# Paul | Weiss Last Updated August 31, 2020 COVID-19 Relief Programs for Businesses and Employers

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# TABLE OF CONTENTS

01   Alabama	40   Louisiana	70   <b>Ohio</b>
02   Alaska	41   Maine	73   Oklahoma
02   Arizona	43   Maryland	75   Oregon
04   Arkansas	44   Massachusetts	75   Pennsylvania
05   California	47   Michigan	79   <b>Rhode Island</b>
21   Colorado	50   Minnesota	80   South Carolina
22   Connecticut	51   Mississippi	82   South Dakota
23   Delaware	51   Missouri	83   Tennessee
24   Florida	54   Montana	85   <b>Texas</b>
25   <b>Georgia</b>	55   Nebraska	86   <b>Utah</b>
26   Hawaii	56   Nevada	90   <b>Vermont</b>
27   <b>Idaho</b>	58   New Hampshire	91   <b>Virginia</b>
27   Illinois	58   New Jersey	94   Washington State
31   Indiana	63   New Mexico	95   <b>West Virginia</b>
31   <b>lowa</b>	64   New York	96   <b>Wisconsin</b>
34   Kansas	67   North Carolina	97   <b>Wyoming</b>
38   Kentucky	68   North Dakota	98   <b>District of Columbia</b>

# **COVID-19 Relief Programs for Businesses and Employers**

#### Alabama

- Agricultural Stabilization Program
  - Qualifying Alabama individuals and businesses in various agricultural industries including (i) cattle production, (ii) meat processing, (iii) poultry farming, (iv) catfish processing, (v) fruit and vegetable processing, (vi) food production pursuant to the USDA's Coronavirus Food Assistance Program, and (vii) plant nurseries are eligible for funds related to business lost and/or protective equipment and supplies purchased in connection with the COVID-19 pandemic. Funds available vary based on agricultural industry. Meat processing, catfish processing and fruit and vegetable processing available now. Others available in coming weeks. For more information on availability and eligibility, please click <a href="https://example.com/here-new/measure-new/meas
- Forestry Commission Timber Owners Program
  - Qualifying Alabama timber owners impacted by the COVID-19 pandemic can apply for grants of up to \$10,000 on a first-come, first-served basis if they harvested timber in Alabama between March and July 2020.
- Guidance Regarding Reopening Restaurants, Athletic Facilities, Retailers, Entertainment Venues, and Close Contact Service Providers
  - If no countervailing city or county restrictions apply, by executive order of the Governor, restaurants, athletic facilities, retailers, entertainment venues, and close contact service providers (barber shops, salons, spas, tattoo parlors and massage therapists) may reopen, subject to compliance with social distancing guidelines and other safety measures. Businesses should check for any additional city or county restrictions.
- Protection From Civil Liability for Businesses and Health Care Providers Acting in Response to COVID 19
  - Businesses, health care providers, or other covered entities are not liable for the death or injury to persons, or for damages to property, in any way arising from any act or omission related to, or in connection with, COVID-19 transmission or a covered COVID-19 response activity, unless found to be acting with wanton, reckless, willful or intentional misconduct. COVID-19 response activities

include: (i) any testing, or activity related thereto, in connection with COVID-19; (ii) any performance or provision of health care services or treatment by a health care worker that was negatively affected by a lack of resources caused by the COVID-19 pandemic or Alabama's response thereto; (iii) any design, manufacture, distribution, allowance, use or non-use of precautionary equipment such as PPE in connection with COVID-19; or (iv) any design or manufacture of testing materials done under the direction of the Alabama Department of Public Health.

#### Alaska

## State-Wide Programs

- Reopening at Full Capacity for Various Businesses
  - Pursuant to an executive order, Governor Dunleavy has announced that as of May 22, 2020, all businesses, houses of worship, libraries and museums, and recreational and sport facilities may reopen at 100% capacity. Individuals, businesses, and organizations affected by this order are encouraged to follow local, state, national and industry guidelines on ways to safely conduct business and related activities, including by observing and enforcing social distancing and hygiene best practices. Businesses should check for any additional city or county restrictions.

#### **Arizona**

- Deferred Liquor License Payments for 90 Days
  - Effective March 31, 2020 through June 29, 2020. The Arizona Department of Liquor Licenses and Control will defer the payment of all liquor license fees by 90 days for bars and restaurants in Arizona.
- Electric Utility Relief
  - Arizona's largest electric utilities have agreed to provide continued electricity to homes, hospitals, and businesses and will not shut off power during the remainder of the COVID-19 crisis due to inability to pay. No penalties or late fees will be assessed during this time, and the utilities will provide flexible options for customers who wish to switch plans.
- Employment Opportunities Database
  - The Arizona Commerce Authority recommends that anyone who is seeking employment in Arizona visit ArizonaAtWork.com to access a database of employers who are currently hiring and need immediate assistance.

- Exemption to Resume Elective Surgeries Upon Request for Health Care Facilities That Meet
   Preparedness Standards
  - Beginning on May 1, 2020, Arizona hospitals, healthcare facilities, and providers (including dentists) may apply for and receive permission from the Arizona Department of Health Services (ADHS) to resume elective surgeries if they can demonstrate ample supply of PPE, increased capacity, and the implementation of certain safety measures. ADHS is not yet ready to process applications, but guidance will be posted on the ADHS website once finalized.

#### Food Trucks Permitted at Arizona Rest Areas

Pursuant to Executive Order 2020-31, the Arizona Department of Transportation (ADOT) will issue no-fee permits to licensed mobile food vendors to provide take-away food services for commercial vehicle drivers at eight ADOT rest areas. Licensed mobile food vendors can apply for a no-cost, 30-day permit on the ADOT website.

#### Good Samaritan Protections for COVID-19 Frontline Workers

Pursuant to Executive Order 2020-27, beginning on April 9, 2020, licensed Arizona healthcare professionals, volunteers, and healthcare institutions who provide medical services in support of the State's COVID-19 emergency and have acted in good faith will be immune from civil liability. The Executive Order will expire on December 31, 2020, but the immunities granted for actions undertaken during the term of the order will survive expiration of the order. The order does not provide immunity from civil liabilities for gross negligence or reckless or willful misconduct.

## Guidance for Reopening Businesses

As businesses begin to reopen in Arizona, Governor Ducey has announced specific guidelines for certain types of businesses, including retail businesses, barbers, cosmetologists, restaurants, coffee shops, gyms, fitness providers, spas, and massage therapists. Businesses should check for any additional city or county restrictions.

#### Shared Work Unemployment Compensation

The Shared Work Unemployment Compensation Program is an ongoing collaborative effort between Arizona and employers. This program provides an alternative to layoffs by allowing employers to reduce the number of hours employees work while simultaneously permitting those employees to receive a portion of Unemployment Insurance benefits.

#### State Income Taxes

The deadline for filing and paying state income taxes has been extended from April 15, 2020 to July 15, 2020.

## Telemedicine for Veterinarians Treating Pets or Animals

Effective April 1, 2020 and for the duration of the COVID-19 crisis, licensed veterinarians in Arizona are permitted to provide veterinary services via telemedicine. The Arizona State Veterinary Medical Board may establish reasonable requirements and parameters for the provision of such telehealth veterinary services.

# Virtual Notary Services

Beginning on April 10, 2020 through July 1, 2020, Arizona notaries can apply to become electronic notaries. Before submitting an electronic application, notaries must review the applicable Administrative Rules and contract with a vendor for technology services to perform electronic notarizations.

#### **Arkansas**

#### State-Wide Programs

# Reopening Guidance

The Governor of Arkansas has announced guidance for certain businesses to reopen in the state, if there are no countervailing city or county restrictions. Businesses in certain categories are slated to reopen on specific dates throughout May. Businesses should check for any additional city or county restrictions.

#### Work Share Program

Arkansas' Shared Work Unemployment Compensation Program allows employees to receive a portion of their unemployment benefits while working reduced hours.

#### **California**

- California Tax, Regulatory, and Licensing Extensions
  - Effective March 30, 2020, Governor Gavin Newsom issued an executive order authorizing the California Department of Tax and Fee Administration (CDTFA) to: (1) offer a 90-day extension for tax returns and tax payments for all businesses filing a return for less than \$1 million in taxes; the State will also allow small businesses to defer payment of sales and use taxes of up to \$50,000, for up to 12 months; (2) extend the statute of limitations to file a claim for refund with the CDFTA by 60 days, and (3) extend the time by which individuals and businesses must file a timely administrative appeal with the CDFTA by 60 days. The order also provides that pre-scheduled shareholder meetings or those that must occur before June 30, 2020 may be held by electronic transmission regardless of shareholder consent, so long as the corporation has provided sufficient notice to shareholders.
- California Suspends WARN 60-day Notice Requirement
  - Effective March 4, 2020 and until the end of the State of Emergency, the California Worker Adjustment and Retraining Notification (WARN) Act's 60-day notice requirement will be suspended, enabling employers affected by COVID-19 to use the "unforeseeable business circumstance" exception to the notice obligation. Employers must still comply with other WARN Act requirements and provide employees with as much paid notice as possible.
- Commercially Licensed Food Trucks Will Be Permitted to Operate in Designated Safety Roadside Rest Areas
  - Effective April 16, 2020, restrictions on commercial activity in safety roadside rest areas will be lifted until June 15, 2020 to enable commercially licensed food trucks to operate and sell food in designated safety roadside rest areas in compliance with a temporary permit issued by Caltrans.
- **Employer Alternatives to Layoffs Through Unemployment Insurance (UI) Work Sharing Program, Including Partially Offsetting Reduced Employee Hours and Wages With UI Benefits** 
  - The Unemployment Insurance Work Sharing Program is part of California's ongoing state benefits programs. The Work-Sharing program allows businesses, including businesses impacted by COVID-19, to retain workers by reducing hours and wages no more than 60% and partially offsetting wage loss with unemployment insurance benefits.

#### Filing Extension for CA Taxes to June 15, 2020 for Individuals, Partnerships and LLCs

As a part of special COVID-19 relief measures, the State of California is allowing for taxpayers (including individual filers, partnerships, LLCs taxed as partnerships, and quarterly estimated tax payments) to file their 2019 California tax returns and make certain payments until June 15, 2020. The Franchise Tax Board will also waive any late filing or late payment penalties and interest that would otherwise apply.

## Hotels for Health Care Workers

Effective April 10, 2020, California has partnered with various hotels to provide discounted rates to health care workers who have come in direct contract with or are suspected of having direct contact with COVID-19 patients, or who test positive for COVID-19 but do not require hospitalization. Hotels interested in participating should email <a href="mailto:covid19lodging@dgs.ca.gov">covid19lodging@dgs.ca.gov</a>.

# <u>License Extension for Privately Owned Ambulances</u>, <u>Armored Cars</u>, <u>and Fleet Owner Inspection and</u> Maintenance Stations

Effective April 16, 2020, licenses for privately owned or operated ambulances used to respond to emergency calls, privately owned armored cars, and fleet owner inspection and maintenance stations that expire on or after March 4, 2020 or expire between April 16, 2020 and June 15, 2020 are extended by 60 days.

