for taxpayers who are required to file returns and remit sales and use taxes by March 20, 2020 for the sales tax period that ended February 29, 2020. 	
202.9	3/21/20	<ul style="list-style-type: none"> • Directs DFS to ensure that any licensed or regulated entity shall provide to any consumer in the state an opportunity for forbearance of mortgage payments for a person or entity facing financial hardship due to the COVID-19 pandemic. • DFS is authorized to promulgate regs that restrict fees for ATMs, overdraft fees and credit card late fees solely for the period of this emergency. 	
202.10	3/23/20	<ul style="list-style-type: none"> • Establishes a Ban on All Non-Essential Gatherings: • Requires general hospitals to take all measures necessary to increase the number of beds available to patients • Modifies the definition of “emergency medical services” to eliminate any restrictions on an approved ambulance services or providers operating outside of the primary territory listed on such ambulance service’s operating certificate and authorizes the Commissioner of Health to issue provisional emergency medical services provider certifications to qualified individuals with modified certification periods as approved; and to allow emergency medical services to transport patients to locations other than healthcare facilities with prior approval by Department of Health; • Permits certain RN’s to administer anesthesia in a general hospital or free-standing ambulatory surgery center without the supervision of a qualified physician in these health care settings; 	

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		<ul style="list-style-type: none"> • Permits a physician assistant to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty • Allows for a specialist assistant to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty related to a lack of oversight by a supervising physician; • Permits a nurse practitioner to provide medical services appropriate to their education, training and experience, without a written practice agreement, or collaborative relationship with a physician, without civil or criminal penalty • Provides that all physicians, physician assistants, specialist assistants, nurse practitioners, licensed registered professional nurses and licensed practical nurses shall be immune from civil liability for any injury or death alleged to have been sustained directly as a result of an act or omission by such medical professional in the course of providing medical services in support of the State's response to the COVID-19 outbreak, unless it is established that such injury or death was caused by the gross negligence of such medical professional; • Any healthcare facility is authorized to allow students, in programs to become licensed in New York State to practice as a healthcare professional, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement; • health care providers are relieved of recordkeeping requirements to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak • Allows for the Commissioner of Health to designate a health care facility as a trauma center, or extend or modify the period for which a health care facility may be designated as a trauma center, or modify the review team for assessment of trauma center; • Extends all existing emergency medical services provider certifications for one year; to permit the Commissioner of Health to modify the examination or recertification requirements for emergency medical services provider certifications; to suspend or modify, at the discretion of the Commissioner of Health, any requirements for the recertification of previously certified emergency medical services providers; and, at the discretion of the Commissioner of Health, develop a process determined by the Department of Health, to permit any emergency medical services provider certified or licensed by another State to provide emergency medical services within New York state; at the discretion of the Commissioner of Health, to suspend or modify equipment or vehicle requirements in order to ensure sustainability of EMS operations; • Removes limits on working hours for physicians and postgraduate trainees; 	
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		<ul style="list-style-type: none"> • Allow graduates of foreign medical schools having at least one year of graduate medical education to provide patient care in hospitals, is modified so as to allow such graduates without licenses to provide patient care in hospitals if they have completed at least one year of graduate medical education; • Permit general hospitals affected by the disaster emergency to maintain adequate staffing; • Allows general hospitals to use qualified volunteers or personnel affiliated with different general hospitals, subject to the terms and conditions established by the Commissioner of Health; • Allows permit radiologic technologists licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration; • Allows respiratory therapists licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure; • Allows physician’s assistants licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration; • Allows registered professional nurses, licensed practical nurses and nurse practitioners licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration; • Allows allow a hospice residence to designate any number of beds within such facility as dually certified inpatient beds; • Allows laboratories holding a Clinical Laboratory Improvement Acts (CLIA) certificate to perform covid testing. • Permits registered nurses to order the collection of specimens from individuals suspected of being infected by COVID-19, for purposes of testin • permit a certified or registered pharmacy technician to assist such licensed pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders, and providing home infusion services through a home care agency licensed under Article 36 of the Public Health Law. • Any healthcare facility is authorized to allow students, in programs to become licensed in New York State to practice a healthcare professional, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement; • The Commissioner of Health is authorized to direct, and shall so direct, all general hospitals, ambulatory surgery centers, office-based surgery practices and diagnostic and treatment centers to increase the number of beds available to patients, including by canceling all 	
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		<p>elective surgeries and procedures, as the Commissioner of Health shall define. General hospitals shall comply with such order by submitting COVID-19 Plans to the New York State Department of Health (NYSDOH), on a schedule to be determined by NYSDOH, to accomplish this purpose;</p> <ul style="list-style-type: none"> The Commissioner of Health is authorized to suspend or revoke the operating certificate of any general hospital should they be unable to meet the requirements of the necessary capacity directives; and notwithstanding any law to the contrary the Commissioner may appoint a receiver to continue the operations on 24 hours' notice to the current operator, in order to preserve the life, health and safety of the people of the State of New York. No pharmacist shall dispense hydroxychloroquine or chloroquine except when written as prescribed for an FDA-approved indication; or as part of a state approved clinical trial related to COVID-19 for a patient who has tested positive for COVID-19, with such test result documented as part of the prescription. No other experimental or prophylactic use shall be permitted, and any permitted prescription is limited to one fourteen day prescription with no refills. Any licensed health insurance company shall deliver to the Superintendent, no later than March 24, 2020 a list of all persons who have a professional licensure or degree, whether physician's assistant, medical doctor, licensed registered nurse, licensed nurse practitioner or licensed practical nurse, and whether or not the person has a currently valid, or recently (within past five years) expired license in the state of New York. The Department of Financial Services shall poll such individuals to determine whether or not such professionals would serve in the COVID-19 response effort. 	
202.11	3/27/20	<ul style="list-style-type: none"> Extension of school closings through April 15, 2020. Modifies provisions to allow for longer stays in DV shelters Modifies certain provisions to allow for certain medical professionals, including pharmacists and midwives, to practice and aide in the response to the COVID-19 pandemic in New York. ensure that physicians assisting in the State's response to COVID-19 in a facility owned or leased by SUNY and operated by SUNY are not excluded. Subdivision 1 of section 17 of the Public Officers Law extends to SUNY Upstate Hospital, SUNY Stony Brook University Hospital, and University Hospital SUNY Downstate, that is comprised of both compensated and uncompensated volunteers. This is effective through April 26. Suspension of 30 Day Residency Requirement for New York State Community Colleges: 	April 26, 2020

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Updated: 12/04/2020

		<ul style="list-style-type: none"> • Authorizes the director of the Authorities Budget Office to disregard deadlines of certain reports due to a failure by a state or local authority to meet the requirements proscribed within these sections during the period when a properly executed declaration of a state of emergency has been issued. • Suspension of Advertising for Bids and Offers, Opening and Reading of Bids for Contracts for Public Work, Letting of Construction Contracts and Requirements for Construction, Reconstruction and Improvement of a Throughway to Allow the Non-Public Opening of Bids • To allow individuals and businesses licensed by the Department of State to extend the expiration date of their license: • Articles 6-D (Installing Security or Fire Alarm Systems), 7 (Private Investigators, Bail Enforcement Agents and Watch, Guard and Patrol Agencies), 7-A (Security Guard Act), 8-B (Licensing of Armored Car Carriers), 8-C (Training and Registration of Armored Car Guards), 27 (Licensing of Nail Specialty, Natural Hair Styling, Esthetics and Cosmetology), 28 (Practice of Barbering), 35-B (Automobile Broker Business) 35-C (Operation of Pet Cemeteries and Pet Crematoriums), 37-A (Registration of Hearing Aid Dispensers), 39-E (Uniform Athlete Agents Act), 39-G (Document Destruction Contractors), 41 (Combative Sports), and Section 399-pp (Telemarketing and consumer fraud) of the General Business Law are amended, as necessary, to extend the time to renew a license to the 30th day following the expiration of this Executive Order; • Extend the time to renew a license RE Broker License, Black Car Operators and RE Appraisal Licenses: • Article 25 of the New York Arts and Cultural Affairs Law is amended, as necessary, to extend the time to renew a license to the 30th day following the expiration of this Executive Order; • Title 16 (Cooperation with municipalities), the Urban Development Corporation Act is suspended, to the extent a public hearing is required to effectuate a proposed • Suspension of \$35,000 limit for Retirees from public employment in calendar year 2020 • Extension of school closings through April 15 2020. • Clarification to restrictions on dispensing hydroxychloroquine or chloroquine. • Authorizes the issuance of tickets for violations of the ban on non-essential gatherings. • Any guidance issued by the New York State Department of Health related to prevention and infection control of COVID-19 shall be effective immediately and shall supersede any prior conflicting guidance issued by the State. 	
202.12	3/28/20	<ul style="list-style-type: none"> • Suspension of Provisions of Election Law so that Time to Mail the Annual Check of Registrants and Notice by Mail Shall be as Directed by the New York Board of Elections 	

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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- **202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> • Suspension of Provisions of the Tax Law to Authorize the Tax Commissioner to Disregard a Period of more than 90 days (but not more than 100 days) when a Disaster Emergency has Been Declared • Rescheduling the Presidential Primary and Special Elections (including 27th Congressional District, 12th Assembly District, 31st Assembly District, 136th Assembly District and 50th Senate District) that were to be Held on April 28, 2020 to June 23, 2020. • Requirement that Public Health Care Facilities Allow a Support Person Who Does not have a Fever to be Present to Support a Patient Giving Birth. 	
202.13	3/29/20	<ul style="list-style-type: none"> • Suspends sections of the Mental Health Law requiring certain background checks prior to beginning work for employees from the OCFS, OMH OASA and OPWDD • Extends the grace period for the payment of insurance premiums and fees for those facing financial hardships from the COVID-19 pandemic. • Modifies the banking law to apply provisions of a prior Executive Order related to policy cancellations to premium finance agencies. • Authorizes school districts to pay for the cost of certain child care services. • The Governor also issued several directives related to the eligibility of candidates for elections postponed under Executive Order 202.12. • Instruments required to be verified or acknowledged by the Superintendent of Financial Services may be verified or acknowledged by fax or electronic means. • Mandates that Non-essential state workers working from home would not be charged to their accruals until April 16, 2020. • Specifies that Non-essential construction businesses are directed to comply with the in-person workforce reduction directive from Executive Order 202.6. • Specifies that certain Executive Orders which closed or restricted public or private businesses or places of public accommodation would have their expiration dates aligned to April 15, 2020. • Modifies a previous directive related to the presence of a support person during labor and delivery to include the immediate postpartum period. 	April 28, 2020
202.14	4/7/20	<ul style="list-style-type: none"> • Permits medical students to practice before graduation, allowing healthcare volunteers to name guardians for children, extension of insurance policies and ability to wave late fees. • Mandatory reporting to DOH of health equipment needed for COVID by medical professionals. • All in-person business restrictions and workplace restrictions will be effective until 11:59 p.m. on April 29, 2020. • Fines for violating restrictions are \$1,000. 	

