

RECENT STATE OF FLORIDA GOVERNMENT ACTIONS

Phase 2 Recovery | Executive Order [20-139](#) | With Executive Order 20-139, Governor DeSantis began Phase 2 of the plan to reopen Florida Businesses. As with the original Phase 1 order, the action is limited for Miami-Dade, Broward, and Palm Beach counties, though most portions of the order do apply to the entire state.

Continuation of Phase 1. All of the Phase 1 Recovery actions and modifications are extended for all counties. Any businesses currently operating under Phase 1 limitations can continue to operate as such with the same limitations. In situations where the Phase 1 limitations conflict with EO-139, the (likely more relaxed) provisions of EO-139 control. Notable businesses under this umbrella include barbers, salons, restaurants, gyms, and youth activities.

Responsible Individual Activity. The order resets what is considered “Responsible Individual Activity” by both giving new guidance and by superseding prior similar guidance offered in EOs 91, 91, and Section II of 121. Individuals are now recommended to avoid crowds of greater than 50 persons and it is recommended that workers in long term care facilities be routinely tested. Responsible Individual Activity still recommends additional precautions and distancing for seniors and those with underlying medical conditions. Lastly, retail establishments and gyms are required to maintain social distancing and sanitation protocols.

Travel to Florida. Through an extension of EO-80 and EO-82, travelers of Florida who originated or visited within the last 14 days an “area with substantial community spread” are still required to isolate and quarantine for 14 days or the length of their stay (whichever is shorter). However, EO-139 creates an exemption from those requirements for anyone traveling to Florida for commercial activity and for students traveling for academic work, internships, and sports training (or any activity/program approved by the education institution).

Business Activity. As noted above, the Phase 1 orders are extended. Business operating under Phase 1 guidelines can continue to operate under those guidelines in all counties. Additionally, a number of new and/or relaxed activity is allowed in most counties.

- Restaurants can continue to operate at 50% indoor capacity and can now open bar areas for seating and serving. Outdoor seating is allowed at full capacity so long as social distancing can be maintained.
- Bars can now open and operate at 50% indoor capacity. Like restaurants, any outdoor seating is ok with proper social distancing.
- Night clubs are not allowed to open and are called out as separate and distinct from bars.
- The relaxing of restrictions that allow alcohol to be sold with take-out and delivery orders is extended.
- Entertainment businesses can operate at 50% capacity if conducting proper social distancing and sanitation. This business classification is broad, but examples include theaters, bowling alleys and arcades.

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- Pari-mutuel facilities can operate if a letter from the applicable mayor or county administrator is sent to the secretary of the Department of Business and Professional Regulation and the secretary then grants approval.
- Personal service business can operate if specific Florida Department of Health published guidelines are adhered to. Like entertainment businesses, the business classification is used broadly but includes tattooing, piercing, acupuncture, massage, and tanning businesses.

The new and relaxed business activity is not available in Miami-Dade, Broward, and Palm Beach counties. Those counties can request approval in writing to the governor.

Finally, the Executive Order extends Executive Order [20-69](#), which allows local governments to meet virtually, until June 30th. Notably here, the extension is to a set date instead of continuing for the length of the order.