#### Loan Guarantees for Small Businesses

Effective April 2, 2020, the State will provide \$50 million in loan guarantees, through the California Infrastructure and Economic Development Bank, to small business owners who otherwise would not qualify for federal funds, such as those from low wealth and undocumented immigrant communities.

#### Moratorium on Water Shutoffs

Effective April 2, 2020, by Executive Order, Governor Gavin Newsom announced a moratorium on water shutoffs due to inability to pay. The moratorium applies to small businesses in critical infrastructure sectors as defined by the State Public Health Officer.

#### Property Tax and Filing Extension

 California has: (1) waived penalties for property taxes paid after April 10, 2020 for small businesses able to demonstrate that they have experienced financial hardship due to the COVID-19 pandemic

through May 6, 2021; and (2) extended the deadline for certain businesses to file Business Personal Property Statements from May 7, 2020 to May 31, 2020.

#### Reopening Certain Businesses and Manufacturers

Effective May 8, 2020, California has moved into Stage 2 of the state's four-phase reopening plan, which permits retail (curbside and delivery only), related logistics and manufacturing, office workplaces, limited personal services, outdoor museums, child care, and essential businesses to reopen with modifications. The state is issuing <a href="mailto:guidance">guidance</a> to help these workplaces reopen safely. Businesses should check for any additional city or county restrictions.

#### State Payroll Tax Extension for 60 Days

Businesses impacted by COVID-19 may request an extension of up to 60 days to file state payroll reports and deposit state payroll taxes without penalty or interest. A written request for extension noting the impact of COVID-19 on the business must be filed within 60 days from the original delinquent date of payment or return.

#### Tolling of Coastal Commission and Water Resources Control Board Matters

Executive Order N-52-20 tolls certain matters before the California Coastal Commission and Water Resources Control Board. Under the terms of the order, time limits set forth for applications for development projects, approval of development permits, approval and certification of local coastal programs, hearings on applications for coastal development permits, and appeals of actions on coastal development permits or claims of exemption are tolled for 60 days with respect to actions by or matters before the California Coastal Commission or the State Water Resources Control Board.

#### County-Based Programs

#### Alameda County Property Tax Penalty Waiver

After the property tax delinquency date (April 10, 2020), the Alameda County Office of the Treasurer and Tax Collector will begin accepting penalty cancellation request forms for failures to pay property taxes related to COVID-19. Property owners will remain responsible for the property taxes but will work with the office on an individual basis to determine when they must pay those taxes. Eligible taxpayers will include homeowners, small businesses, and small landlords.

#### L.A. County Disaster Help Center

The L.A. County Disaster Help Center serves as a centralized call center offering free, one-on-one counseling and support for business owners, workers, property owners, and landlords affected by the COVID-19 crisis. The Help Center assists businesses in determining the applicability of public health orders and in accessing state and federal resources, including recent relief packages, emergency loans, and workshare programs. The Help Center assists individuals with filing unemployment insurance claims, finding employment opportunities, and discovering available County resources. The Help Center also offers enhanced foreclosure prevention services for property owners.

## **L.A. County Enacts Emergency Moratorium on Residential and Commercial Evictions**

Effective as of March 4, 2020. The moratorium is currently set to expire on June 30, 2020. The moratorium includes a ban on evictions for: (1) nonpayment of rent, if the tenant can show they have been financially impacted by the COVID-19 pandemic; (2) no fault reasons under the County Code; and (3) violations due to additional occupants, pets, or nuisances related to the COVID-19 pandemic.

## **L.A. County Partners with Hotel and Motel Operators for Medical Shelter Rooms**

- The County of Los Angeles is purchasing room blocks from hotel and motel operators in a minimum quantity of 100 rooms at a time, or however many rooms are remaining at a hotel if the remainder is less than 100 rooms. The purpose is to provide quarantine rooms to individuals whose current housing situation does not allow them to self-quarantine at home, including persons experiencing homelessness.
- L.A. County Public Works and Southern California Edison (SCE) Suspending Utility Shut-Offs and Discontinuation of Services for Late Payments; SCE Providing Flexible Payment Plans
  - In response to the COVID-19 pandemic, Los Angeles County Public Works and Southern California Edison (SCE) are suspending shut-offs and discontinuation of services. Public Works will not shut off or stop services for customers who are delinquent or behind in service or permit payments until this order is lifted. This order includes water, sewer, and trash pick-up services.
- Orange County Treasurer-Tax Collector Will Grant Penalty Relief for Taxpayers
  - Treasurer-Tax Collector Freidenrich announced that she will grant waivers on penalties to taxpayers to the extent allowed by existing California law. Taxpayers who cannot not pay their property taxes by April 10, 2020 due to COVID-19 should submit a Penalty Cancellation Request

Form, which can be found <u>here</u>. More information about a Penalty Cancellation Request and how to avoid penalties can be found <u>here</u>.

## Riverside County Small Business Grants Program

The Riverside County Board of Supervisors recently approved \$45 million in grant funding for small businesses that have been adversely impacted by COVID-19. The funds can be used for (1) necessary equipment and operating technology; (2) inventory and working capital; (3) facility cleaning and restoration; (4) rent or business mortgage payments; and (5) employee retention and support. The application, which closes at 6:00 p.m. on August 31, 2020, can be found here.

#### San Diego County Defers Invoicing and Payment for Impacted Food Facilities

San Diego County is assisting the food and beverage industry in recovering from the financial impacts of COVID-19 by extending the deadline for paying certain fees to the Department of Environmental Health. The payment of fees for annual food facility health permit renewals occurring between March 1, 2020 through August 30, 2020 will be deferred to September 1, 2020. This includes late fees and plan check correction fees associated with plans submitted prior to March 1, 2020.

#### San Diego County Small Business and Non-Profit Loan Program (SBNLP)

The San Diego Small Business and Non-Profit Loan Program (SBNLP) is a public-private partnership between the Office of the San Diego County Supervisor and the San Diego Foundation. The program provides interest-free loans to small businesses and nonprofit organizations in the County that are struggling as a result of the COVID-19 pandemic. Applications are now available: small businesses can apply for loans <a href="here">here</a>, and nonprofit organizations can begin the application process <a href="here">here</a> by filling out some screening questions.

# San Diego County Treasurer-Tax Collector Will Accept Penalty Cancellation Requests for Property Taxes

Treasurer-Tax Collector Dan McAllister announced that although the deadline for paying property taxes is still April 10, 2020 under state law, taxpayers who are unable to pay on time due to the COVID-19 crisis can file a penalty cancellation request form, which can be found <a href="here">here</a>. These requests will be reviewed on a case-by-case basis after April 10, 2020, and must be submitted before June 30, 2020.

- San Diego Gas & Electric Suspends Shut-Offs Due to Non-Payment
  - SDG&E is temporarily suspending service disconnections for non-payment. SDG&E will also waive late payment fees for business customers whose finances have been hit hard by the coronavirus.
- San Francisco County Waiver of Penalty for Late Property Tax Payments
  - The Treasurer & Tax Collector for the City and County of San Francisco is permitting taxpayers who were unable to pay their property tax by May 15, 2020 for reasons related to COVID-19 to submit requests for penalty waivers. The requests should provide information that indicates how the taxpayers were impacted by COVID-19. If approved, taxpayers will have until May 6, 2021 to pay their bills without incurring late payment penalties.
- San Mateo County Small Business Evictions Moratorium
  - Moratorium until June 30, 2020 on commercial evictions of small businesses that (1) operated a business that earned not more than \$2.5 million in gross receipts for the 2019 calendar year, and (2) operate that business in the unincorporated area of San Mateo County.

#### City of Anaheim Programs

- Moratorium on Evictions Due to COVID-19
  - Anaheim has implemented a moratorium on evictions of residential and commercial tenants who cannot pay rent due to a loss of income related to the COVID-19 pandemic. Tenants have up to 120 days after the expiration of Anaheim's ordinance implementing the eviction moratorium to pay their landlord any unpaid rent. Landlords may not charge late fees, costs, interest, or other penalties to the tenant based on the tenant's delay in payment of rent due to COVID-19.

#### City of Berkeley Programs

- Berkeley Arts Organization Continuity Grants
  - The City of Berkeley is making grants of up to \$25,000 available to Berkeley-based nonprofit arts organizations to help mitigate COVID-19 related financial losses. Applications for the first round of funding closed on Monday, April 20, 2020 at 5 p.m. PDT.
- Berkeley Business Continuity Grants
  - The City of Berkeley is making grants of up to \$10,000 available to Berkeley-based businesses and nonprofits that have 50 or fewer employees and can demonstrate at least a 25% reduction in

revenues due to COVID-19. Applications for the first round of funding closed on Monday, April 6, 2020 at 5 p.m. PDT. The timing for the second round of funding is TBD.

- Emergency Ordinance Prohibiting COVID-19-Related Evictions During California's COVID-19 State of Emergency
  - The basis for nonpayment of rent or mortgage must be caused by the COVID-19 pandemic or government responses to the pandemic. The final ordinance may be downloaded through Berkeley's Records site, accessible <a href="here">here</a>.

## City of Chula Vista Programs

- City of Chula Vista Moratorium on Evictions
  - Effective through July 31, 2020, Chula Vista has enacted a moratorium on residential and commercial evictions, as well as foreclosure proceedings, due to financial hardships related to COVID-19. To avoid eviction, a tenant must provide written notice to their landlord of the tenant's inability to pay rent within 30 days after the date rent was due. A helpful eviction protection form for commercial tenants can be found here.
- Suspension of Water Service Shut-Offs
  - Available now until further notice, the two water providers for the City of Chula Vista, <a href="Sweetwater Authority">Sweetwater Authority</a> and <a href="Otay Water District">Otay Water District</a>, are temporarily suspending water service disconnections for non-payment. Otay Water District is also waiving late fees until further notice. Utility customers are still obligated to pay their water bills in a timely fashion and these suspensions do not relieve customers of liability for missed or late payments.

#### City of Fremont Programs

- Business Tax Certificate Renewal Late Payment Interest and Penalty Waiver
  - The City of Fremont announced on March 31, 2020 that it would waive penalties and interest on late payments for business tax certificate renewals. Eligible businesses that have already paid penalties and interest on late renewal payments will receive a credit to their business tax account for the penalties and interest paid for this period.
- 30-Day Residential Evictions Moratorium
  - On March 27, 2020, the Fremont City Council enacted an immediate 30-day moratorium on residential evictions for failure to pay rent due to financial impacts related to COVID-19 and nofault evictions. The moratorium also forbids charging late fees so long as tenants have repaid half

of any overdue rent within 90 days and all of the outstanding rent within 180 days of the expiration of the declared local emergency.

#### City of Hayward Programs

#### Moratorium on Evictions

On July 1, 2020, the City of Hayward extended its residential evictions moratorium by enacting a new 90-day moratorium effective through September 30, 2020. The moratorium also protects commercial tenants and homeowners unable to make payments due to the COVID-19 pandemic from eviction (including no-fault eviction), foreclosure, and late fee charges.

## City of Long Beach Programs

- Moratorium on Residential and Commercial Evictions
  - Effective retroactively from March 4, 2020, through July 31, 2020, the City of Long Beach has placed a moratorium on evictions for non-payment of rent by residential and commercial tenants financially impacted by the COVID-19 crisis. The emergency ordinance also prohibits landlords from assessing late fees for non-payment of rent to tenants financially impacted by the COVID-19 crisis.
- Restoration of Gas Service to Customers Currently Shut-Off for Non-Payment
  - Currently effective. Call (562) 570-5700 to request restoration of services.