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> • Extends the closure of all schools until April 29, 2020 • Permits the witnessing of certain legal documents by video 	
202.15	4/9/20	<ul style="list-style-type: none"> • Permits the distribution of certain water produced from manufacturers certified in New York to distribute water products without a NYS DOH certificate number on the label. • Authorizes prescription drug manufacturers/repackers/wholesalers outside New York and not registered in New York but registered in another state to deliver prescription drugs or devices into New York. • Allowance for New York-licensed pharmacies to receive drugs and medical supplies or devices from unlicensed pharmacies/wholesalers/third-party logistics providers in another state under certain conditions. • Allowance for graduates from medical programs in New York State in 2020 to practice medicine in New York State without need to obtain a license. • Limitation of the Department of Health’s review functions to essential matters during the COVID-19 health crisis and tolling statutory time limits for transfer notices for health care facilities and agencies. • Allowance for Protestant Episcopal parishes to postpone annual elections. • Suspension of certain Environmental Conservation Laws in order to suspend the requirement that public hearings are required, provided that public comments shall still be accepted electronically or by mail to satisfy public participation requirements. • Suspension of certain Environmental Conservation Laws related to processing permit applications to the extent necessary to suspend public hearings provided that public comments may be accepted as written submissions electronically or by mail or that any required appearances may be done by teleconferencing or other electronic means. • Suspension of certain Environmental Conservation Laws to the extent necessary to suspend public meetings prior to selection of a final remedy at inactive hazardous waste disposal sites and public meetings at certain brownfield cleanup program sites provided that written comments on proposed remedies can continue to be submitted and evaluated in remedial decision. • Suspension of Administrative Procedures Act Section 202(2)(a) to the extent necessary to extend the expiration date of notices of proposed rulemakings until 90 calendar days after this Executive Order terminates (July 8, 2020). Administrative Procedures Act Section 202(2)(a) provides that a notice of proposed rulemaking shall expire unless the proposed rule is adopted by the agency and filed with the secretary of 	

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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<p>state within 365 days after the latter of: (i) the publication in the state register of a notice of proposed rulemaking for the rule; or (ii) the date of the last public hearing announced in a notice of proposed rulemaking for the rule.</p> <ul style="list-style-type: none"> • Delay the April 1 requirement that parents must file transportation requests with their school district in order to obtain transportation for their children the following school year. • Allowance for respiratory therapy technicians licensed in the U.S. to practice in New York. • Allowance for therapists/mental health counselors licensed in the U.S. to practice in New York. • Allowance for funeral directors licensed in the U.S. to practice in New York upon approval of the Commissioner of Health provided that the funeral director is supervised by a funeral director licensed and registered in New York. • Allowance for a funeral director licensed but not registered in New York to practice in New York upon approval of the Commissioner of Health provided that the funeral director practices under the supervision of a funeral director licensed and registered in New York. • Allowance for persons deputized by the Commissioner of Health to be agents to supervise and arrange the delivery of deceased persons to the cemetery or crematory. • Permission for the State Registrar to register death certificates and issue burial and removal permits upon the request of a local registrar upon approval of the Commissioner of Health. • Any local official, state official or local government or school which by virtue of law has a public hearing scheduled or required to take place in April or May 2020 shall be postponed until June 1; however, such hearing may continue if the convening public body is able to hold the public hearing remotely through use of telephone or video conference or other similar service. • Permits Tax and Finance to accept digital signatures on documents • Absentee ballots can be granted based on temporary illness, which shall include the potential for contraction of COVID-19 virus, for any election held on or before June 23, 2020. • For any election held on or before June 23, 2020, electronic applications are allowed with no requirement for in-person signature or appearance to be able to access an absentee ballot. 	
<p>202.16</p>	<p>4/12/20</p>	<ul style="list-style-type: none"> • Through May 12, 2020, certain duties and qualifications of clinical laboratory technical personnel are modified. • Through May 12, 2020, certain Real Property Laws, Multiple Dwelling Laws and any other laws that would otherwise create a landlord tenant relationship between an individual assisting with the response to COVID-19 or an individual displaced due to COVID-19 and any individual or entity providing temporary housing for a period of 30 days or more (including a hospital, hotel owner, etc.) are modified. 	

Executive Order Batches

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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> The NYC Department of Law shall issue no-action or no-filing letters received between the date of this EO and May 12, 2020 for essential projects involving affordable housing and homeless shelters. Caucuses scheduled to take place in April or May 2020 shall be postponed until June 1, 2020; however, such caucus may continue if it is able to be held remotely. All essential businesses or entities or employees who are present in the workplace shall be provided and shall wear face coverings when in direct contact with customers or members of the public. Businesses must provide such face coverings for their employees at their expense. 	
202.17	4/15/20	<ul style="list-style-type: none"> The directive in EO 202.16 regarding no-action and no-filing letters is amended to require that such letters be issued by the Attorney General. Requires mask wearing while in public 	
202.18	4/16/20	<ul style="list-style-type: none"> Suspension of certain laws in order to allow nurses, physicians, physicians assistants and radiologic technologists, social workers and other health services professionals who are licensed and in current good standing in Canada to practice in New York State. Suspension of certain laws to allow respiratory therapists, specialist assistants, dentists, pharmacists, clinical lab technologists, mental health counselors and various other health services professionals who have unencumbered licenses and are currently in good standing in New York but not registered in New York to practice in New York. Suspension of various laws to permit graduates of State Education Department registered, licensure qualifying nurse practitioner education programs and clinical laboratory technology and clinical laboratory technician education programs to be employed and practicing for 180 days immediately following successful completion of New York State Registered licensure qualifying education programs. Suspension of laws to extend triennial registrations of pharmacy establishments and domestic or foreign professional service corporations and LLCs, LLPs, design professional service corporations, and joint enterprises authorized to provide professional engineering, land surveying or professional geology services currently set to expire on or after March 31, 2020. Suspension of certain Business Corporation Laws and Partnership Laws in order to extend the statements of domestic or foreign professional service corporations, design professional service corporations registered professional LLPs and New York registered foreign professional LLPs whose statements are set to expire on or after March 31, 2020. Suspension of certain laws to extend waivers for certain special education schools and early intervention programs whose waivers are set to expire on or after March 31, 2020. 	

Executive Order Batches

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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> • Suspension of laws to permit pharmacy technicians and pharmacists to practice at an alternative location as long as there is adequate security to prevent Personal Health Information from being compromised. • Suspension of Section 603(b) of the Not-for-Profit Corporations Law in order to permit annual meetings of members to be held remotely or by electronic Means. Section 603(b) of the Not-for-Profit Corporations Law requires member meetings to be held annually for the election of directors and the transaction of other business on a date fixed by or under the by-laws. • Suspension of laws related to In-Home Services for the Elderly Programs making home-delivered meals available to people age 60 or older who do not meet listed eligibility requirements and adding leniency to the percentages of dietary reference intake, approval by dietitians, frequency of meal delivery, supervisory visits, menus, required client contacts, and payment of cost-sharing. • Suspension of laws related to conversions to coops and condominiums to the extent that they require an offering statement or prospectus to become effective within 15 months from filing and such 15-month period shall be tolled during the duration of this EO. • Suspension of laws related to real estate syndication offerings, and to the extent that they require certain filing fees to be made at the time of submission and filing of each offering statement or prospectus, they shall be exempted during the duration of this EO. • Suspension of laws that require condominium building sponsors to set forth a budget for the first year of condominium operation and tolling such requirements for the duration of this EO. • Suspension of laws that require condominium building sponsors to offer rescission if the first closing of a unit does not occur within the first year of operation and tolling such requirements for the duration of this EO. • Suspension of laws to allow clinical laboratory practitioners to perform testing in a clinical lab under remote supervision. • Suspension of laws related to superannuation retirement to waive the 15-day waiting period in which a service retirement application must be on file before it becomes effective thus enabling any member who has died due to COVID-19 after March 7, 2020, while an application was on file but not yet effective, to be entitled to retirement benefits. • Directive that any skilled nursing facility, nursing home or adult care facility shall notify family members/next of kin if any resident tests positive for COVID-19. • Directive that anyone using public or private transportation carriers or other for-hire vehicles who can wear a face covering mask shall do so during any such trip and persons operating such transport must do the same. • Extension of EOs that closed or restricted public or private businesses or places of public accommodation and cancellations or postponements of gatherings through May 15, 2020. 	
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Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> Requirement that schools shall remain closed through May 15, 2020. 	
202.19	4/17/20	<ul style="list-style-type: none"> Suspension of law to allow a business that receives federal Paycheck Protection Program funding and subsequently rehires employees to provide the notice required under Labor Law as soon as practicable but not necessarily within 90 days Directive that the Department of Health establish a coordinated testing prioritization process, prohibiting the practice of any lab reserving testing for any private or public entity. Increasing the penalty set forth in EO 202.18 regarding the requirement that nursing homes notify family members if any resident tests positive for COVID-19 to \$2,000 per violation per day. Directive that no local government or department of health may take any actions that would affect public health without consulting the state department of health. 	May 17, 2020
202.20	4/18/20	<ul style="list-style-type: none"> Suspension of Domestic Relations Law to permit people whose marriage licenses expired during the time New Yorkers were required to maintain social distance to waive the 60 days required to obtain a license. Suspension of Domestic Relations Law to permit people who were unable to marry within the time frame issued on their marriage license to waive fees necessary to obtain a second marriage license. Directive that any issuance of a marriage license or witnessing or solemnizing of a marriage ceremony may be performed using audio-video technology provided that certain conditions are met. 	May 18, 2020
202.21	4/19/20	<ul style="list-style-type: none"> Modification of directive in EO 202.20 regarding solemnizing marriage ceremonies to expressly include any officiant as able to perform a marriage ceremony utilizing audio-video technology. 	May 19, 2020
202.22	4/20/20	<ul style="list-style-type: none"> Real Property Tax Laws that require a tentative assessment roll to be filed on or before June 1, 2020 to allow filing up to 30 days later. Real Property Tax Law to the extent necessary to allow the commissioner of taxation and finance to certify final state equalization rate, class ratios and class equalization rates no later than 10 days prior to the last date set by law for levy of taxes of any municipal corporation to which said rates are applicable. Real Property Tax Law and Laws of Westchester County to allow the County Executive to negotiate with any town supervisor or mayor to accept a lesser percentage of taxes that are otherwise due on May 25. Suspension of Laws of Westchester County to the extent necessary to require the supervisor of a town to waive payment of penalties for late payment of county and county district taxes and of city and city district taxes and assessments in the same manner. 	May 20, 2020

