

Taylor County
400 Oak Street
Suite 300
Abilene, TX 79602



325-674-1235 ph.
325-674-1365 fax
bollsd@taylorcountytexas.org



Downing A. Bolls, Jr.
County Judge

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To: Media Advisories

**A STATEMENT CLARIFYING EXECUTIVE ORDERS
RELATED TO COVID-19 IN TAYLOR COUNTY, TEXAS**

In recent weeks, my office has been the recipient of several emails regarding compliance concerns with masking requirements currently in place in Texas and Taylor County. The complaints come from three sources: (1) business owners concerned about their patrons not wearing masks; (2) patrons of those businesses concerned that the business owners are not enforcing compliance; and, (3) citizens themselves concerned about the escalating situation in the local hospitals due to community spread of COVID-19.

The wearing of masks or face-coverings in public places and commercial establishments during the COVID-19 Pandemic is not just crucial to minimizing the community spread of COVID-19; it is also mandated by the Governor's Executive Order GA-29. In an effort to clarify the issue of masks and facial coverings, I am re-releasing Governor Abbott's Executive Order GA-29. Any clarification of what the requirements are can be found in the order itself, including a list of exceptions and actions.

According to Chapter 418.014 of the Texas Government Code: "the governor by executive order or proclamation may declare a state of disaster if the governor finds that a disaster has occurred or that the occurrence or threat of disaster is imminent." Executive orders, proclamations, and regulations have the force and effect of law."

GA-29 is the executive order that specifically addresses wearing masks and facial coverings. It reads:

"Every person in Texas shall wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an

outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household; provided, however, that this face-covering requirement does not apply to the following:

- 1. any person younger than 10 years of age;*
- 2. any person with a medical condition or disability that prevents wearing a face covering;*
- 3. any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;*
- 4. any person while the person is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;*
- 5. any person while the person is driving alone or with passengers who are part of the same household as the driver;*
- 6. any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal care service involving the face, but only to the extent necessary for the temporary removal;*
- 7. any person while the person is in a swimming pool, lake, or similar body of water;*
- 8. any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election, but wearing a face covering is strongly encouraged;*
- 9. any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged;*
- 10. any person while the person is giving a speech for a broadcast or to an audience; or*
- 11. any person in a county (a) that meets the requisite criteria promulgated by the Texas Division of Emergency Management (TDEM) regarding minimal cases of COVID-19, and (b) whose county judge has affirmatively opted-out of this face-covering requirement by filing with TDEM the required face-covering attestation form—provided, however, that wearing a face covering is highly recommended, and every county is strongly encouraged to follow these face-covering standards.*

Not excepted from this face-covering requirement is any person attending a protest or demonstration involving more than 10 people and who is not practicing safe social distancing of six feet from other people not in the same household.

TDEM shall maintain on its website a list of counties that are not subject to this face-covering requirement pursuant to paragraph number 11. The list can be found at: www.tdem.texas.gov/ga29.

Following a verbal or written warning for a first-time violator of this face covering requirement, a person's second violation shall be punishable by a fine not to exceed \$250. Each subsequent violation shall be punishable by a fine not to exceed \$250 per violation.

Local law enforcement and other local officials, as appropriate, can and should enforce this executive order, Executive Order GA-28, and other effective executive orders, as well as local restrictions that are consistent with this executive order and other effective

executive orders. But no law enforcement or other official may detain, arrest, or confine in jail any person for a violation of this executive order or for related non-violent, non-felony offenses that are predicated on a violation of this executive order; provided, however, that any official with authority to enforce this executive order may act to enforce trespassing laws and remove violators at the request of a business establishment or other property owner.”

Governor’s Executive Order GA-32, clarifies that:

“All existing state executive orders relating to COVID-19 are amended to eliminate confinement in jail as an available penalty for violating the executive orders. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail as an available penalty for violating a COVID-19-related order, that order allowing confinement in jail is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any executive order or local order issued in response to the COVID-19 disaster.”

Let us be clear on this: COVID-19 is a serious health risk. It is caused by a respiratory virus that is transmitted by coughs and sneezes through which contagions, in the form of tiny droplets, are spread from person to person. It has no cure yet. Our actions or inactions can affect ourselves and our neighbors.

The Texas Department of State Health Services (“DSHS”) recommends these everyday actions to help prevent the spread of any respiratory virus, including COVID-19:

- *Wash hands often for 20 seconds and encourage others to do the same. Use hand sanitizer with at least 60% alcohol if soap and water are unavailable.*
- *Wear a cloth face covering in public and during large gatherings.*
- *Cover coughs and sneezes with a tissue, then throw the tissue away.*
- *Avoid touching your eyes, nose, and mouth with unwashed hands.*
- *Disinfect surfaces, buttons, handles, knobs, and other places touched often.*
- *Stay six feet apart from others.*
- *Avoid close contact with people who are sick.*

DSHS recommends that you practice social distancing. Social distancing involves staying away from other people to avoid catching or spreading illness. It's a fancy term for avoiding crowds and minimizing physical contact. This could mean avoiding concerts or weddings, skipping the handshake, and/or staying at least six feet away from others. Additionally, DSHS and the CDC recommend using simple cloth face coverings in public to help slow the spread of the virus.”

*Governor Abbott, under his subsequent executive orders, has suspended:
"Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81,
Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the
extent necessary to ensure that local officials do not impose restrictions inconsistent with
this executive order, provided that local officials may enforce this executive order as well
as local restrictions that are consistent with this executive order."*

Taylor County's Declaration of Local Disaster Resolution states that the intent of its Resolution is: " ... to protect the physical health and well-being of Taylor County residents, to protect the financial health and well-being of Taylor County residents and businesses, and to slow the spread of COVID-19 to the maximum extent possible while safeguarding the Constitutional liberties of Taylor County residents by using the least restrictive means possible and encouraging the highest level of personal responsibility.

Personal responsibility is of paramount importance in attempting to prevent the spread of COVID-19."


Downing A. Bolles, Jr.