## City of Los Angeles Programs

- Free Installation of Temporary Pick-Up Parking Zones for Restaurants and Retailers
  - The City of Los Angeles, Department of Transportation (LADOT) is establishing temporary "Food Pick-Up Parking Zones" and "Retail Pick-Up Parking Zones" to facilitate pick-up services offered by restaurants and retailers during the COVID-19 pandemic. Upon approval, LADOT will print and install temporary parking signs free of charge within three business days. The new sign will designate a single parking spot for motorists to use while picking up food or purchases for a period of up to ten minutes.
- Free Outdoor Dining Permits Through L.A. Al Fresco
  - The City of Los Angeles, through L.A. Al Fresco, aims to help local businesses reopen and allow customers and employees to maintain physical distancing, by temporarily relaxing the rules that

regulate outdoor dining. The program temporarily authorizes no-cost outdoor dining and street vending for (1) on-street dining (e.g., curbside, closed streets), and (2) sidewalk and expanded outdoor private property dining (e.g., private parking lots, street parking spaces, or parklets). L.A. Al Fresco provides 90-day permits to local restaurants and vendors with no limits on renewals.

## L.A. CARES Corps

L.A. CARES Corps is a partnership between the City and County of Los Angeles to provide small businesses with the help they need to apply for federal loans under the CARES Act. The partnership provides this assistance through a website that includes information about various federal loan programs, eligibility, and application processes, as well as a link to the City of Los Angeles' Small Business Emergency Microloan Program for businesses that do not qualify for federal SBA loans.

#### L.A. Represents (Legal Assistance for Small Businesses)

Los Angeles has partnered with Bet Tzedek Legal Services to build a new support system for small businesses devastated by the COVID-19 pandemic. Pro bono attorneys from LA Represents will provide assistance to small businesses least likely to have access to effective legal services as they confront new workplace regulations, renegotiate commercial leases, apply for government relief programs, and navigate compliance with emergency health and safety orders.

#### Moratorium on Commercial Evictions due to COVID-19

Effective as of March 4, 2020. Applicable to commercial tenants in Los Angeles.

# Moratorium on Utility Shutoffs

The Los Angeles Department of Water and Power (LADWP) has placed a moratorium on water and power shutoffs through December 31, 2020. Customers should still pay their utility bills if they are able.

# Relaxation of Parking Enforcement for Personal and Commercial Vehicles; Extended Grace Period for Certain Industries

Effective March 17, 2020 through September 30, 2020, Los Angeles is relaxing parking enforcement through: (1) relaxed enforcement of street sweeping restrictions in residential areas; (2) relaxed enforcement of overnight/oversized parking districts; (3) no ticket/tow for oversized/overnight parking; (4) no parking fine increases for failure to pay; (5) extended grace period for people dropping off or picking up; (6) immediate extension on all deadlines for payment; (7) relaxed enforcement against expired vehicle registrations; (8) relaxed peak/rush hour and

gridlock zone parking restrictions; and (9) a two-week grace period to renew expired permits for preferential parking districts (LADOT will provide temporary print-at-home permits if the new hangtag does not arrive before the current permit expires). On October 1, 2020, parking enforcement will begin again, with the exception of street sweeping enforcement, which will resume at a later date.

# Small Business Emergency Microloan Program

The City of Los Angeles has established the Small Business Emergency Microloan Program to provide working capital to businesses affected by the COVID-19 pandemic. Eligible businesses can apply online for a low- or no-interest loan of \$5,000 to \$20,000, with a repayment term of six months to five years.

## City of Oakland Programs

- Oakland Business Assistance Center Connecting Small Businesses With Support Organizations and Technical Assistance
  - Small businesses can receive direct assistance from the Oakland's Business Assistance Center (BAC). Staff in the Business Assistance Center will work with businesses to connect them with support organizations and assistance, including financial products, technical assistance, and other services.

#### Oakland Evictions Moratorium

- Oakland City Council passed an emergency ordinance banning landlords from evicting residential tenants and small businesses with commercial leases that are unable to pay rent due to COVID-19. Landlords are also prohibited from increasing rent by more than 3.5% and charging late fees if a tenant is too sick to pay rent, has lost income because of COVID-19, or is late in paying rent because they were complying with local emergency measures. This moratorium is effective from March 27, 2020 until August 31, 2020, subject to possible extension or shortening.
- Oakland Working With Small Business Owners to Meet Tax Obligations; Waiving Late Payment Penalties for Failure to File by March 1, 2020 Due to COVID-19
  - Oakland is helping small business owners meet their tax obligations by waiving late payment penalties for small business that fail to file their taxes, which were due on March 1, 2020, as a result of COVID-19. The City will work with small business owners to meet tax obligations in a flexible manner.

## City of Palo Alto Programs

- <u>Utility Rate Assistance, Including Implementing a Temporary Ban on Shut-Offs for Non-Payment,</u>
   <u>Lengthening Repayment Plans, and Expanding the Medical Rate and Financial Rate Assistance</u>
   <u>Programs</u>
  - Customers can apply for the program and learn about eligibility requirements at <a href="https://www.cityofpaloalto.org/gov/depts/utl/billpay/assist.asp">https://www.cityofpaloalto.org/gov/depts/utl/billpay/assist.asp</a>.

## City of Pasadena Programs

- Financial Relief Measures for Residents and Local Businesses, Including Moratorium on Evictions Related to COVID-19: Suspension of Certain Late Fees and Penalties for City Services: Suspension of Utility Shut-Offs; \$150,000 Fund for Meals for Vulnerable Citizens
  - Effective as of March 18, 2020.
- Rebate Checks to Residential and Commercial Electric Customers
  - The City of Pasadena will be issuing rebate checks to all residential and commercial Pasadena Water and Power customers in an amount equal to the Utility Underground Surtax for the two-year period from April 2018 through March 2020. Effective April 9, 2020, the City will also be suspending collection of further Utility Underground Surtaxes for a period of 6 months.
- Suspension of Certain Municipal Deadlines Related to Land Use Projects
  - Effective April 20, 2020, the City Manager has approved the suspension of certain Pasadena Municipal Code deadlines related to land use projects or applications approved prior to July 1, 2020. The effect of this is to extend most permits by an additional 12 months, including commercial building permits.

## City of Riverside Programs

- Microenterprise Business Grant Program
  - The City of Riverside Community Development Block Grant program, in partnership with United Way Inland Valleys project, is offering a one-time-grant of up to \$7,500 for small businesses in the City of Riverside. The grant is currently available until funding expires, based on a first come, first reviewed basis. The application, along with additional information regarding eligibility requirements, can be found <a href="here">here</a>.

#### Moratorium on Evictions

The City of Riverside issued a 60-day moratorium on evictions for commercial and residential tenants whose income has been directly and adversely impacted by COVID-19. Both commercial and residential tenants will have six months to pay back the full amount of rent owed during the moratorium period once the state of local emergency has been lifted. During this six-month time period, which may be subject to further extension by the Riverside City Council, impacted tenants will not owe late fees.

## City of Riverside, California: Temporary Outdoor Flex Space Program

- The Temporary Outdoor Flex Space program, which permits restaurants to operate on private land, public land, and in public rights-of-way, has expanded to assist retail and service businesses considered "lower risk workplaces." There is no initial cost for the temporary outdoor flex space permit; most businesses can begin operations immediately by submitting an application and self-certifying the requirements have been met. For the application, please click <a href="here">here</a>. The program is currently available with no end date specified.
- Suspension of Utility Shutoffs and Restoration of Service to Anyone Whose Utility Services Were Cut
   Off Since March 1, 2020
  - Effective as of March 18, 2020.

#### City of Sacramento Programs

#### <u>Farm-to-Fork Al Fresco Outdoor Dining Program</u>

The City of Sacramento's Farm-to-Fork Al Fresco outdoor dining program enables local restaurants to expand their outdoor dining facilities under certain conditions. For restaurants seeking to expand dining facilities into public sidewalks, streets or adjacent parking areas, the City is expediting the permit process to facilitate participation in the program. For restaurants seeking to expand into privately-owned parking areas, there is no need to obtain City permits; guidelines for private parking lot dining can be found <a href="here">here</a>. The program is currently available through the end of the local emergency.

#### Moratorium on Residential and Commercial Evictions

The Sacramento City Council has adopted an emergency ordinance to establish a temporary ban on evicting residential and commercial tenants unable to pay rent due to a loss of income caused by COVID-19. The ordinance has been extended to July 28, 2020. Tenants have 120 days thereafter to pay back rent and avoid eviction under the City's ordinance.

#### Sacramento Offers Economic Relief

Sacramento Municipal Utility District (SMUD) will not disconnect power due to non-payment through January 4, 2021. This applies to both residential and commercial customers. PG&E will similarly suspend service connections until further notice. The City will also acquire and distribute emergency sanitation and cleaning supplies to businesses impacted by COVID-19.

## City of San Diego Programs

## Deferral of Fees and Permit Renewals for Police-Regulated Businesses

Effective from April 1, 2020 through June 30, 2020, the City of San Diego is deferring all fees, assessments, and renewals for police permits for businesses that require police regulation. Payments for all fees and assessments related to police permits have been extended by 120 days from the payment due date. For businesses that are due to renew their police permits between April 1, 2020 and June 30, 2020, their current permits are automatically extended by 120 days from their expiration date.

#### Landlord Engagement Assistance Program (LEAP)

As part of an ongoing program, the City of San Diego is offering financial benefits to incentivize landlords to rent to San Diegans experiencing homelessness. These benefits include: payment of \$500 for the first unit rented to a homeless family or individual, and \$250 for each additional unit; up to two times the contract rent in security deposits and an average of \$100 in utility assistance per household; pre-inspection certification lasting 60 days; free online rental listings; financial assistance for credit checks and application fees; and a contingency fund to help cover expenses exceeding the security deposits.

#### Moratorium on Residential and Business Evictions

Effective through September 30, 2020, San Diego has approved a moratorium on residential and business evictions due to financial hardships related to the COVID-19 outbreak. Tenants must provide notice and documentation of financial hardship.

#### San Diego Relief Measures for Businesses

San Diego Mayor Kevin Faulconer has announced a number of measures to support small businesses impacted by the coronavirus crisis. This includes a tax certificate deferral program; a suspension of water billing fees and late payment penalties; and an extension of all building permits. The tax certificate deferral program is effective for 120 days from March 30, 2020. The

extension of building permits program is effective for 180 days from March 30, 2020. The suspension of water and sewer shut-offs is effective until further notice.