Executive Order Batches

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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> Suspension of Nassau County Administrative Code to the extent necessary to allow the Nassau County Executive to extend the deadline to pay the final ½ of school taxes upon real estate in such county to June 1, 2020 without interest or penalty. 	
202.23	4/24/20	<ul style="list-style-type: none"> The Commissioner of Health may suspend any skilled nursing facility or adult care facility if it is determined that such facility has not complied with any directive and if determined not to be in compliance with any law, the Commissioner may appoint a receiver. Requires distribution of absentee ballots for the June 23, 2020 election 	May 24, 2020
202.24	4/25/20	<ul style="list-style-type: none"> Authorizes pharmacists to order and administer COVID-19 tests Designates pharmacists as a qualified health professional for the purpose of directing a limited service laboratory to test patients for COVID-19 or its antibodies. The special election to be held for the 37th City Council district is canceled and such office shall be filled at the general election. 	May 25, 2020
202.25	4/29/20	<ul style="list-style-type: none"> Authorizes the Commissioner DOH to approve and certify temporary dedicated birthing sites. Directives in EO 202.13 and 202.12 are modified to require that patients giving birth may have a support person with them who does not have symptoms of COVID-19 for labor, delivery and the remaining duration of patient's stay. The directive in EO 202.10 authorizing the Commissioner of Health to direct hospitals and health care centers to increase beds available for patients and canceling elective surgeries is modified to authorize general hospitals to perform elective surgeries as long as certain criteria are met (e.g., within a county, the total available hospital inpatient capacity is over 30% and total available hospital ICU capacity is over 30%). 	May 29, 2020
202.26	5/1/20	<ul style="list-style-type: none"> Authorizes the BOE to procure and provide absentee ballots to voters without usual advertising for bids and offers Annual district meetings and annual meetings of every city school district in a city with less than 125,000 inhabitants that was scheduled in May is rescheduled to June 9, 2020. Trustees or boards of education each such school district shall provide notice of such adjourned and rescheduled meeting to qualified voters. Report cards may be submitted to the State Education Department no later than 18 days prior to the date of the adjourned meeting. Contraction of the COVID-19 virus shall be deemed a temporary illness. Any election held on or before June 30, 2020 shall require every eligible voter to be sent an absentee ballot with a postage paid return envelope. Candidates shall be listed on ballots alphabetically. Minimum thresholds of signatures required to be placed on the ballot shall be eliminated. 	May 31, 2020

Executive Order Batches

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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> • Public libraries are authorized to re-notice an election notice. • School ballot funding propositions for public association libraries may take place on the absentee ballot used to administer the school district's budget vote. • The requirement for an application to access an absentee ballot shall be eliminated for any library election to be held on or before July 1, 2020 and each eligible voter shall be mailed an absentee ballot. • Certain provisions of Election Law are suspended and modified for village elections to be held on September 15, 2020 in order to, among other things, reschedule any village election previously scheduled to be held in March, April, May or June 2020 to be held on September 15, 2020. • Absentee ballots shall be provided to voters for primary or special elections to be held on June 23, 2020 with postage paid return envelopes. • Any absentee ballot submitted by a voter who requested such ballot for the prior date of any election that was canceled and rescheduled due to COVID-19 shall be cast and canvassed unless otherwise invalid. • For any election held before July 1, 2020, upon transmitting an absentee ballot to voters, the board of elections shall provide a voting system that is accessible for voters who wish to mark their ballot privately and independently. • Any Justice of the Supreme Court appointed to hear election matters on election day may hear and determine such matters telephonically or by video conference. • Inspectors of the board shall not attend facilities that receive absentee ballots and the ballots shall instead be mailed to voters residing in such facilities. • Meetings for local in person registration at poll sites shall not be held in 2020. • Any district or special district that conducts an election or budget vote shall be rescheduled to September 15, 2020. • Circulation, filing and collection of independent nominating petitions for any office that would be filed for any special district elections as provided for in EO 202.13 shall continue to be postponed until further notice. • Any village election that was postponed in March 2020 or scheduled to be held on June 16, 2020 or any time prior to September 15, 2020 is rescheduled for September 15, 2020. • Modifies 202.23 to specify that any voter that is in active or inactive status and is eligible to vote in on June 23, 2020 who requests an absentee ballot via telephone for the June 23 special or primary election shall be sent an absentee ballot with a postage paid return envelope. 	
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Executive Order Batches

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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

202.27	5/5/20	<ul style="list-style-type: none"> • Extension for 30 days of modifications in EO 202 and other EOs to the extent that they allow for a practice of a profession in New York for those without New York State licensure or registration. 	June 5, 2020
202.28	5/7/20	<ul style="list-style-type: none"> • Extends Executive Orders 202 through 202.14 for an additional 30 days • Extends the moratorium on evictions until August 20 • Allows certain tenants to apply all or a portion of their security deposit towards their rent due • Suspends fees for late payment of rent from March 20 until August 20, 2020 • Ends the suspension, or modifies, the following: • 10 NYCRR 405.9, except to the limited extent that it would allow a practitioner to practice in a facility where they are not credentialed or have privileges, which shall continue to be suspended; 10 NYCRR 400.9; 10 NYCRR 400.11, 10 NYCRR 405; 10 NYCRR 403.3; 10 NYCRR 403.5; 10 NYCRR 800.3, except to the extent that subparagraphs (d) and (u) could otherwise limit the scope of care by paramedics to prohibit the provision of medical service or extended service to COVID-19 or suspected COVID-19 patients; 10 NYCRR 400.12; 10 NYCRR 415.11; 10 NYCRR 415.15; 10 NYCRR 415.26; 14 NYCRR 620; 14 NYCRR 633.12; 14 NYCRR 636-1; 14 NYCRR 686.3; and 14 NYCRR 517; • Mental Hygiene Law Sections 41.34; 29.11; and 29.15; • Public Health Law Sections 3002, 3002-a, 3003, and 3004-a to the extent it would have allowed the Commissioner to make determination without approval by a regional or state EMS board; • Subdivision (2) of section 6527, Section 6545, and Subdivision (1) of Section 6909 of the Education Law; as well as subdivision 32 of Section 6530 of the Education Law, paragraph (3) of Subdivision (a) of Section 29.2 of Title 8 of the NYCRR, and sections 58-1.11, 405.10, and 415.22 of Title 10 of the NYCRR; • All codes related to construction, energy conservation, or other building code, and all state and local laws, ordinances, and regulations which would have otherwise been superseded, upon approval by the Commissioner of OPWDD, as applicable only for temporary changes to physical plant, bed capacities, and services provided; for facilities under the Commissioners jurisdiction. • Requires that any absentee application mailed by a BOE due to COVID may be drafted and printed in such a way to limit the selection of elections to which the absentee ballot application is only applicable to any primary or special election occurring on June 23, 2020 • The suspension of the provisions of any time limitations contained in the Criminal Procedure Law contained in Executive Order 202.8 is modified as follows: 	July 7, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
- 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52, 202.56, 202.61, 202.62, 202.63 **all extended by 202.79**
- 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, and 202.59, 202.65, **all extended by 202.70 and 202.76**
- 202.22 through 202.26, 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, 202.53 202.57, 202.64, **all extended by 202.69 and 202.75**
- **202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> Section 182.30 of the Criminal Procedure Law, to the extent that it would prohibit the use of electronic appearances for certain pleas; Section 180.60 of the Criminal Procedure Law to provide that (i) all parties' appearances at the hearing, including that of the defendant, may be by means of an electronic appearance; (ii) the Court may, for good cause shown, withhold the identity, obscure or withhold the image of, and/or disguise the voice of any witness testifying at the hearing pursuant to a motion under Section 245.70 of the Criminal Procedure law—provided that the Court is afforded a means to judge the demeanor of a witness; Section 180.80 of the Criminal Procedure Law, to the extent that a court must satisfy itself that good cause has been shown within one hundred and forty-four hours from May 8, 2020 that a defendant should continue to be held on a felony complaint due to the inability to empanel a grand jury due to COVID-19, which may constitute such good cause pursuant to subdivision three of such section; and Section 190.80 of the Criminal Procedure Law, to the extent that to the extent that a court must satisfy itself that good cause has been shown that a defendant should continue to be held on a felony complaint beyond forty-five days due to the inability to empanel a grand jury due to COVID-19, which may constitute such good cause pursuant to subdivision b of such section provided that such defendant has been provided a preliminary hearing as provided in section 180.80. 	
202.29	5/8/20	<ul style="list-style-type: none"> Extends Executive Orders 202.15, 202.16, 202.17, 202.18, 202.19, 202.20, and 202.21, for an additional 30 days Section 214-g of the CPLR, to the extent it allows an action to be commenced not later than one year and six months after the effective date of such section, is hereby modified to allow an action commenced pursuant to such section to be commenced not later than one year and eleven months after the effective date of such section. 	June 8, 2020
202.30	5/9/20	<ul style="list-style-type: none"> Suspends certain sections of the Public Health Law to require that the operator and administrator of all nursing homes and all adult care facilities, including all adult homes, enriched housing programs and assisted living residences to test or make arrangements for the testing of all personnel, including all employees, contract staff, medical staff, operators and administrators, for COVID-19, twice per week, pursuant to a plan developed by the facility administrator and filed with the Department of Health. Require nursing homes and adult care facilities to provide to the Department of Health a certification of compliance with this Executive Order and directives of the Commissioner of Health, and all other applicable Executive Orders and directives of the Commissioner of Health. The Commissioner of Health is authorized to suspend or revoke the operating certificate of any nursing home or adult care facility if it is determined that such facility has not complied with this Executive Order. The Commissioner may appoint a receiver to continue the 	June 9, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<p>operations on 24 hours' notice to the current operator, in order to preserve the life, health and safety of the people of the State of New York. Any false statement in the attestation shall be punishable under the provisions of Penal Code 210.45.</p> <ul style="list-style-type: none"> Any nursing home or adult care facility which does not comply with this Executive Order shall be subject to a penalty for non-compliance of \$2,000 per violation per day, as if it were a violation of section 12 of the public health law, and any subsequent violation shall be punishable as if it is a violation of section 12-b of the public health law, with a penalty of \$10,000 per violation per day. Any personnel of a nursing home or adult care facility who refuse to be tested for COVID-19 pursuant to a plan submitted to the Department of Health shall be considered to have outdated or incomplete health assessments Prohibits hospitals from discharging a patient to a nursing home, unless the nursing home operator or administrator has first certified that it is able to properly care for such patient. Provided further, that any article 28 general hospital shall not discharge a patient to a nursing home, without first performing a diagnostic test for COVID-19 and obtaining a negative result. 	
202.31		<ul style="list-style-type: none"> Suspends statutes to prevent the forfeiture of effective benefit days to provide claimants with temporary relief from serving forfeit day penalties during the COVID-19 disaster emergency; and Suspends certain statutes that are inconsistent with any directive requiring an individual wear a face covering in public Extends for 30 days Executive Order 202.28 (which extended the provisions of Executive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, 202.13, and 202.14) which established the PAUSE order is continued until May 28, 2020 Authorizes certain industries to operate as Phase 1 industries and establishes which regions of the state are eligible Extends the directive contained in Executive Order 202.15 (which authorized the Department of Taxation and Finance to accept digital signatures in lieu of handwritten signatures on documents related to the determination or collection of tax liability) for the duration of the disaster emergency. Classifies drive-in movie theatres as an essential business 	June 13, 2020
202.32		<ul style="list-style-type: none"> Allows clinical laboratories to accept and examine specimens for COVID-19 testing, from personnel of nursing homes and adult care facilities, without a prescription or order from an authorized ordering source, and to report the results of such tests to the appropriate operators and administrators of the nursing home 	June 20, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