#### City of San Francisco Programs

- Cap on Fees Third-Party Delivery Providers Can Charge Restaurants
  - Effective April 13, 2020 until businesses are permitted to reopen for indoor dining service, the fee that delivery companies can charge restaurants is capped at 15%.
- Deferral of Business License Fees
  - San Francisco will defer collection of the unified license bill that is charged to restaurants and food businesses, bars, convenience stores, many small retailers, hotels, and tour operators. The due date for license fees, originally March 31, 2020, will now be March 1, 2021.
- Deferral of Business Registration Fee
  - The City of San Francisco will extend the deadline for businesses to renew their registration to maintain their ability to do business in San Francisco from June 1, 2020 to March 1, 2021.
- Deferred Pre-Payment of Business Taxes for Small Businesses
  - San Francisco announced that businesses with up to \$10 million in gross receipts can defer payment of first quarter business taxes for the current tax year, ordinarily due by April 30, 2020, until March 1, 2021. Interest payments, fees, and fines will not accrue as a result of a deferral.
- Moratorium on Commercial Evictions
  - The City of San Francisco has implemented a moratorium on commercial evictions for non-payment of rent due between March 17, 2020 and September 14, 2020 by small- and medium-sized businesses because of financial impacts related to COVID-19. Commercial tenants will have six months from the date of non-payment to make the payment.
- San Francisco Public Utilities Commission Suspends Water and Power Shutoffs for Residents and Businesses; Suspends Imposition of Late Payment Penalties or Fees for Water/Power/Sewer Bills
  - Effective March 13, 2020 through August 10, 2020, the San Francisco Public Utilities Commission (SFPUC) has suspended the discontinuation of water services for residents and businesses in San Francisco based on non-payment of water and sewer bills and power services for Hetch Hetchy Power customers. Late payment penalties and fees for delinquent water and sewer bills and

delinquent Hetch Hetchy Power Customer accounts are suspended. The SFPUC also is suspending the CleanPowerSF policy of transferring electric service customers' accounts to PG&E for failure to pay CleanPowerSF charges. Certain customers who have lost their jobs due to COVID-19 or the shelter in place order are also eligible for discounts on water, power, and sewer bills.

## Shared Spaces Program

The City of San Francisco has announced that neighborhood businesses can apply for permits to share a portion of the public right-of-way to provide restaurant pick-up and other neighborhood retail activity. The temporary permits will be valid until December 31, 2020.

#### Waiver of Penalty for Late Property Tax Payments

The Treasurer & Tax Collector for the City and County of San Francisco is permitting taxpayers who were unable to pay their property tax by May 4, 2020 for reasons related to COVID-19 to submit requests for penalty waivers. The requests should provide information that indicates how the taxpayers were impacted by COVID-19.

## City of San Jose Programs

#### Emergency Email for Business Information and Support

In response to the COVID-19 pandemic, the City's Office of Economic Development (OED) emergency response has set up an email, <a href="mailto:Covid19SJBusiness@sanjoseca.gov">Covid19SJBusiness@sanjoseca.gov</a>, for businesses, employers, workers, owners, and managers who need business-related information or support during the COVID-19 crisis. The mailbox will be monitored by staff who speak English, Spanish, and Vietnamese.

#### City of Santa Ana Programs

#### Additional Relief Measures for Local Businesses

The City of Santa Ana has enacted a number of relief measures related to deadlines for permits and approvals. Deadlines related to land use and planning approvals; temporary banner and special event displays permits; and notices of violation or citations for non-life safety nuisance or code violations have been extended. The City will also issue temporary work permits for employees of commercial and medical cannabis businesses, under certain conditions.

#### Relief Measures for Residents and Local Businesses

The City of Santa Ana enacted a number of economic relief measures to assist those affected by the COVID-19 crisis, including a moratorium on all residential and commercial evictions for non-payment due to financial impacts related to COVID-19. The City of Santa also suspended the initiation of and proceeding of any foreclosure action against a property owner with a demonstrated financial impact related to COVID-19. The City of Santa Ana also suspended water and sewer service shut-offs for unpaid bills and will not charge late-payment penalties and fees for parking violations, water bills, and sewer bills.

#### City of Santa Clara Programs

- City of Santa Clara Small Business Assistance Grant Program
  - Beginning the week of April 13, 2020, the City of Santa Clara will accept applications for grants to essential and non-essential small businesses, as defined by the Santa Clara County Public Health Department. Small businesses will be eligible for the grants if they are independently owned or operated, employ between one and 25 full-time employees, operate out of a physical commercial storefront within the city limits of Santa Clara, possess an active City of Santa Clara Business License, and are in good standing with the City. Non-essential small businesses will be eligible for grants of \$5,000.
- Santa Clara Suspending Electric and Water Disconnections; Offering Flexible Payment to Customers Impacted by COVID-19.
  - The City of Santa Clara has suspended service disconnections for utility (electric and water) non-payment to both residential and commercial customers. Flexible payment plans will be offered to customers who indicate either an impact or hardship as a result of COVID-19.

## City of Santa Monica Programs

- Santa Monica Emergency Relief Measures Including Moratorium on Evictions for Commercial and Residential Tenants for Nonpayment Due to COVID-19; Suspension of No-Fault Evictions; Suspension of Certain Penalties; and Prohibition of the Removal of any Residential Rental Unit from the Rental Market
  - In effect through June 30, 2020. Tenants must notify landlord in writing—which includes email or text communication—of lost income and inability to pay full rent due to financial impacts related to COVID-19 and provide supporting documentation within 30 days after rent is due.

- Tolled Deadlines for Land Use Planning and Permit-Related Actions
  - As of April 25, 2020, the Santa Monica City Manager has tolled all deadlines for land use planning and permit-related actions established by any provision of laws, ordinances, regulations, resolutions, rules, and statutes. Deadlines are extended as of March 13, 2020 for a period of two years.
- Zoning Changes to Expedite Business Recovery Citywide
  - The City of Santa Monica has approved interim zoning ordinances to make it easier for new and existing businesses to open and reopen as part of the City's recovery from the impact of COVID-19. The ordinances remove the one-year time limit for when a legal, □non-conforming use for restaurants and retail is considered abandoned, modify requirements to provide parking and loading spaces, reduce restrictions on restaurant size, and relax alcohol service regulations.

#### Colorado

# State-Wide Programs

- Health Emergency Leave With Pay (HELP)
  - Effective from March 11, 2020 until the end of the state of emergency, the Colorado Department of Labor and Employment (CDLE) has issued emergency rules that temporarily require employers in certain industries to provide four calendar days of paid sick leave to employees with flu-like symptoms while awaiting COVID-19 testing.
- Colorado Safer at Home: Reopening of Certain Businesses
  - If there are no countervailing city or county restrictions, certain non-critical businesses may operate with robust precautions, including 6-foot distancing, frequent cleaning and sanitation, and use of face coverings or masks and of gloves. Local and personal recreation facilities must remain closed. Businesses should check for specific restrictions related to their specific industry <a href="here">here</a> and check for any additional city or county restrictions.

#### City of Denver Programs

- Microloans
  - Effective March 20, 2020, the Denver Microloan Program will provide loans from \$5,000-\$50,000 and support services to small businesses to support their stabilization efforts.

#### Small Business Relief

Denver is providing up to a \$7,500 in cash grants to assist eligible small businesses that may have had to temporarily close, have difficulty paying their rent and utilities, or have had to lay off staff.

#### **Connecticut**

- COVID-19 Business Emergency Response Unit Hotline
  - Connecticut's Department of Economic and Community Development (DECD) has created a COVID-19 Business Emergency Response Unit that is dedicated to assisting businesses navigate resources and develop new resources. A dedicated phone line has been set up at (860) 500-2333 to provide assistance to Connecticut's small businesses for this purpose.
- Emergency No-Interest Loan Program for Connecticut Small Businesses and Nonprofits Impacted by COVID-19
  - Connecticut is offering qualifying organizations with 100 or fewer employees access to no-interest loans. A qualifying business or nonprofit organization can apply for a loan of up to the lesser of \$75,000 or three months of operating expenses.
- Essential Business Designation
  - Until non-essential businesses are permitted to resume normal business operations, Connecticut's Department of Economic and Community Development (DECD) will permit businesses to request an opinion as to whether they can be considered essential and remain open during the statemandated closure to protect against COVID-19.
- Grants Available to Connecticut Manufacturers to Produce COVID-19 Supplies
  - Effective immediately, Connecticut manufacturers can apply for grants of up to \$75,000 to assist in the production of critical medical equipment and supplies needed to respond to COVID-19.
- Guidance Regarding Reopening Businesses
  - Connecticut has released documents detailing specific rules that businesses falling under Phase 1 and Phase 2 of Connecticut's reopening plans must follow amid the ongoing COVID-19 pandemic. Phase 1, effective May 20, 2020, includes hair salons and barbershops; outdoor-only areas of museums, zoos, and restaurants; offices; retail and malls; outdoor recreation; and university

research. Phase 2, effective June 17, 2020, includes amusement parks, hotels/lodging, restaurants, museums, zoos, aquariums, indoor recreation, libraries, outdoor events, personal services, and sports and fitness facilities. Businesses should check for additional restrictions and guidance at the city and county level.

## Protection from Civil Liability for Healthcare Providers in Response to COVID-19

Effective immediately, Connecticut healthcare professionals' and facilities' acts or omissions undertaken in good faith while providing health care services in support of Connecticut's COVID-19 response are eligible for immunity.

## Shared Work Program

Connecticut is offering its Shared Work program, which offers an alternative to layoffs by allowing employers to temporarily reduce employee hours and supplement lost wages with the help of partial unemployment benefits. This program is an ongoing collaborative effort between Connecticut and employers.

#### Small Business Financing

Connecticut's small business program provides financing and loans to small businesses. Although no specific guidance has issued with respect to COVID-19, small businesses that have been adversely impacted by COVID-19 and meet general eligibility requirements for each program should be qualified to apply for financing or loans.

#### **Delaware**

#### State-Wide Programs

# Hospitality Emergency Loan Program (HELP)

Effective March 20, 2020, HELP will provide no-interest loans of up to \$10,000 per business per month to hospitality-related businesses in Delaware that have been economically impacted by COVID-19.

#### Moratorium on Evictions

Effective March 17, 2020, all evictions currently ordered and scheduled from March 17, 2020 through April 16, 2020 will be rescheduled for a date no earlier than May 1, 2020, with some exceptions.

#### State Tax Return Filing Extension

Effective March 23, 2020, filing deadlines for all final corporate income tax returns that would be due on April 15, 2020 will now be due on July 15, 2020 in light of COVID-19. Corporations requiring additional time may request an extension of the deadline for filing.

#### Florida

## State-Wide Programs

- Assessment of Documentary Stamp Taxes on Paycheck Protection Program Loans Suspended
  - To encourage small businesses to apply for Paycheck Protection Program loans created by Title I of the CARES act, Governor DeSantis of Florida has suspended the assessment and collection of documentary stamp taxes for Paycheck Protection Program loans. Executive Order 20-95 suspends the assessment and collection taxes under Chapter 201, Florida Statutes, for all notes and written obligations made pursuant to Title I of the CARES Act. Effective April 3, 2020 through July 7, 2020 or the date to which the state of emergency in Florida is extended, whichever is later.