	<ul style="list-style-type: none"> • Section 6530 of the Education Law, to the extent necessary to allow physicians to order COVID-19 tests, authorized by the U.S. Food and Drug Administration (FDA) for self-collection, without otherwise having an initial physician-patient relationship with the patient. • Extends, during a State disaster emergency the period for paying property and school taxes without interest or penalties for various towns and villages in the State • Any licensee or franchisee of a racetrack in the State is hereby permitted to operate such racetrack as of June 1, 2020, provided such racetrack does not permit any visitor or fan into the facility, and allows on site only essential personnel • Authorizes non-essential gatherings of 10 or fewer individuals for any religious service or ceremony, or for the purposes of any Memorial Day service or commemoration • Extends the period for filing of State sales tax • Authorizes an extension of the filing of tentative and final assessment rolls • Authorizes Tax and Finance to certify final state equalization rate, class ratios, and class equalization rates, if required, no later than ten days prior to the last date set by law • Authorizes the Westchester County Executive to negotiate with any town supervisor or mayor of any city, to accept a lesser percentage of taxes, in certain circumstances • Requires the supervisor of a town in Westchester County, to waive payment of penalties for late payment of county and county district taxes • Allows for the mayor of a city in Westchester County hat City to waive the payment of penalties for late payment of county and county district taxes 	
202.33	<ul style="list-style-type: none"> • Permits non-essential gathering of ten or fewer individuals, for any lawful purpose or reason, provided that social distancing protocols and cleaning and disinfection protocols required by the Department of Health are adhered to. 	June 21, 2020
202.34	<ul style="list-style-type: none"> • Authorizes businesses to require face masks • Extends NY on Pause • Authorizes Phase 1 and designates those regions that are eligible 	June 27, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

202.35		<ul style="list-style-type: none"> • Extends NY on Pause • Authorizes certain businesses to open as part of Phase Two (Professional Services, Administrative Support, Information Technology, Real estate services, Building and Property Management, Leasing, Rental, and Sales Services, Retail In-store Shopping, Rental, Repair, and Cleaning, Barbershops and Hair Salon (limited services), and Motor Vehicle Leasing, Rental, and Sales) • Designates those regions eligible to reopen as part of Phase 2: Finger Lakes, Central New York, Mohawk Valley, Southern Tier, and the North Country. 	June 28, 2020
202.36		<ul style="list-style-type: none"> • Extend the period for paying property taxes without interest or penalties for certain municipalities, for the duration of the state of emergency • Authorizes a questionnaire administered through an asynchronous electronic interface or electronic mail that is approved by a physician licensed in the State of New York to be sufficient to establish a practitioner-patient relationship for purposes of ordering a clinical laboratory test. • Authorizes barbershops, hair salons, tattoo or piercing parlors and related personal care services for Phase Two industries reopening. • Authorizes auto racetrack to operate beginning June 3, 2020, provided such auto racetrack allows only essential personnel or participants to be on site, and does not permit any visitor or spectator into the facility or on premise. • Adds low-risk recreation to Phase One reopening. 	July 2, 2020
202.37	6/5/20	<ul style="list-style-type: none"> • Special education services and instruction required under Federal, state or local laws, rules, or regulations, may be provided in person for the summer term in school districts. Any district providing such services in person must follow State and Federal guidance. 	July 5, 2020
202.38	6/6/20	<ul style="list-style-type: none"> • Authorizes commercial building owners to conduct temperature checks, in certain instances. • Authorizes outdoor dining for Phase 2 regions • Permits any non-essential gatherings for houses of worship at no greater than 25% of the indoor capacity of such location, in Phase 2 regions. 	July 6, 20
202.39	6/7/20	<ul style="list-style-type: none"> • Extend Executive Orders 202.15, through 202.21, and 202.29, • Allows for certain modifications related to absentee ballots for school board elections. 	July 7, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> Exempts school districts from completing annual professional performance reviews of classroom teachers and building principals Allows a board of ed to appoint on tenure those classroom teachers and building principals in certain circumstances. Authorizes outdoor dining in Phase 2 regions Authorizes on-essential employees of local governments to return to work two weeks after a region meets the Phase 2 metrics 	
202.40	6/9/20	<ul style="list-style-type: none"> Requires nursing homes to test staff for COVID on a weekly basis Makes certain provisions for the resubmission of a revised school budget. 	July 9, 2020
202.41	6/13/20	<ul style="list-style-type: none"> Extends Executive Order 202.32 for an additional 30 days Extends Executive Orders 202.35, and 202.38 indefinitely Authorizes Phase 3 as of June 12, 2020 in eligible regions, including: Restaurants / Food Services; Personal Care. Establishes the Phase 3 regions to be Finger Lakes, Central New York, Mohawk Valley, Southern Tier, and the North Country. 	July 13, 2020
202.42	6/15/20	<ul style="list-style-type: none"> Allows for non-essential gatherings of twenty-five (25) or fewer individuals, for any lawful purpose or reason, provided that the location of the gathering is in a region that has reached Phase 3 of the State's reopening, and social distancing protocols and cleaning and disinfection protocols required by the Department of Health are adhered to. 	July 15, 2020
202.43	6/18/20	<ul style="list-style-type: none"> Extends the filing of school taxes in Nassau County Provide that an award for relocation expenses also shall include reasonable, temporary lodging expenses for victims of a crime or crimes related to domestic violence All businesses serving alcohol must supervise the area within 100 feet to ensure compliance with social distancing mandates Allows for in-person transactions at DMV offices in Phase 3 regions by appointment only Extends for twenty-one days the period for paying property taxes in certain municipalities 	July 18, 2020
202.44	6/21/20	<ul style="list-style-type: none"> Allows tentative and final real property tax assessment rolls to be filed up to 30 days late Allows Tax and Finance to delay the certification of final state equalization rates, class ratios, and class equalization rates Permits licensed pharmacists to order and administer COVID tests or tests for its antibodies. 	7/21/20