## Plan for Florida's Recovery – Phase 2 Recovery

- Pursuant to Executive Orders <u>20-112</u>, <u>20-120</u>, <u>20-123</u>, <u>20-131</u>, and <u>20-139</u>, Governor DeSantis announced guidance for reopening restaurants, bars, retail establishments, gyms and fitness centers, professional sports venues, amusement parks, personal services (including body piercing, acupuncture, tanning, and massage), pari-mutuel facilities, entertainment businesses (including theaters, concert houses, auditoriums, playhouses, bowling alleys, and arcades), vacation rentals, organized youth activities, museums and libraries, elective surgery providers, barbershops, cosmetology salons, and cosmetology specialty salons. Businesses should check for additional restrictions and guidance at the city and county level.
- Suspension of License Renewal for the Manufacturing, Sale, or Distribution of Alcoholic Beverages
  - For the holder of any license, permit, registration, or certificate issued by the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco for the purposes of engaging in the manufacturing, sale, or distribution of alcoholic beverages in the State of Florida, any existing renewal deadline on or before December 31, 2020, is suspended through December 31, 2020, pursuant to Executive Order 20-210.

#### Georgia

## State-Wide Programs

- COVID-19 Information Website for Small Businesses
  - The State of Georgia has launched a website providing guidance to small businesses about COVID-19 support programs. This website aims to provide small business owners in Georgia with a centralized source of information about relief programs in Georgia.
- Reopening Certain Non-Essential Businesses
  - On April 23, 2020, Governor Brian P. Kemp issued an Executive Order No. 04.23.20.02, which allows certain non-essential businesses to resume operations. If there are no countervailing city or county restrictions, businesses that may resume in-person operations include: estheticians, hair designers, licensed massage therapists, restaurants and eating establishments (subject to additional sanitary measures), non-profits, retail businesses, cinemas and theatres, gyms and fitness centers, and bowling alleys. Businesses not yet allowed to resume in-person operations include: public swimming pools, amusement parks, bars, concert halls, and performance venues. All businesses that reopen must comply with minimum COVID-19 mitigation and exposure measures. Businesses should check for any additional city or county restrictions.

## County-Based Programs

- DeKalb County Suspends Water Service Terminations for Businesses
  - Effective March 24, 2020, DeKalb County CEO Michael L. Thurmond declared a state of emergency, which included an order suspending termination of water services for business accounts due to non-payment. The suspension will continue until the CEO's executive order is amended or revoked.

## City of Atlanta Programs

- 60-day Moratorium on Water Shutoffs Due to Non-Payment
  - Effective March 11, 2020 through October 31, 2020, all Watershed Management customers in the City of Atlanta are eligible for water shutoff protection. Costumers remain responsible for usage bills.

- Rent Relief for Hartsfield-Jackson Airport Concessionaries and Rental Car Agencies
  - Effective March 18, 2020 to June 30, 2021, Atlanta Mayor Keisha Lance Bottoms has approved legislation to suspend minimum rent requirements for Atlanta airport shops and restaurants through June 2021. Businesses will pay rent as a percentage of revenue, and will not be subject to a minimum flat payment.

#### City of Augusta Programs

- Augusta Small Business Relief Loan Program
  - In response to the economic hardships experienced by businesses resulting from the COVID-19 pandemic, the City of Augusta is launching the CV-19 Small Business Relief Loan Program. The goal of this program is to keep businesses open and retain jobs by providing loans to small businesses that are at risk of closing or laying off employees as a result of the economic downturn resulting from the COVID-19 pandemic. Under the program, payments will be deferred over the term of the agreement and loans will ultimately be forgivable unless a business fails to comply with the terms of its Agreement. In that case, the borrower must repay the loan balance.
- Augusta Utilities Suspends Service Disconnections, Late Fees, and Penalties Until Further Notice
  - Augusta Utilities has suspended public access to its physical locations. Cut-offs, late fees, and penalties will be suspended until normal operations resume. Necessary transactions can be handled online, by phone, or at select drive-through and kiosk locations.

#### Hawaii

- Essential and Designated Businesses
  - Effective May 18, 2020 through June 31, 2020, persons may only leave their home or place of residence for various essential needs and permitted activities—including healthcare, purchasing food and medicine, taking care of the elderly, and exercise, among others—or to engage in businesses and operations in accordance with guidance outlined by the state and implemented county by county.
- State Income Tax Postponement
  - Hawaii's Department of Taxation is postponing the due date for all 2019 state income tax filings and payments from April 20, 2020 to July 20, 2020.

#### Idaho

## State-Wide Programs

- Reopening Order
  - Governor Brad Little has established a calendar for reopening Idaho's economy. The reopening occurs in four stages, and runs from now until June 26, 2020. Throughout all stages, citizens are required to practice physical distancing of at least six feet, stay home if sick, practice good hygiene, and wear face coverings in public places. Businesses should check for any additional city or county restrictions.
- State Income Tax Filing Extension
  - The deadline for filing state income taxes is extended from April 15, 2020 to June 15, 2020.
- Unemployment Relief Measures
  - Measures include waiving the one-week waiting period for all applicants who are otherwise eligible and allowing claimants to meet the "available-for-work" criteria if they are isolated and unavailable to work at the request of a medical professional, their employer, or government official and will be returning to work for their employer. The program is ongoing.
- Waiver of Medical Licensing Requirements
  - Due to the increasing occurrence of COVID-19 and the need to increase the state's healthcare capacity, Governor Little waived numerous administrative regulations related to medical licensing. The program is ongoing.

#### Illinois

- Business Interruption Grants Program
  - The Business Interruption Grants Program will provide \$60 million to up to 3,500 businesses that experienced a limited ability to operate due to COVID-19-related closures. Applications for the first round of funding have closed. Information on the timing of applications for additional grants is expected later this month.

## <u>Downstate Small Business Stabilization Program</u>

In light of COVID-19, the Downstate Small Business Stabilization Program will offer small businesses of up to 50 employees located in downstate and rural counties the opportunity to partner with their local governments to obtain grants of up to \$25,000 in working capital.

# Immunity from Civil Liability for Health Care Facilities, Health Care Professionals, and Health Care Volunteers

The Governor of Illinois has issued an executive order granting immunity from civil liability to health care facilities, health care professionals, and health care volunteers for any injury or death that occurred when they were engaged in the course of rendering assistance to the State by providing health care services in response to the COVID-19 outbreak. Health care facilities and health care professionals will *not* be immune if it is established that the injury or death was caused by gross negligence or willful misconduct. Health care volunteers will *not* be immune if it is established that the injury or death was caused by willful misconduct.

#### Low Rate Business Loans for Small Businesses through Business Invest

Through the Business Invest program, the Illinois State Treasurer has made up to \$500 million in deposits available to banks and credit unions throughout Illinois, at near-zero rates, to provide loans to Illinois small businesses and non-profits affected by the COVID-19 pandemic. The loans will either be lower rate loans, or loans to businesses and non-profits that would not otherwise qualify, and may be used to provide bridge funding, or to pay fixed debts, payroll, accounts payable, and other bills.

#### Moratorium on Non-Residential Evictions

In light of the spread of COVID-19, the Illinois Governor has ordered that all state, county, and local law enforcement officers must cease enforcement of orders of eviction for non-residential premises. This order does not apply if the tenant has been found to pose a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation. Note that this order does not relieve anyone of the obligation to make their rent payments or to comply with any other lease obligation.

## Notary Requirements

In light of COVID-19, the Governor of Illinois relaxed notarization requirements: instead of appearing in person before a notary, a person can use two-way audio-video communication technology.

#### Relief for Restaurants and Bars Serving Alcohol

Illinois has enacted a statute, House Bill 2682, permitting Illinois restaurants and bars to sell cocktails for pick-up and delivery. For liquor license holders whose business operations were suspended in any capacity due to an executive order or agency rule related to COVID-19, the statute also: waives late filing fees for liquor license holders; defers temporary liquor license fees; automatically approves liquor license renewals; and precludes the licensee from being deemed delinquent for exceeding the thirty-day merchandising credit limit.

#### Restore Illinois Guidelines for Reopening Business

The Governor of Illinois has outlined a five-phase plan, Restore Illinois, to reopen businesses and guide the return to public life. The Illinois Department of Commerce and Economic Opportunity has issued guidelines for businesses operating in Phase 4 of the plan, the current phase in Illinois. Under Phase 4, gatherings of 50 people or fewer are allowed, certain categories of business are permitted to reopen, and certain restrictions on businesses that have already reopened under earlier phases of the plan have been relaxed. Businesses should check for any additional city or county restrictions.

#### Sales Tax Deferral for Bars & Restaurants

In light of COVID-19, the Governor of Illinois has directed the Department of Revenue to defer sales tax payments for small- and medium-sized bars and restaurants. Eligible eating and drinking establishments will not be charged penalties or interest on payments due in March, 2020, April, 2020, or May, 2020 that are made late.

#### Small Business Assistance

This website provides a compendium of resources to assist small businesses in general (but is not specifically related to COVID-19). For example, the website provides links to information about loans and financing, as well as regulatory assistance.

#### Small Business Emergency Loan Fund

In light of COVID-19, the Illinois Small Business Emergency Loan Fund will offer small businesses low-interest loans of up to \$50,000. Successful applicants will owe nothing for six months, and will then begin making fixed payments at a below-market interest rate for the remainder of a five-year loan term. Applications have been temporarily suspended in order to process received applications as quickly as possible.

#### Work Share Legislation

• Illinois's Work Share law encourages employers to temporarily reduce hours, rather than lay off workers. Workers who are affected can collect partial unemployment benefits while staying on the job part-time. This legislation has not changed in response to COVID-19.

## City of Chicago Programs

#### Automatic Business License Extension

The Chicago City Council passed an ordinance to extend certain business licenses that expire during the COVID-19 pandemic. Licenses issued by the Department of Business Affairs and Consumer Protection under Title 4 or Title 9 of the Municipal Code of Chicago with an expiration date on or after March 15, 2020, will be considered active until 30 days after the ordinance is repealed. Note that the ordinance does not change the fee for license renewal, nor change a future renewal date.

#### Chicago Expanded Outdoor Dining

Chicago's "Our Streets" plan will open up portions of streets in commercial corridors for expanded outdoor dining. Additionally, the City of Chicago has approved measures to remove regulatory burdens and ensure establishments can open for outdoor dining as quickly as possible. Restaurants must continue to adhere to Illinois and Chicago social distancing guidance, including spacing tables at least six feet apart, limiting dining to no more than six people per table, and ensuring that protective gear is worn by employees and guests.

#### Small Business Resource Navigators

Chicago's Small Business Resource Navigators will provide individualized counseling and support for business owners, share and navigate available business resources for business owners, and assist with determining loan and grant eligibility requirements. Navigators will connect with business owners by appointment via e-mail, phone, or virtual meeting.

## Tax Deferral for Certain Business Taxes

The City of Chicago is extending due dates for tax payments for the following City taxes: bottled water tax, checkout bag tax, amusement tax, hotel accommodation tax, restaurant tax, and parking tax.

#### Transportation Relief

In light of COVID-19, the City of Chicago has announced that the due date for the payment of ground transportation tax has been extended. Taxi drivers may also be eligible for a short-term subsidy if they provide rides as Wheelchair Accessible Vehicle Operators or through the Taxi Access Program. The \$3 fare collection on Taxi Access Program rides is also waived until further notice.

#### **Indiana**

#### State-Wide Programs

- Extension of Corporate and Individual State Tax Return Filing and Payment Deadlines
  - Corporate tax returns and payments, along with estimated payments originally due by April 15 or April 20, 2020 are now due on or before July 15, 2020. Those originally due on May 15, 2020, are now due on August 17, 2020. Individual tax returns and payments, along with estimated payments originally due by April 15, 2020, are now due on or before July 15, 2020.
- Suspension of Utility Shut-Offs
  - Effective through the end of the designated public health emergency, Executive Order 20-05 prohibits providers of essential utility services such as gas and electric, broadband, telecom, water, and wastewater services from discontinuing service to any customer.

#### Iowa

- Beginning Farmer Debt Relief Fund
  - The program provides eligible beginning farmers with a debt service payment up to \$10,000. Beginning farmers can apply for only one of the agricultural assistance programs. Applicants may apply beginning August 31, 2020 until all funds have been exhausted.
- Biofuels Relief Program
  - The program provides producers of ethanol and biodiesel a payment of \$0.0225 per gallon produced between January 1 March 31, 2020. Maximum grant award per company is dependent on program demand and will not exceed \$750,000. Biofuel producers must use these grant dollars for the reimbursement of purchased feedstock. The application period runs from August 31, 2020 to September 14, 2020.

#### Exemption of Some Farmers Markets from Mass Gathering Prohibition

On April 24, 2020, the Governor of Iowa announced that some farmers markets will not be prohibited as a mass gathering. In order to be exempt from the mass gathering prohibition, farmers markets must comply with the requirements listed <a href="here">here</a>.

#### Livestock Producer Relief Fund

The program provides eligible livestock producers with grants up to \$10,000 that may be used as working capital to continue operations. The grant amount available will be dependent on program demand and will be announced following the close of the application period (August 31, 2020 through September 14, 2020). Livestock producers can apply for only one of the agricultural assistance programs.

#### Reopening of Businesses and Establishments

On June 25, 2020, the Governor of Iowa extended the existing eased restrictions regarding businesses while continuing the state of public health disaster emergency through July 25, 2020. The Governor announced that restaurants, bars, fitness centers, senior citizen centers, adult daycare facilities, salons, barbershops, medical spas, theatres, performance venues, race tracks, malls and other qualifying establishments may continue reopening to the extent they comply with listed social distancing and public health measures. The Governor also extended the mass gathering eased restrictions, permitting gatherings such as social, community, recreational, leisure, and sporting events that comply with listed social distancing and public health measures.

## Reopening of Dental Services and Additional Businesses and Establishments

On May 6, 2020, the Governor of Iowa announced that dentists and their dental staff in Iowa may resume providing dental services in compliance with the guidelines adopted by the Iowa Dental Board and promulgated by the Governor. The Governor also announced that, subject to certain restrictions, social and fraternal clubs, fitness centers, and malls may operate in a limited capacity.

#### Resumption of Some Elective Surgeries and Procedures

The Governor of Iowa announced that effective April 27, 2020, hospitals, outpatient surgery providers, or outpatient procedure providers may conduct in-patient surgeries and procedures that would pose a significant risk to quality of life if delayed. Hospitals or providers must comply with several requirements before providing elective surgeries and procedures. Apart from those procedures, all nonessential or elective surgeries and procedures that utilize personal protective equipment (PPE) are prohibited.

## Small Business Utility Disruption Prevention

This program provides short-term relief to eligible small businesses and nonprofits that face significant hardship in the payment of utility bills for service provided during the months of disruption to their business (March 17, 2020 to June 30, 2020). Assistance will be provided to eligible applicants until August 21, 2020 or until all funds have been exhausted.

#### State Tax Deferrals for Small Businesses

The Iowa Economic Development Authority and Iowa Department of Revenue are offering eligible Iowa businesses the chance to apply for a deferral on paying state sales and withholding taxes. A second round of applications for tax deferrals is now being accepted through June 30, 2020 and is available for the tax periods beginning April 1, 2020 through June 30, 2020.

#### Suspension of Foreclosures on Residential, Commercial and Agricultural Real Property

• On March 22, 2020, the Governor of Iowa ordered that for the time being all foreclosures on residential, commercial, and agricultural real property be suspended.

## Tax Filing Extensions

The Iowa Department of Revenue extended many of their filing deadlines. Individual, corporate, franchise, money and credits, estate and trust, partnership, and S corporation returns deadlines are extended through July 31, 2020.

#### Temporary Job Opportunities

• The Iowa Workforce Development agency is continuously posting state-wide temporary job opportunities specifically directed toward people who have been affected by COVID-19 closures.

## Temporary Suspension of Property Tax Penalties and Interest

• Effective March 20, 2020, the Governor temporarily suspended penalties and interest as they relate to the collection of property taxes.

#### Temporary Suspension of Several Regulations Related to Transportation of Goods and Supplies

Effective March 20, 2020, the Governor suspended certain state regulations relating to the transportation of agricultural supplies and commodities, food, medical supplies, cleaning products, and other household goods on all highways in Iowa.

#### Unemployment Insurance Tax Extension for Certain Small Companies

On March 23, 2020, the Governor of Iowa announced that 1st quarter unemployment tax payments that are due April 30, 2020 will be delayed until the end of the 2nd quarter, July 31, 2020. To qualify for the extension, the employer must be current on all quarterly tax payments before the 1st quarter of 2020 regardless of whether or not they are seeking an extension of tax payment. All employers must file Quarterly Employers Contribution and Payroll Report electronically by 4:30 p.m. on April 24, 2020 to avoid a late report filing penalty. Eligible employers include those employers with 50 or fewer employees. Eligible employers also must be in good standing with no delinquencies in quarterly payments. Employers must notify IWD of intent to delay payment by Friday, April 24, 2020 at 4:30 p.m. Eligible employers must file their Quarterly Employers Contribution and Payroll Report by 4:30 p.m. on April 24, 2020, and file their unemployment tax payments by July 31, 2020.

#### Kansas

- Community Development Block Grants (CDBG)
  - Kansas Department of Commerce has streamlined the process for the CDBG funds, which are used for revolving loan programs for small businesses, so that communities can issue working capital loans in as little as two days rather than the typical 30 days required.
- Deferred Tax Deadlines and Payments
  - Effective May 26, 2020 to September 15, 2020, the deadlines for filing calendar year and fiscal year 2019 tax returns for individual income tax, fiduciary income tax, corporate income tax, and privilege tax, along with the tax payments associated with these returns, are extended to July 15, 2020. The filing deadlines for homestead and property tax relief fund claims are extended to October 15, 2020.
- Essential Industries Jobs and Hiring Portal
  - The Kansas Department of Commerce launched a new jobs website, connecting job seekers with Kansas businesses hiring to fill urgent needs during the COVID-19 pandemic. The website allows employers from essential industries to quickly and easily post critical positions that need to be filled to support activities related to helping individuals and businesses during the COVID-19 crisis.

# Extending Professional and Occupational Licenses

- extend renewal deadlines for any license, certificate, permit, or registration that has expired or will expire during the State of Disaster Emergency for any (i) occupation or profession to any individual, business, or organization, or any (ii) organization, establishment, facility, shop, or premises that was in good standing as of March 12, 2020; (b) waive any late, delinquency, penalty, or expiration fees associated with any aforementioned license, certificate, permit, or registration; and (c) extend the deadlines for any continuing education requirements mandated by any state agency or any board, commission, division, or other licensing authority.
- <u>Extending Renewal Deadlines for Occupational or Professional Licenses, Certificates, or Registrations</u>
   for Professionals of Adult Care Homes
  - Effective July 8, 2020 through September 15, 2020, the Governor of Kansas has extended a previous executive order which extended renewal deadlines for occupational or professional licenses. However, the extended executive order narrows the relaxation of regulatory provisions put in place previously and limits those provisions more specifically to adult care homes that have been granted provisional licenses for the purpose of cohorting or isolating residents in response to the COVID-19 pandemic.
- Guidance Regarding Essential Activities and the Kansas Essential Function Framework (KEFF)
  - While the substantive provisions of the stay-at-home order no longer apply, effective May 4, 2020, the KEFF functions listed in the <u>order</u> are essential functions local governments must continue to allow if they implement more restrictive orders regarding businesses. No prior approval is required for individuals or entities to perform essential activities. Kansas has created a <u>mechanism</u> to inquire about essential functions.
- Guidance Regarding Implementation of Phase 3 of "Ad Astra: A Plan to Reopen Kansas"
  - Governor Kelly announced that her administration, as well as officials with the Kansas Department of Health and Environment, recommend that most local communities consider moving into Phase 3 of "Ad Astra: A Plan to Reopen Kansas," on June 8, 2020 as scheduled. The new emergency disaster declaration issued by the Governor on May 26, 2020 transfers reopening decisions back to local officials, which means that guidance for counties to move into Phase 3 of the plan is only a recommendation. Key highlights of phase 3 include: all education, activities, venues, and establishments may operate and are recommended to follow all public health guidelines; on-site staffing has no recommended restrictions; and nonessential travel may resume, provided travelers follow Kansas Department of Health and Environment travel and quarantine guidelines for travel

to high-risk areas. Mass gatherings of more than 45 individuals, however, are not recommended. Businesses should check for any additional city or county restrictions.

### Hospitality Industry Relief Emergency Fund (HIRE)

All initial HIRE funds have been allocated at this time. That said, businesses should still apply as the Fund will follow up if, and when, new resources become available. HIRE provides bridge loans for the Kansas hospitality sector during the COVID-19 crisis. The administration has allocated \$5 million for a round of bridge loans to hospitality businesses.

### Kansas Certified Development Companies (CDCs)

The CDCs help businesses access the numerous loan programs available from a variety of sources. These loan packages match a business's financial need with the source of funds, providing small business customers the best combination of rates and terms possible.

#### Kansas Industrial Training and Retraining Programs

The Kansas Department of Commerce administers two training programs designed to assist businesses with training new and existing employees: Kansas Industrial Training (KIT) and Kansas Industrial Retraining (KIR). KIT is designed to assist firms involved in "net new job" creation. KIR is a job retention tool that helps employees of restructuring companies who are otherwise likely to be displaced because of obsolete or inadequate job skills and knowledge. Examples of eligible expenditures under KIT and KIR include instructor salaries, curriculum planning and development, materials, supplies, textbooks, and minor training equipment.

### Remote Notarization and Witnessing Temporarily Allowed

Effective April 9, 2020 to September 15, 2020, the Governor has ordered (i) the suspension of the requirement that a person must appear before a Notary Public, and rather allows for such requirement to be satisfied if the Notary Public performs a remote notarization via two-way audio-video communication technology, and (ii) that any act of witnessing required by Kansas law may be completed remotely by two-way audio-video communication technology.

### Shared Work Program

The Shared Work Program is an ongoing collaborative effort between Kansas and employers, which provides an alternative to layoffs by enabling employers to reduce employee hours while simultaneously permitting those employees to collect a portion of Unemployment Insurance benefits. Effective from May 14, 2020 through September 15, 2020, the Governor issued an

executive order which provides temporary relief from certain restrictions concerning shared work programs, expanding flexibility for Kansas employers so that they can take advantage of the existing federal programs. The order waives a provision in the law that prohibited a contributing negative account employer (an employer that has paid more in unemployment benefits to its employees than it has contributed to its unemployment insurance account with the state) to participate in a shared work plan.