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> • Allows licensed pharmacists to be designated as qualified healthcare professionals so they can direct a limited service laboratory to test patients for COVID or its antibodies. • Modifies certain provisions related to Town and Village elections • Permits absentee ballots submitted by a voter who requested them for a canceled and rescheduled election to be cast and canvassed unless the voter appears to vote at the rescheduled election or requests another ballot. • Requires BOE of any election held before July 1, 2020 to maintain a voting system that is accessible for voters who want to mark their ballots privately and independently; this must be on their website so people know of the service, • Permits any Justice of the Supreme Court to hear election matters on election day and determine them by telephone or video conference. • Provides that inspectors of boards of elections shall not attend or visit facilities to provide absentee ballots physically, and will send them by mail or by personal delivery. • Eliminates the need for local or in person registration at poll sites in 2020. • Allows clinical labs to accept and examine specimens for COVID-19 testing from nursing home and adult care facilities personnel without a prescription or order and to report tests to the appropriate staff at the facilities; and to require the facilities to report positives to the local department of health for treatment and isolation orders • Allows physicians to order COVID-19 tests for self-collection without having a physician-patient relationship. • Authorizes DOH to suspend or revoke the operating certificate of any skilled nursing facility or adult care facility that has not adhered to any regulations or directives issued by the Commissioner of Health, • The special election to be held for the State Assembly, State Senate, City Council in the 37th district will be filled at the general election • Allows any patient giving birth to have present with them a support person with certain exceptions. • Authorizes general hospitals to perform elective surgeries and procedures so long as certain criteria is met • Any district or special district that conducts an election and/or budget vote shall be rescheduled • Further Circulation, filing, and collection of any independent nominating petition, continue to be postponed • Any village or town election that was postponed is rescheduled for September 15, 2020 • Clarifies that any voter that is in active and/or inactive status and is eligible to vote in a primary or special election to be held on June 23, 2020 who requests an absentee ballot via telephone for the June 23 special election or primary election, shall be sent an absentee ballot • Extends the authorization for the practice of a profession without a current New York State licensure, or registration, is extended for 30 days. 	
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Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> Expands authority of DFS to abate interest and penalties for a sales tax that was due by March, 2020 for a period of 100 days. Permits the operation of racetracks as of June 1, 2020 	
202.45	6/26/20	<ul style="list-style-type: none"> Allows for non-essential gatherings of 50 ppl or fewer Extends Executive Orders 202.34 and 202.35 Authorizes DOL to issue a finding related to experience rating charges as permitted by the Families First Coronavirus Response Act and incurred beginning with the benefit week starting March 9, 2020; Specifies that state employees are not be eligible for paid sick leave benefits or any other paid benefits if such employee voluntarily travels to a state that is on the travel ban list, per DOH Section 28-66 of the Charter of the City of Buffalo, to the extent necessary to allow the Mayor to waive the additions prescribed therein on unpaid 2019-2020 city taxes for the months of April, May and June of 2020, and to require payments of 2019-2020 city taxes that are made after June 30, 2020 to be made without additions for the months of April, May and June of 2020; Authorizes the extension of the period for paying property taxes, in certain municipalities. Authorizes Phase Four, as of June 26, 2020, and shall apply to the following industries: Higher Education Film and Music Production; Low-risk indoor arts and entertainment; Low-risk outdoor arts and entertainment; and Professional Sports without fans. authorize general hospitals to perform elective surgeries and procedures Requires that all schools shall remain closed to in-person instruction except for the purpose of provision of special education services. School districts must ensure the availability of meals, and child care, with an emphasis on serving children of essential workers. 	July 26, 2020
202.46	6/30/20	<ul style="list-style-type: none"> Sections 6-138, 6-142, 6-158, 6-210, 6-206, and 15-108 of the Election Law in relation to independent nominations are modified as follows: Independent nominating petitions for an office to be filled at the time of the general election or any village election shall be filed between July 27 and July 30, 2020. A certificate of acceptance or declination for an independent nomination for an office to be filled at the time of general election or at a village election shall be filed not later than August 3, 2020. A certificate to fill a vacancy caused by a declination of an independent body for an office to be filled at the time of the general election or at a village election shall be filed not later than August 6, 2020. 	7/30/20

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> • A signature made earlier than July 1, 2020, or later than July 30, 2020, shall not be counted upon a petition for an independent nomination for an office appearing on the general election ballot or at a village election. • Modifies the signature requirements for any election in 2020, The directive contained in Executive Order 202.13, as extended by Executive Order 202.26 and 202.44, is hereby rescinded insofar as independent nominating petitions may be circulated, and signatures collected beginning July 1, 2020, consistent with this Executive Order, and filed consistent therein. 	
202.47	7/3/20	<ul style="list-style-type: none"> • Extends Executive Order 202.37 for an additional 30 days • Permits Peace Officers to enforce Alcoholic Beverage Control Law and the Public Health Law. • Modifies certain provisions related to school board elections • Extends the date for the filing of property tax report cards • Deems COVID-19 virus a temporary illness for the purpose of eligibility to vote as an absentee voter in a school budget revote held July 28, 2020; • Prohibits the use of fireworks or dangerous fireworks, during the state disaster emergency • Any party caucus, party meeting or party convention held pursuant to the Election Law in the year two thousand twenty may be held by telephonic or video conferencing means in whole or in part at the discretion of the chairperson calling such meeting; provided, however, that any required notice shall include instructions to participants as to how to access such video teleconference. • Proxy voting at any party caucus, party meeting or party convention held pursuant to the Election Law held in the year two thousand twenty shall be permitted • Allows a questionnaire administered through an asynchronous electronic interface or electronic mail that is approved by a physician licensed in the State of New York to be sufficient to establish a practitioner-patient relationship for purposes of ordering a clinical laboratory test. • Authorizes a remote caucus or convention for a town or village office, which is required by law to be filled at the general election in November, and is not to be filled at the September 15, 2020 town or village election. • Allows for the opening of barbershops and hair salons in Phase Two regions • Allows for auto racetrack to operate beginning June 3, 2020, • Authorizes outdoor, low-risk recreational activities and businesses providing such activities in Phase 1 regions. 	August 2, 2020
202.48		<ul style="list-style-type: none"> • Extends Executive Orders 202-202.14, 202.27, 202.28 and 202.38 	

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> Extends the moratorium on evictions, with the EXCEPTION that it shall only apply to commercial tenants (see Tenant Safe Harbor Act, S.8192) Continue NY on Pause, and explicitly continues the closure of places of public amusement. 	
202.49		<ul style="list-style-type: none"> Executive Order 202.15 through 202.21, and Executive Order 202.29 (as extended in EO202.39) WITH THE FOLLOWING EXCEPTIONS and lifts the following suspensions: (10 NYCRR 5-6.12(a)(4); Religious Corporations Law §§ 43, 45; Suspensions that allowed DEC to suspend hearings if public comments were accepted electronically or by mail; Real Property and Proceedings Law § 711, Real Property Law § 232-a, and Multiple Dwelling Law § 4(8) and (9); Not for Profit Corporation Law § 1517; 19 NYCRR 203.3, 203.6, 203.13; 10 NYCRR 77.7(a)(1); Not for Profit Corporation Law § 1517; 19 NYCRR 203.3, 203.6, 203.13; 10 NYCRR 77.7(a)(4); Public Health Law §§ 4140; 4144; Not for Profit Corporation Law § 1502, 1517, 19 NYCRR 203.1, 203.4, 203.8, 203.13; 10 NYCRR 13.1) 	
202.50	7/9/20	<ul style="list-style-type: none"> Extends Executive Orders 202.30 and 202.40 for an additional 30 days Allows for indoor shopping malls to open in Phase Four regions 	August 8, 2020
202.51	7/13/20	<ul style="list-style-type: none"> Modifies certain provisions related to library district elections Extends Executive Order 202.31, 202.41, 202.42, and 202.43, for an additional 30 days WITH THE FOLLOWING EXCEPTIONS: <ul style="list-style-type: none"> Section 5-18.0(2) of the Nassau County Administrative Code is no longer suspended or modified; and Any extension of the period for paying property taxes without interest or penalties pursuant to Real Property Tax Law Section 925-a is no longer in effect. 	August 12, 2020
202.52	7/16/20	<ul style="list-style-type: none"> Requires the purchase of food with alcohol in restaurants and bars. 	August 15, 2020
202.53	7/21/20	<ul style="list-style-type: none"> Authorizes NYC for Phase 4 Extends the prohibition of indoor malls in NYC. Extends for an additional 30 days Executive Orders 202.22, through 202.26, and including 202.32, , 202.33, 202.34, and 202.35 as contained in Executive Order 202.44 and 202.45 WITH THE FOLLOWING EXCEPTIONS: <ul style="list-style-type: none"> The provision authorizing the extension of payment of sales and use taxes without penalty by the Commissioner of Tax and Finance 	August 20, 2020
202.54	7/30	<ul style="list-style-type: none"> Authorizes the extension of paying property taxes in certain towns in Nassau County Extends for an additional 30 days Executive Orders 202.36 and 202.37, as extended, and Executive Orders 202.46 and 202.47 WITH THE FOLLOWING EXCEPTIONS: 	August 29, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
- 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52, 202.56, 202.61, 202.62, 202.63 **all extended by 202.79**
- 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, and 202.59, 202.65, **all extended by 202.70 and 202.76**
- 202.22 through 202.26, 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, 202.53 202.57, 202.64, **all extended by 202.69 and 202.75**
- 202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> ○ The directive contained in Executive Order 202.47 that allowed any person eligible to attend and vote at any party caucus, party meeting, or party convention held pursuant to the Election Law in the year two thousand twenty to hold up to ten proxies, is hereby amended to provide that any party committee rule in place prior to the issuance of this order that authorized more than ten proxies shall continue in full force and effect. ○ The suspensions of sections 2022, 2007, 1608, 1716, 2018-a, and 2018-b, which were necessary to allow school budget revotes to occur on July 28, are no longer suspended. ○ Any extension of the period for paying property taxes without interest or penalties pursuant to Real Property Tax Law Section 925-a is no longer in effect. 	
202.55	8/5	<ul style="list-style-type: none"> • Executive Order 202 through Executive Order 202.21, Executive Order 202.27 through Executive Order 202.40, and Executive Order 202.48 through Executive Order 202.50 until September 4, 2020 • These extensions continue the tolling of statutory periods where the extension was not previously lifted by a subsequent Executive Order. In general, as the Governor has extended the tolling of certain statutory periods, other periods were no longer tolled. When this occurred, the Governor listed what statutory periods would have their tolling lifted. • Extends the moratorium on eviction proceedings until September 4, 2020. • Delay certain deadlines for school district taxes in Nassau County. • Delays the 2020 small claims assessment review petition related to property in Nassau. • Section 711 of the Real Property and Proceedings law, Section 232-a of the Real Property Law, and Sections 4(8) and 4(9) of the Multiple Dwelling Law were suspended and modified to otherwise create a landlord tenant relationship between any individual assisting with a response to COVID-19 and an individual displaced due to COVID-19. • Modifies Certain Provisions Relates to Condo/Co-op Closings <ul style="list-style-type: none"> ○ Delays the date that offering statements or prospectus filed with the Department of Law are declared effective. ○ Tolling credits against mortgage recording taxes. ○ Delays the requirement that sponsors offer rescission if the first closing of a home or lot does not occur within a period of twelve months after the projected date for such closing. ○ Sections 18.3(g), 20.3(h)(1), 21.3(g), 22.3(g)(1), 23.3(h)(1), 24.3(j)(1), and 25.3(h)(1) of Title 13 of the New York Code of Rules and Regulations were suspended and modified to delay the requirement a sponsor set forth a budget for the first year of operation. 	September 4, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
- 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52, 202.56, 202.61, 202.62, 202.63 **all extended by 202.79**
- 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, and 202.59, 202.65, **all extended by 202.70 and 202.76**
- 202.22 through 202.26, 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, 202.53 202.57, 202.64, **all extended by 202.69 and 202.75**
- **202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