### County-Based Programs

- Manhattan City, Kansas Business Emergency Assistance Loan Program
  - The Manhattan Business Emergency Assistance Loan Program provides loan funds to help forprofit businesses and private, non-profit organizations that have an immediate (less than 14 days)
    need to maintain business operations. Under this program, a loan can be up to \$5,000, or up to
    \$10,000 for businesses that are ineligible for SBA disaster relief, the Kansas HIRE program, or any
    other state or federal program created to assist businesses during the 2020 coronavirus pandemic.
    The loan can be up to \$20,000 for a primary employer, defined as a business that exports over 75%
    of its products or services outside of the city of Manhattan that has maintained at least 80% of its
    employees from the fourth quarter of 2019 to March 31, 2020, and maintains employment levels
    for 12 months after receiving the money.
- The Hero Relief Subsidy Program for Essential Workers and Child Care and Relative Providers
  - The Hero Relief Program expands upon child care assistance subsidies available through Kansas' Child Care Subsidy Program. The program provides for child care subsidies to essential workers who financially qualify. The Hero Relief Program also supports child care providers by providing a menu of stipends and grants to assist during the pandemic, including sustainability stipends for all Kansas Department of Health and Environment-licensed child care and relative providers to help pay for ongoing expenses like food, supplies, labor, and rent/mortgage; revenue replacement subsidies for Kansas Department for Children and Families-enrolled child care providers; grants to assist with pandemic-related expenses like gloves, disinfectants, soap, and other necessary items; and one-time bonuses to providers who care for children of health care workers and first responders.

### Kentucky

- All Holders of State-Issued Licenses Are Granted Thirty Days After the State of Emergency to Pay Fees or Complete Any Required Administrative Action
  - Holders of State-Issued Licenses may continue to practice their business without interruption, and are granted at least thirty (30) days after the expiration of the state of emergency to pay any owed fee or complete any administrative obligation before an action may be taken against their license.
- Defense to Civil Liability for Healthcare Workers Providing COVID-19 Related Care
  - A health care provider who in good faith renders care or treatment of a COVID-19 patient during the state of emergency shall have a defense to civil liability for ordinary negligence for any personal injury resulting from said care or treatment, or from any act or failure to act in providing or arranging further medical treatment, if the health care provider acts as an ordinary, reasonable, and prudent health care provider would have acted under the same or similar circumstances.
- Extension of State Income Tax Return Filing Deadline
  - The deadline for filing the 2019 state income tax return and the deadline for paying the state income tax are extended from April 15, 2020 to July 15, 2020. Late filing penalties will be waived for 2019 state income tax returns that are filed by July 15, 2020. Late payment penalties will be waived for state income tax payments deferred to July 15, 2020, but interest will still apply. This applies only to Kentucky state income taxes.
- Healthy at Work: Guidance Regarding Reopening of Businesses
  - As of July 6, 2020 the following businesses are allowed to reopen, subject to compliance with certain minimal requirements and industry-specific requirements that can be found here: manufacturing, distribution and supply chain businesses; construction; vehicle or vessel dealerships; office-based businesses (at 50% pre-pandemic capacity; horse racing (no fans in attendance); pet care, grooming and boarding and photography businesses; retail businesses (at 50% pre-pandemic capacity) and funeral and memorial services; restaurants (at 50% pre-pandemic capacity, plus outdoor seating); barber shops, cosmetology and hair salons (at 50% pre-pandemic capacity); massage therapy, nail salons, tanning salons and tattoo parlors (at 50% pre-pandemic capacity); auctions; auto/dirt track racing; aquatic center (except outdoor pools), bowling alleys; fitness centers and movie centers; education and cultural activities (including aquariums, distilleries, libraries and museums); horse shows and limited child care; bars (at 50% pre-pandemic capacity). Businesses should check for any additional city or county restrictions.

- Immunity for Businesses that Manufacture PPE Outside of Ordinary Course
  - Any business in Kentucky that makes or provides personal protective equipment or personal hygiene supplies related to COVID-19 during and in response to the state of emergency, and that does not make or provide such products in the normal course of its business, shall have a defense to ordinary negligence and product liability so long as the business has acted in good faith and in an ordinary, reasonable, and prudent manner under the same or similar circumstances.
- Non-Essential Court Proceedings, Including Eviction Proceedings, Are Postponed Until April 10
  - Effective from March 16, 2020 through April 24, 2020, the Supreme Court of Kentucky has postponed non-essential court proceedings. This means that commercial and residential eviction proceedings are postponed until April 24, 2020 throughout the state of Kentucky.
- <u>Utilities Under Jurisdiction of Kentucky Public Service Commission Suspend Late Fees and Disconnections for Non-Payment</u>
  - The Kentucky Public Service Commission ordered all utilities under its jurisdiction to suspend until further notice, and for at least 30 days from March 16, 2020, all disconnections for non-payment, as well as late payment fees, in order to provide relief for customers during the coronavirus (COVID-19) epidemic. The order does not apply to municipal utilities over which the Public Service Commission does not have authority.

#### County-Based Programs

- Jefferson County/Louisville: Interest-Free Small Business Loan of Up To \$25,000
  - Effective as of April 6, 2020, Jefferson County businesses that have 10 or fewer employees and have suffered a COVID-19-related emergency can apply for a 12-month interest-free loan of up to \$25,000.

### City of Louisville Programs

- One Louisville: COVID-19 Response Fund
  - Effective immediately, nonprofit organizations working on the front lines of the Louisville-area coronavirus outbreak can apply for financial aid. Eligibility requirements and instructions on how to apply are available <a href="here">here</a>.

- Suspension of Water and Sewer Shut-Offs for Non-Payment
  - The Louisville Water Company has suspended shut-offs for non-payment until further notice. The Metropolitan Sewer District has suspended shut-offs for non-payment until May 1, 2020 and will also waive new late fees for customers who have trouble paying their bills.
- Utility Companies Suspend Disconnects for Non-Payment and Waive Late Fees
  - Effective through May 1, 2020, Louisville Gas & Electric, Kentucky Utilities Company, and Old Dominion Power have suspended disconnects for their residential and business customers having difficulty paying their bills. They have also waived new late fees incurred during this time.

#### Louisiana

- Guidance on Reopening
  - Governor John Bel Edwards issued a proclamation on June 4, 2020, moving Louisiana to Phase Two of the state's reopening. If there are no countervailing city or county restrictions, the proclamation will permit more non-essential businesses and places of worship to reopen at 50 percent of their total occupancy. On August 26, 2020, Governor Edwards extended Phase Two to September 11, 2020. The proclamations limit crowd sizes to 50 for indoor and outdoor gatherings where social distancing would not be possible and require face coverings for all indoor and outdoor spaces open to the public. Businesses should check for any additional city or county restrictions.
- Loan Portfolio Guaranty Program
  - In response to COVID-19, Louisiana created the Loan Portfolio Guaranty Program (LPGP) to provide loans to Louisiana small businesses. The LPGP will provide access to capital to eligible small companies that have experienced lost business and a sudden drop in revenue caused by COVID-19. Loans of up to \$100,000 per applicant are available and will be administered by participating members of the Louisiana Bankers Association. Applications will be accepted until December 31, 2020.
- Louisiana Employer Assistance May Be Available to Businesses Closing or Reducing Hours Due to COVID-19
  - The Louisiana Workforce Commission will provide assistance and information about unemployment insurance or other programs specifically related to COVID-19.

### City of Baton Rouge Programs

- Baton Rouge Water Shut-Offs Suspended Indefinitely
  - All water shut-offs in the City of Baton Rouge are suspended indefinitely.

### City of New Orleans Programs

- New Orleans Water Shut-Offs Suspended Indefinitely
  - The City of New Orleans has suspended water shut-offs and will work to restore services to those who have been disconnected. The Sewage & Water Board will prioritize the most recent shut-offs, but encourage seniors or those with chronic conditions to call for more immediate service. The Sewage & Water Board will also suspend fees for customers who pay online or remotely at Fidelity locations.

#### Maine

- Business Direct Loan Program
  - The Finance Authority of Maine (FAME) is providing direct loans of up to \$50,000 with special terms available to Maine-based eligible businesses experiencing interruption or hardship due to COVID-19.
- Economic Recovery Grant Program
  - Maine has established an Economic Recovery Grant Program to assist in covering losses incurred as a direct result of the COVID-19 pandemic. Businesses will qualify if they demonstrate a need for financial relief based on lost revenues and demonstrate an expected 20% loss in revenue minus expenses for 2020. The program is limited to businesses with 50 or fewer employees that have not permanently ceased operations or entered bankruptcy and that meet additional qualifications listed on the application form. Grants will be distributed based on a business's demonstrated losses as a pro-rated percentage of the total losses reported by qualified applicants. The grants are taxable income and subject to audit.
- Essential Service Designation
  - Businesses can fill out an application to be designated as an "essential service" and therefore allowed to remain open.

### Interim SBA Finance Loan Program

The Finance Authority of Maine (FAME) is providing direct loans of up to \$100,000 with special terms available to eligible borrowers who provide proof of commitment for Small Business Association financing. Eligible borrowers must provide proof of commitment for SBA financing with the intention that the FAME loan would be originated for use by the business owner until the SBA loan is funded. The SBA loan would then pay off the FAME loan.

### Lender Insurance Program

Effective March 20, 2020, the Finance Authority of Maine (FAME) is making special terms available to lenders providing business loans to borrowers that experience interruption or hardship due to COVID-19.

### Maine Reopening Plan

Maine has entered Stage 3 of its reopening plan. Indoor dining has resumed in Androscoggin, Cumberland, and York Counties with added health and safety precautions. In addition, gyms, nail salons, tattoo parlors, spas, massage facilities, amusement parks, movie theaters, and amusement parks have opened with added health and safety protocols. The governor has delayed indoor service at bars and tasting rooms and has delayed opening casinos.

#### Paid Family Sick Leave Law

As part of Maine's ongoing family sick leave law, if an employer provides paid sick leave, the employer shall allow an employee to use the paid leave for the care of an immediate family member who is ill, which the DOL has stated may include reasons associated with COVID-19.

#### Property Tax Exemption Deadline

The Governor has moved the deadline for certain property tax exemptions from April 1, 2020 to July 1, 2020.

#### Renewal of Licenses for Sale of Liquor

Effective for 30 days following the termination of Maine's state of emergency, municipal officers or county commissioners may grant the request for a renewal of a license for sale of liquor without a hearing.

### Maryland

## State-Wide Programs

## Health Care Provider Immunity

Under existing Maryland law, under a catastrophic health emergency proclamation, health care providers are immune from civil or criminal liability if the health care provider acts in good faith. As a result of Governor Larry Hogan's declaration of a state of emergency on March 5, 2020, the immunity provision has gone into effect.

#### Maryland Small Business Development COVID-19 Emergency Relief Loan Fund

The Maryland Small Business Development Financing Authority is providing emergency financial relief to Maryland for-profit businesses that have experienced economic hardship due to the COVID-19 pandemic with low interest rates and low documentation loans. The \$25,000 to \$200,000 loans have five-year terms with an interest rate of 0% for the first year, and a 2% rate for the remaining term of the loan. Eligible businesses are those that were in business prior to January 1, 2019, whose owners have a personal credit score of at least 550, that have their principle place of business in Maryland, and that are in good standing in the state of incorporation and qualified to do business in Maryland.