202.55.1	8/6	<ul style="list-style-type: none"> Clarifies that Executive Orders 202.48, 202.49, and 202.50 are continued in their entirety, through September 4, 2020. 	September 4, 2020
202.56	8/12	<ul style="list-style-type: none"> Extends Executive Order 202.52, and 202.51(which extended Executive Orders 202.31, 202.41, 202.42, and 202.43) 	September 11, 2020
202.57	8/20	<ul style="list-style-type: none"> Extends Executive Orders 202.22 through 202.26, 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, and 202.53 Lifts the following suspensions: Section 28-66 of the Charter of the City of Buffalo; Any extension of the period for paying property taxes without interest or penalties pursuant to Real Property Tax Law Section 925-a is no longer in effect. 	September 19, 2020
202.58	8/24	<ul style="list-style-type: none"> Modifies provisions related to elections including voting by absentee ballot: <ul style="list-style-type: none"> Includes the potential for contraction of the COVID-19 virus as an illness for purposes of request or receipt of an absentee ballot; Every voter that is in active and inactive status and is eligible to vote in any election on or before November 3, 2020, may be able to request an absentee ballot via phone or internet or electronically; Requires that a BOE shall provide a five day cure period for any eligible deficiency instead of seven if such absentee ballot is received after November 3, 2020; Allows a BOE to procure and provide absentee ballots All county Boards of Elections and the City of New York Board of Elections shall send an informational mailing to every registered voter by September 8, 2020, containing certain information (hours, location,etc). 	September 23, 2020
202.59	8/28	<ul style="list-style-type: none"> Extends Executive Orders 202.36, 202.37, 202.46, 202.47, as extended, and Executive Order 202.54 for another thirty days Authorizes DOH to issue emergency regs to ensure timely testing and reporting of all COVID-19 and Influenza cases to continue to ensure, as flu season approaches, the state has the most accurate data to evaluate the number of positive cases and to best ensure timely contact tracing efforts are implemented in all regions. Lifts the following suspensions: <ul style="list-style-type: none"> Any extension of the period for paying property taxes without interest or penalties pursuant to Real Property Tax Law Section 925-a is no longer in effect; and 	September 27, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
- 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52, 202.56, 202.61, 202.62, 202.63 **all extended by 202.79**
- 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, and 202.59, 202.65, **all extended by 202.70 and 202.76**
- 202.22 through 202.26, 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, 202.53 202.57, 202.64, **all extended by 202.69 and 202.75**
- **202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> The directive permitting telephonic or virtual party nominating conventions which has been superseded by Chapter 142 of the Laws of 2020. 	
202.60	9/4	<ul style="list-style-type: none"> Extends Orders 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, as extended, and Executive Order 202.55 and 202.55.1 Authorizes for the reopening of schools, statewide as of September 1, 2020 Authorizes the opening of casinos and VLT's beginning September 9, 2020 Permits public authorities to receive comments concerning a proposed toll adjustment through public hearings held remotely, use of telephone conference, video conference, Requires coroners to conduct COVID tests in certain circumstances. Provides that employee shall not be eligible for paid sick leave benefits or any other paid benefits pursuant to this chapter if such employee voluntarily travels to a state that is on the DOH travel ban list. Extends the tolling of certain statutes of limitations with the following exemptions: Lifts the tolling of civil statutes of limitation related to any action challenging the approval of a construction project for affordable housing space for use by not-for-profit organizations. The suspension of Section 30.30 of the Criminal Procedure Law, is hereby modified to require that speedy trial time limitations remain suspended in a jurisdiction until such time as petit criminal juries are reconvened in that jurisdiction; Criminal Procedure Law 170.70 is no longer suspended, and for any appearance which has been required to be in-person may continue to be conducted virtually with the consent of the parties. Eliminates the minimum in-person quorum requirements for meetings of the Rural Electric Cooperatives. Authorizes municipalities to sell liens, in certain circumstances 	October 4, 2020
202.61	9/9/20	<ul style="list-style-type: none"> COVID testing and rapid reporting: Licensed healthcare professionals administering COVID-19 tests must report results to the DOH within three hours, Healthcare professionals who administer COVID-19 tests must ask for, and report whether the individual attends, works or volunteers in an elementary, secondary or postsecondary school. Local Health Departments must report to the DOH, on a daily basis, all COVID-19 testing and diagnoses for any individual who is a student, teacher, or other school employee or volunteer. Educational Institutions must report to the DOH, on a daily basis, all COVID-19 testing and diagnoses among students, teaching staff, and any other employees or volunteers. 	October 9, 2020
202.62	9/10/20	<ul style="list-style-type: none"> Authorization of the MTA to establish an enforcement process for mask wearing 	October 10, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
- 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52, 202.56, 202.61, 202.62, 202.63 **all extended by 202.79**
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- 202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

202.63	9/11/20	<ul style="list-style-type: none"> Extends EO 202.56 (which extended EO's 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52) 	October 11, 2020
202.64	9/18/20	<ul style="list-style-type: none"> Extends Executive Order 202.57 (which extended 202.22 through 202.26, 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, and 202.53) Section 522 of Labor Law is modified to exclude from the definition of "total unemployment" per diem, part-time work performed between September 18, 2020 and November 3, 2020 for the New York State Board of Elections or a local board of elections where the total earnings for the week from all work performed for any employer do not exceed \$504.00 and the employer is not the separating employer identified in the original claim, and not to require claimants to report such part-time work when certifying for weekly benefits. The directive contained in Executive Order 202.48, which modified the directive in Executive Order in 202.28 that prohibited the initiation of a proceeding or enforcement of an eviction of any commercial tenant for nonpayment of rent or a foreclosure of any commercial mortgage for nonpayment of such mortgage is continued through October 20, 2020. 	October 18, 2020
202.65	9/23	<ul style="list-style-type: none"> Extends Executive Order 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, and 202.59, another thirty days (See Appendix A) 	October 23, 2020
202.66	9/29	<ul style="list-style-type: none"> Chapter 127 of the laws of 2020 (Tenant Safe Harbor Act) is modified to the extent necessary to prevent, for any residential tenant suffering financial hardship during the COVID-19 state disaster emergency declared by Executive Order 202, the execution or enforcement of such judgment or warrant, including those cases where a judgment or warrant of eviction for a residential property was granted prior to March 7, 2020, through January 1, 2021. 	January 1, 2021
202.67	10/4	<ul style="list-style-type: none"> Continues the State of Emergency until November 3, 2020 Extends Executive Orders 202 -202.21, 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, as extended, and Executive Order 202.60 until November 3, 2020. The following suspensions are lifted as of 11/3/20: Subdivision 1 of Section 491 of the Vehicle and Traffic law, to the extent that it provides for a period of validity and expiration of a non-driver identification card; Sections 401, 410, 2222, 2251, 2251, and 2282(4) of the Vehicle and Traffic law, to the extent that it provides for a period of validity and expiration of a registration certificate or number plate for a motor vehicle or trailer, a motorcycle, a snowmobile, a vessel, a limited use vehicle, and an all-terrain vehicle; Section 420-a of the Vehicle and Traffic law, to the extent that it provides an expiration for temporary registration documents issued by auto dealers; The suspension in Executive Order 202.8, as modified and extended in subsequent Executive Orders, that tolled any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or 	November 3, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
- 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52, 202.56, 202.61, 202.62, 202.63 **all extended by 202.79**
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- 202.22 through 202.26, 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, 202.53 202.57, 202.64, **all extended by 202.69 and 202.75**
- **202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<p>other process or proceeding as prescribed by the procedural laws of the state, including but not limited to the criminal procedure law, the family court act, the civil practice law and rules, the court of claims act, the surrogate’s court procedure act, and the uniform court acts, or by any statute, local law, ordinance, order, rule, or regulation, or part thereof, is hereby continued, as modified by prior executive orders, provided however, for any civil case, such suspension is only effective until November 3, 2020, and after such date any such time limit will no longer be tolled, and provided further; The suspension and modification of Section 30.30 of the criminal procedure law, as continued and modified in EO 202.60, is hereby no longer in effect, except for felony charges entered in the counties of New York, Kings, Queens, Bronx, and Richmond, where such suspension and modification continues to be effective through October 19, 2020; thereafter for these named counties the suspension is no longer effective on such date or upon the defendant’s arraignment on an indictment, whichever is later, for indicted felony matters, otherwise for these named counties the suspension and modification of Section 30.30 of the criminal procedure law for all criminal actions proceeding on the basis of a felony complaint shall no longer be effective, irrespective, 90 days from the signing of this Executive order on January 2, 2021.</p>	
202.68	10/6	<ul style="list-style-type: none"> • Extends Executive Order 202.61, 202.62 and 202.63 for another 30 days until November 5, 2020 • Establishes a civil penalty of up to \$15,000 per day for violations of the ban on non-essential gatherings • Authorizes local governments to assess a fine of up to \$1,000 for violations of any DOH mandate related to social distancing and mask wearing • Establishes the guidelines for the “Cluster Action Initiative”, and makes those directives effective immediately, requiring they be enforced no later than Friday, October 9. 	November 5, 2020
202.69	10/14	<ul style="list-style-type: none"> • Authorizes DOB to withhold any funds appropriated in the FY20 Enacted Budget to or for, directly or indirectly, a public or nonpublic school or school district and/or to a locality for violation of Executive Order 202.68 • Permits physicians and certified nurse practitioners to issue a non-patient specific regimen to nurses or any such other persons authorized by law or by executive order to collect throat or nasopharyngeal swab specimens from individuals suspected of suffering from a COVID-19 infection, for purposes of testing. • Extends Executive Orders 202.22 through 202.26, 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, 202.53, 202.57 (all extended by EO 202.64), with the following exception: safety inspections and at least biennial emissions inspections, shall no longer be suspended or modified as of November 3, 2020. 	November 13, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
- 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52, 202.56, 202.61, 202.62, 202.63 **all extended by 202.79**
- 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, and 202.59, 202.65, **all extended by 202.70 and 202.76**
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- **202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

202.70	10/20	<ul style="list-style-type: none"> • Extends Executive Orders 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, 202.59, and 202.65 for another 30 days (see appendix A for detailed summary of those provisions) • Authorizes movie theatres (outside of NYC) to open in, clarifies that theatres in the New York City region, and in counties with infection rates above 2% over a 14-day average, and in counties with red cluster zones continue to be closed. • Extends the moratorium on commercial evictions until 1/1/21 (*text of the initial EO incorrectly says 1/1/20) 	November 19, 2020
202.71	10/30	<ul style="list-style-type: none"> • Extends the provisions of 202.66 until 11/28 (extends moratorium on residential evictions until 1/1/21) 	November 28, 2020
202.72	11/4	<ul style="list-style-type: none"> • Extends Executive Orders 202.67 and 202.68 for an additional 30 days, with the following exceptions: <ul style="list-style-type: none"> ○ Lifts the suspensions of certain sections of VTL ○ Lifts the tolling of the statute of limitations that tolled any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding as prescribed by the procedural laws of the state, (per EO 202.68) ○ Modifies a previous EO that requires reporting of COVID-19 and influenza test results by additional clinical laboratories within 3 hours, such modification is continued and amended to permit such laboratories to report results to the Department within 24 hours, provided the Department may require more frequent reporting if deemed necessary; • Modifies Real Property Actions and Proceedings Law to provide that the time to answer in any summary eviction proceeding for nonpayment of rent that is pending as of 11/3 will be sixty days. • The directive contained in Executive Order 202.61, along with implementing guidance, requiring clinical laboratories and licensed professionals authorized by DOH Physician Office Laboratory Evaluation Program to administer a test for COVID-19 or influenza to report results within three hours, is modified to permit clinical laboratories and those licensed professionals with reporting requirements to report results to the Department within 24 hours 	December 3, 2020
202.73	11/9	<ul style="list-style-type: none"> • Extends and modifies provisions related to the mandatory testing of nursing home staff, specifically in cluster zones 	December 9, 2020
202.74	11/12	<ul style="list-style-type: none"> • Effective 11/13 at 5:00 pm, the following provisions shall be in effect: 	December 12, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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- **202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		<ul style="list-style-type: none"> Businesses that are licensed for on-premises service of alcohol must suspend dining service AND consumption of food and all beverages (inside and outside) at 10:00 p.m. Such businesses may continue delivery and to-go service of food and non-alcoholic beverages only. The re-opening time is the existing time as permitted by the County. All restaurants (including those without an SLA license to sell alcohol) must cease in-person dining from 10:00 p.m. to 5:00 a.m., but may continue take-out and delivery service All gyms and fitness centers must close between the hours of 10:00 p.m. and 5:00 a.m. Requires all liquor stores (including wine and beer stores) to close by 10:00 p.m. Limits non-essential private residential gatherings to 10 or fewer individuals for any lawful purpose or reason, provided that social distancing, face covering, and cleaning and disinfection protocols required by the Department of Health are adhered to. 	
202.75	11/13	<ul style="list-style-type: none"> Extends the provisions of 202.69 for thirty days 	December 13, 2020
202.76	11/19	<ul style="list-style-type: none"> Executive Orders 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, 202.59, 202.65, and 202.70 for thirty days, with the following exceptions: Pursuant to Executive Order 202.72, all suspensions of the Family Court Act shall remain in effect until December 18, 2020 and thereafter continue to remain in effect for those juvenile delinquency matters not involving a detained youth and for those child abuse and neglect proceedings not involving children that have been removed from their homes. Notwithstanding any contrary provision in the Criminal Procedure Law, any appearance at a criminal proceeding may be conducted virtually by electronic appearance with the consent of the parties, including but not limited to bench trials, evidentiary hearings, CPL 440 hearings, and/or probation or parole violation hearings. Permits certain public authorities to receive comments concerning proposed fare, toll, rental, rate, charge or other fee adjustments through public hearings held remotely and through use of telephone conference, video conference, and/or other means of transmission 	December 19, 2020
202.77	11/23	<ul style="list-style-type: none"> Requires DOH to establish guidelines related to nursing home residents leaving , and returning to, a facility in order to visit friends or relatives. See attached. 	December 23, 2020
202.78	11/27	<ul style="list-style-type: none"> Extends the provisions of 202.71 for thirty days: Chapter 127 of the laws of 2020 (Tenant Safe Harbor Act) is modified to the extent necessary to prevent, for any residential tenant suffering financial hardship during the COVID-19 state disaster emergency declared by Executive Order 202, the execution or 	December 27, 2020

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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- **202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

		enforcement of such judgment or warrant, including those cases where a judgment or warrant of eviction for a residential property was granted prior to March 7, 2020, through January 1, 2021.	
202.79	12/2	<ul style="list-style-type: none"> • Extends EO's 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.31, 202.38, 202.39, 202.40, 202.41, 202.42, 202.43, 202.48, 202.49, 202.50, 202.51, 202.52, 202.55, 202.55.1, 202.56, 202.60, 202.61, 202.62, 202.63, 202.67, 202.68, and 202.72 until 1/1/21 • Suspends statutes to allow for hospitals to transfer, or receive such patients, and to enable inter- or intra-system patient load balancing • Modifies the cluster guidance to provide that schools located within geographic areas designated by the Department of Health as "red zones" and "orange zones" may conduct in-person instruction during the period of time that the zone is designated "red" or "orange," subject to compliance with guidance and directives of the Department of Health. 	January 1, 2021

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
- 202.31, 202.41, 202.42, 202.43, 202.51 and 202.52, 202.56, 202.61, 202.62, 202.63 **all extended by 202.79**
- 202.36, 202.37, 202.46, 202.47, 202.54, 202.58, and 202.59, 202.65, **all extended by 202.70 and 202.76**
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- **202.66, extended by 202.71 and 202.78**

Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

Appendix A - Summary of Executive Order 202.65

Extends the following Executive Orders for thirty days, until October 23, 2020. The suspensions that were lifted are also noted.

202.59

- The Commissioner of Health shall develop by emergency regulations, comprehensive statewide protocols for the timely testing and reporting of all COVID-19 and Influenza cases to continue to ensure, as flu season approaches, the state has the most accurate data to evaluate the number of positive cases and to best ensure timely contact tracing efforts are implemented in all regions.

Exceptions:

- Any extension of the period for paying property taxes without interest or penalties pursuant to Real Property Tax Law Section 925-a is no longer in effect; and
- The directive permitting telephonic or virtual party nominating conventions which has been superseded by Chapter 142 of the Laws of 2020.

202.58

- All county Boards of Elections and the City of New York Board of Elections shall send an informational mailing to every registered voter by September 8, 2020, containing the following information:
- The dates, hours, and locations for early voting in such voter's county, including the early voting location for which the voter is assigned, if applicable.
- Information regarding how to apply for an absentee ballot, including the opportunity to apply online or by phone, and including the deadline for requesting an absentee ballot.
- Information regarding the date and hours for the November 3, 2020 general election, and the voter's election day polling place location.
- Information regarding how the voter can look up their registration status.
- An explicit reminder or communication of the opportunities to vote prior to Election Day, including application for an absentee ballot and early voting options.
- Expected mail times, if a voter chooses to request an absentee ballot.

Executive Order Batches

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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

- All county Boards of Elections and the City of New York Board of Elections must submit staffing plans and any staffing needs for early voting and election day poll site operations, as well as post-election canvass of results, to the state Board of Elections no later than September 20, 2020, to provide adequate time for the state Board of Elections to assist as feasible.
- All county Boards of Elections and the City of New York Board of Elections shall take all steps possible to count ballots as soon as possible, including reviewing absentee or military ballot envelopes prior to Election Day to ensure efficient and timely canvassing of ballots, including establishing objections by the Board to ballot envelopes prior to Election Day, any reporting of affidavit ballots by counties to the state board to compare against absentee ballots must be completed 48 hours after the election.
- The State Board of Elections must develop a uniform envelope for absentee ballots for use by local Boards of Elections by September 8, 2020. Such envelope shall establish where a voter must sign to be valid. All local county Boards of Elections and the City of New York Board of Elections must use such uniform envelope for absentee ballots developed by the State Board of Elections.

202.54

Suspends the following directives:

- The directive contained in Executive Order 202.47 that allowed any person eligible to attend and vote at any party caucus, party meeting, or party convention held pursuant to the Election Law in the year two thousand twenty to hold up to ten proxies, is hereby amended to provide that any party committee rule in place prior to the issuance of this order that authorized more than ten proxies shall continue in full force and effect.
- The suspensions of sections 2022, 2007, 1608, 1716, 2018-a, and 2018-b, which were necessary to allow school budget revotes to occur on July 28, are no longer suspended.
- Any extension of the period for paying property taxes without interest or penalties pursuant to Real Property Tax Law Section 925-a is no longer in effect.

202.36

- Extend by twenty-one days the period for paying, without interest or penalty, property taxes that are due in the following localities that have requested such an extension: Village of Angola, Erie County; Village of Babylon, Suffolk County; Village of Bellport, Suffolk County; Village of Brockport, Monroe County; Village of Brookville, Nassau County; Village of Buchanan, Westchester County; Village of Clayton, Jefferson County; Village of Depew, Erie County; Village of East Hills, Nassau County; Village of Endicott, Broome County; Village of Farmingdale, Nassau County; Village of Fayetteville, Onondaga County; Village of Greenport, Suffolk County; Village of Groton, Tompkins County; Village of Hempstead, Nassau County; Village of Homer, Cortland County; Village of Hudson Falls, Washington County; Village of Island Park, Nassau County; Village of Kensington, Nassau County; Village of Laurel Hollow, Nassau County; Village of Monroe, Orange County; Village of Munsey Park, Nassau County; Village of Nyack, Rockland County;

Executive Order Batches

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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

Village of Ocean Beach, Suffolk County; Village of Otisville, Orange County; Village of Patchogue, Suffolk County; City of Peekskill, Westchester County; Village of Red Hook, Dutchess County; Village of Rhinebeck, Dutchess County; City of Saratoga Springs, Saratoga County; Village of Scarsdale, Westchester County; Village of South Floral Park, Nassau County; Village of Stamford, Delaware County; Village of Stewart Manor, Nassau County; Village of Sylvan Beach, Oneida County; Village of Watkins Glen, Schuyler County; Village of Wellsville, Allegany County; and

extend by twenty-one days the period for paying without interest or penalty the property taxes that were due by April 1, 2020, in the Village of Thomaston, Nassau County.

- Suspends Section 6530 of the Education Law, or any section of the Public Health Law, to the extent necessary to allow a questionnaire administered through an asynchronous electronic interface or electronic mail that is approved by a physician licensed in the State of New York to be sufficient to establish a practitioner-patient relationship for purposes of ordering a clinical laboratory test.
- Suspends Section 6530 of the Education Law, or any section of the Public Health Law, to the extent necessary to allow a questionnaire administered through an asynchronous electronic interface or electronic mail that is approved by a physician licensed in the State of New York to be sufficient to establish a practitioner-patient relationship for purposes of ordering a clinical laboratory test.
- The directive contained in Executive Order 202.7, as extended, requiring all barbershops, hair salons, tattoo or piercing parlors and related personal care services to be closed to members of the public is hereby modified to allow for the opening of barbershops and hair salons, only to the extent and in regions consistent with Department of Health guidance promulgated for Phase Two industries reopening.
- The directive contained in Executive Order 202.32 allowing any licensee or franchisee of a racetrack to operate such racetrack is hereby modified and extended until July 2, 2020, to allow any operator of an auto racetrack to operate beginning June 3, 2020, pursuant to Department of Health guidance for such operation, and provided such auto racetrack allows only essential personnel or participants to be on site, and does not permit any visitor or spectator into the facility or on premise.
- Executive Order 202.35, which amended prior Executive Orders with respect to New York on Pause, is here by modified as follows:
- Any region that meets the prescribed public health and safety metrics as determined by the Department of Health for Phase One reopening may allow outdoor, low-risk recreational activities and businesses providing such activities, as determined by Empire State Development Corporation, to be permitted to operate, in accordance with Department of Health guidance.

202.37

- Notwithstanding any prior Executive Order to the contrary, special education services and instruction required under Federal, state or local laws, rules, or regulations, may be provided in person for the summer term in school districts. Any district providing such services in person must follow State and Federal guidance.

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

202.46:

- Sections 6-138, 6-142, 6-158, 6-210, 6-206, and 15-108 of the Election Law in relation to independent nominations are modified as follows: Independent nominating petitions for an office to be filled at the time of the general election or any village election shall be filed between July 27 and July 30, 2020.
- A certificate of acceptance or declination for an independent nomination for an office to be filled at the time of general election or at a village election shall be filed not later than August 3, 2020.
- A certificate to fill a vacancy caused by a declination of an independent body for an office to be filled at the time of the general election or at a village election shall be filed not later than August 6, 2020.
- A signature made earlier than July 1, 2020, or later than July 30, 2020, shall not be counted upon a petition for an independent nomination for an office appearing on the general election ballot or at a village election.
- For any election in 2020, the signature requirements on an independent nominating petition for an independent nomination for the general election for any office that is not determined by a statewide election shall be whichever is less: (i) three and three tenths percentum of the total number of votes cast for governor at the last gubernatorial election in such unit, excluding blank and void votes, or (ii) a number equal to seventy percentum of the statutory minimum number provided for by subdivision 2 of section 6-142 of the election law, or for a village election, seventy percentum of the statutory minimum provided for in subdivision 6 of section 15-108 or subdivision 4 of section 6-206 of the election law. For an office determined by a statewide election, the signature requirements on an independent nominating petition shall be at least 30,000 valid signatures with at least 330 valid signatures being from each of one-half of the congressional districts for the State.
- The directive contained in Executive Order 202.13, as extended by Executive Order 202.26 and 202.44, is hereby rescinded insofar as independent nominating petitions may be circulated, and signatures collected beginning July 1, 2020, consistent with this Executive Order, and filed consistent therein.

202.47:

Executive Order Batches

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

- Section 2.20 of the Criminal Procedure Law, to the extent that it restricts, limits, or otherwise impedes the ability of a peace officer, as defined in Section 2.10 of the Criminal Procedure Law, to enforce provisions of the Alcoholic Beverage Control Law and the Public Health Law, or judgments or orders obtained for violation thereof, or to enforce the provisions of Executive Order 202 and any amendment or addition to such order.
- Sections 105 and 106 of the Alcoholic Beverage Control law to the extent they restrict, limit or otherwise impede the ability of a peace officer, as defined in Section 2.10 of the Criminal Procedure Law, to enforce provisions of the Alcoholic Beverage Control Law, or judgments or orders obtained for violation thereof, or to enforce the provisions of Executive Order 202 and any amendment or addition to such order;
- Subdivision 4 of section 2022 of the education law and subdivision 3 of section 2007 of the education law to the extent necessary to provide that, in the event that the original budget proposed by a school district was not approved by the voters at an election held on June 9, 2020, pursuant to Executive Order 202.26, any revote on resubmission to the voters of the original or revised budget shall occur on July 28, 2020 and shall be conducted in accordance with guidelines issued by the Department of Health pursuant to the authority granted by this executive order, and provided further that a school district proposing such revote shall operate upon a contingency budget pursuant to subdivision 5 of section 2022 of the education law section from July 1 to July 28;
- Paragraph a of subdivision 3 of section 2007 of the education law to the extent necessary to provide that, in lieu of the requirement that a school district publish two notices of a budget revote, each district shall send postcard notice to all residents of the district which details the date and location of the budget revote, date of the budget hearing, the definition of qualified voter, and instructions for applying for an absentee ballot. Such postcard notice shall be mailed no later than 21 days preceding such vote. If a school district possesses a resident's valid email address, the postcard notice may be sent via email to that resident instead of by mail;
- Subdivision 2-a of section 2022 of the education law to the extent necessary to authorize a school district possessing a qualified voter's valid email address to send a school budget notice via email to that voter instead of by mail;
- Sections 1608 and 1716 of the Education Law to the extent necessary to allow property tax report cards to be submitted to the State Education Department no later than 14 days prior to the date of the school budget revote, and the department shall make its compilation available electronically at the latest on July 21, 2020, seven days prior to the revote date;
- Sections 2018-a and 2018-b of the Education Law to the extent necessary to provide that, due to the prevalence and community spread of COVID-19, the potential for contraction of the COVID-19 virus shall be deemed a temporary illness for the purpose of eligibility to vote as an absentee voter in a school budget revote held July 28, 2020;

EXECUTIVE ORDER DATES

- 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, **all extended by 202.202.67, and 202.72 and 202.79**
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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

- The use of fireworks or dangerous fireworks, during the state disaster emergency declared by Executive Order 202, shall also be punishable as a violation of section 12(b) 2 of the public health law, and the Commissioner of Health is directed and authorized to issue emergency regulations, if such use meets the facts and circumstances established in subdivision 2 of section 270 of the penal law. In addition, use of fireworks by a licensee of any state entity inconsistent with any applicable guidance issued by the Department of Health shall be a basis for suspension or revocation of such license.
- Notwithstanding any provision of law or a party's rules to the contrary, any party caucus, party meeting or party convention held pursuant to the Election Law in the year two thousand twenty may be held by telephonic or video conferencing means in whole or in part at the discretion of the chairperson calling such meeting; provided, however, that any required notice shall include instructions to participants as to how to access such video teleconference.
- Notwithstanding any provisions of law or a party's rules to the contrary, proxy voting at any party caucus, party meeting or party convention held pursuant to the Election Law held in the year two thousand twenty shall be permitted. Any person eligible to attend and vote at such a meeting may hold up to ten proxies. A proxy statement may be in the form prescribed by the party's rule or as accepted in the past by the party entity or may be substantially as follows: "I, a member or eligible voter of [state party caucus, party meeting or party convention, do hereby give my proxy authorization to [state name of proxy holder] who shall be authorized to vote in my stead at the meeting to be held on [date] and any adjourned date thereof." Any proxy granted hereunder shall be revocable in a writing provided to the secretary or chair of the party entity or by the attendance of the proxy grantor at the meeting stated.
- Section 6530 of the Education Law, or any section of the Public Health Law, to the extent necessary to allow a questionnaire administered through an asynchronous electronic interface or electronic mail that is approved by a physician licensed in the State of New York to be sufficient to establish a practitioner-patient relationship for purposes of ordering a clinical laboratory test.
- The directive contained in Executive Order 202.44 which authorized any party caucus to be held remotely for an office to be filled at a town or village election to be held on September 15, 2020 is modified insofar as to authorize a remote caucus or convention for a town or village office, which is required by law to be filled at the general election in November, and is not to be filled at the September 15, 2020 town or village election.
- The directive contained in Executive Order 202.7, as extended, requiring all barbershops, hair salons, tattoo or piercing parlors and related personal care services to be closed to members of the public is hereby modified to allow for the opening of barbershops and hair salons, and to require opening or operations in compliance Department of Health guidance, and is only permitted in such regions authorized for Phase Two industries reopening.
- The directive contained in Executive Order 202.32 allowing any licensee or franchisee of a racetrack to operate such racetrack is hereby modified and extended until August 2, 2020, to allow any operator of an auto racetrack to operate beginning June 3, 2020, and to require opening or operations in compliance Department of Health guidance, and provided further such auto racetrack allows only essential personnel or participants to be on site, and does not permit any visitor or spectator into the facility or on premise.
- Executive Order 202.35, which amended prior Executive Orders with respect to New York on Pause, is here by modified as follows:

Executive Order Batches

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Summary of NYS Executive Orders 202 – 202.79 (Establishes a State of Emergency due to the COVID-19 Crisis)

Updated: 12/04/2020

- Any region authorized for Phase One reopening may allow outdoor, low-risk recreational activities and businesses providing such activities as determined by the Empire State Development Corporation, are permitted to operate if operated in accordance with Department of Health guidance.

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Executive Order Batches

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