#### Maryland Strong: Roadmap to Recovery - Stage 2

Maryland is currently reopening in stages. As of June 29, 2020, all counties in Maryland have implemented Stage Two of Maryland's reopening plan. Generally, among other lifted restrictions, the list of open businesses in Maryland will include manufacturing, construction, large and small retail shops, specialty vendors, wholesalers, warehouses, and offices including information technology firms, legal offices, accounting, banking and financial institutions, insurance agencies, design studios, advertising and architectural firms, and media production companies. Real estate offices, travel agencies, auto dealer showrooms, bank branches and various other offices may all reopen with public health and safety guidance recommendations in place. Religious facilities, retail establishments, and personal service establishments such as barbershops, may also open at up to 50% occupancy. Some political subdivisions may have more restrictive Local Orders in place, so businesses should ensure they comply with local city and county restrictions.

#### Order Prohibiting Commercial Evictions

Effective immediately and until the state of emergency has ended, no Maryland court shall give any
judgment for possession or repossession of commercial or industrial real property if the tenant can
demonstrate through documentation or other objective means that the tenant suffered a substantial

loss of income for reasons related to COVID-19, including, without limitation, lost or reduced business, required closure, or temporary or permanent loss of employees.

#### County-Based Programs

- Baltimore County Small Business Emergency Relief Grants Program
  - Baltimore County will provide up to a maximum of \$15,000 in emergency grant funds to for-profit small businesses with at least two non-owner employees that have been impacted by COVID-19 and have not received other forms of COVID-19 assistance. Businesses must demonstrate a loss of revenue of at least 40 percent since the beginning of the Maryland shutdown, and funds may only be used for payroll, operating expenses, business lease or rent payments, and acquisition of business-vital inventory.

#### Massachusetts

- COVID-19 Essential Services and Limitations on Gatherings
  - Indoor gatherings are limited to 8 persons per 1,000 square feet of accessible, indoor floor space, and not more than 25 persons within a single enclosed, indoor space. Outdoor gatherings are limited to 25% of the maximum permissible occupancy of the facility as documented within the facility's building permit or other municipal record, or 8 persons per 1,000 square feet if there is no recorded occupancy limitation, and not more than 50 persons in a single outdoor space. For gatherings of more than 10 persons, all persons over the age of two must wear a face covering when they attend indoor and outdoor gatherings where persons other than those in the same household will be in attendance; however, medical exceptions are permitted. The capacity limitations and face coverings requirements apply to gatherings on both public and private properties. Violations may result in a civil fine of up to \$500 per violation or the suspension, revocation, or cancelation of a license for the sale or service of alcoholic beverages. Businesses should check for any additional city or county restrictions or exceptions.
- Designation of Authorized Health Care Activities Pursuant to the PREP Act (Civil Immunity for Certain Health Care Professionals and Facilities)
  - The State issued a directive to provide the maximum protections for health care workers under the federal Public Readiness and Emergency Preparedness Act (PREP Act) during the COVID-19 public health emergency. The directive is deemed effective as of March 10, 2020 and ensures that health care workers and facilities that distribute and administer testing, drugs, and medical devices for

the diagnosis and treatment of COVID-19 are protected from suit and liability (absent willful misconduct).

- Farmers Markets, Farm Stands, and Community Supported Agriculture—Enabling Access to Local Fruits and Vegetables and Reducing Exposure of Public and Employees to COVID-19
  - Farmers markets, farm stands, and Community Supported Agriculture (CSAs) are deemed essential and will remain open, and their employees are deemed essential workers. Managers, staff, and/or vendors at famers markets, farm stands, and CSAs must take precautions to reduce the exposure of shoppers and employees to COVID-19.
- Order Amending the Administration of Penalties Issued Pursuant to Certain COVID-19 Orders
  - All fines issued pursuant to COVID-19 Orders 31, 33, 37, 40, 43, 45, and 46 and their applicable guidance will be administered in the manner provided for the non-criminal disposition of violations of municipal by-law, ordinance, rule, or regulation pursuant to G. L. c. 40, § 21D, notwithstanding any contrary provision in these Orders. A duly-authorized person or entity may apply for the issuance of a complaint against any person in violation of these Orders, if the violator (1) fails to pay a fine issued pursuant to the Order within the time specified; or (2) having appeared, does not confess the offense before the clerk or pay the sum of money fixed as a penalty after a hearing and finding. The adoption of this uniform method for processing violations shall not modify the maximum fines, limit any other method of enforcement, or modify any other term specified in these Orders.
- Permitting Establishments Licensed for On-Premises Sales of Alcoholic Beverages to Sell Them for Off-Premises Consumption (H.4598)
  - Effective until the termination of the Governor's declared State of Emergency, any establishment licensed for the on-premises sale of alcoholic beverages-may now sell mixed drinks for off premises consumption provided that it is sold (i) only to persons 21 years of age or older; (ii) in a sealed container; and (iii) as part of the same order as the purchase of food placed one hour before the licensed closing time or before midnight, whichever is earlier; (iv) limited to 2 mixed drinks per entrée ordered and limited to 64 fluid ounces of mixed drinks per transaction; and (v) mixed drinks are permitted to be transported by delivery or pick-up in the trunk or in other areas considered as non-passenger areas of a motor vehicle.

### Phased Reopening

• Massachusetts is currently in Step 1 of Phase III of its reopening plan. Phase-I; Phase-II; and Phase-III, Step-1 businesses and organizations are allowed to operate from their physical locations and

open those premises to workers, customers, and the public provided they comply with all issued workplace safety rules and standards. Phase-III, Step-2 businesses and organizations may not open their premises to customers and the public generally until authorized to do so by subsequent order. Phase-IV businesses are not yet allowed to open to workers, customers, or the general public. Phase-III, Step 2 and Phase-IV businesses and organizations may only open their premises to workers to the degree reasonably necessary to perform critical tasks that cannot be conducted remotely, such as ensuring on-going maintenance of the premises, preservation of inventory and equipment, and compliance with legal obligations. Businesses should check for any additional city or county restrictions.

- Sales, Meals, and Room Occupancy Tax Relief for Businesses Affected by COVID-19
  - With certain exceptions, the filing and payment schedules have been suspended for regular state sales taxes, meals taxes, and room occupancy taxes that would otherwise be due in March, April and May, so that they will instead be due on June 20, 2020. In addition, all penalties and interest that would otherwise apply will be waived. For businesses that are not eligible but still have state meals tax or occupancy tax filing and payment obligations, the Massachusetts Department of Revenue will waive any late-filing or late-payment penalties for returns and payments due between March 20, 2020 and May 31, 2020. Statutory interest, however, will continue to accrue. To be eligible, the taxpayer must file returns and remit payments on or before June 20, 2020.
- State Civil Immunity for Health Care Workers, Health Care Facilities, and Volunteer Organizations
   Providing Facilities for the State's COVID-19 Response (S.2640)
  - The State passed legislation to provide health care professionals, health care facilities, and certain volunteer organizations immunity from suit and civil liability for damages related to the State's response to the COVID-19 pandemic. These immunity provisions apply to claims based on acts or omissions that occur during the Governor's declared State of Emergency.
- Statutory Moratorium on Residential and Small Business Evictions and Residential Foreclosures
   During the COVID-19 Pandemic (H.4647)
  - The State has passed legislation that provides for a moratorium on non-essential evictions for residential properties and small businesses as well as a moratorium on residential foreclosures during the COVID-19 pandemic. These measures were enacted on April 20, 2020. They will expire at 11:59 pm on October 17, 2020. The Governor may postpone such expiration in increments of not more than 90 days, but the expiration cannot be extended beyond 45 days after the Governor's declared State of Emergency has been lifted.

### Suspension of State Permitting Deadlines and Extension of State Permits

As of March 26, 2020, the State has extended State permitting agency hearing, decision, and appeal deadlines and eliminated constructive denials and approvals. The running of the applicable time periods shall resume 45 days after the termination of the Governor's declared state of emergency. An approval issued by a State permitting agency that was valid as of March 10, 2020 shall not lapse or otherwise expire during the Governor's declared state of emergency and the expiration date of the approval shall toll during the state of emergency.

### Unemployment Contributions Paid by Employers Impacted by COVID-19

 Employers who are impacted by COVID-19 may request up to a 60-day grace period to file quarterly reports and pay unemployment contributions.

#### Waiver of Notice of Determination of Need for Health Care Facilities

In view of the need for expanded capacity within the healthcare system, during the Governor's declared state of emergency, a Notice of Determination of Need shall not be required for any person seeking approval for a substantial capital expenditure, substantial change in services, and changes in site for health care facilities that are necessary to address COVID-19. The applicant, however, must comply with applicable guidance from the Department of Public Health. This change became effective March 24, 2020 and will remain in effect until rescinded or until the Governor's declared state of emergency is terminated (whichever occurs first).

### WorkShare Program (Alternative to Layoffs)

The WorkShare program is an alternative for employers contemplating potential layoffs. Under the program, employees can work reduced hours while collecting unemployment benefits to supplement their lower wages. The program allows employees to keep their jobs and continue to receive company benefits. The WorkShare program was previously in place, and has not changed in response to COVID-19.

#### Michigan

- Capital Access Support for Businesses Impacted by COVID-19
  - Existing programs within Capital Access—an initiative led by the Michigan Economic Development Corporation's (MEDC)—provide opportunities to access financing that may not otherwise be available to small and medium-sized businesses in Michigan negatively impacted by the COVID-19

outbreak. Additionally, any business that has been affected by COVID-19 is eligible to receive support through the MEDC's Collateral Support and Loan Participation programs.

#### Deadline Extension for Sales, Use and Withholding Taxes

In support of businesses navigating their way through the COVID-19 pandemic, the Michigan Department of Treasury issued a notice that provides business taxpayers additional time to pay their Sales, Use and Withholding (SUW) taxes by waiving penalty and interest for the late payment of tax or the late filing of any monthly or quarterly return due on May 20, 2020. The waiver will be effective for a period of 31 days until June 20, 2020.

#### Metro Community Development

Metro Community Development assists with job creation and business expansion in the mid-Michigan area by proving loans for those who do not qualify for traditional lending. Metro Community Development currently offers two programs: (1) BizBOX for new entrepreneurs and small businesses that have been open two years or less and (2) BizTHRIVE for small businesses that have been in operation for two years or more and are ready for the next step in growth.

### Michigan's State Trade Expansion Program

Through Michigan's State Trade Expansion Program (MI-STEP), the International Trade team offers financial assistance for exporting activities to eligible Michigan small businesses, enabling access to global markets and buyers while increasing the dollar value of Michigan exports. Total funds available are \$2.1 million.

# Michigan Strategic Fund Awardee Relief Initiative

The Michigan Awardee Relief Initiative authorizes emergency relief to businesses and community projects that have previously received grants, loans, or other forms of economic assistance from the Michigan Strategic Fund. The initiative provides temporary relief to eligible MSF program awardees or beneficiaries negatively financially impacted as a result of the COVID-19 outbreak. The initiative is effective for one year from the date of approval.

### MI Local Biz COVID-19 Small Business Support Program

"MI Local Biz" is a creative funding mechanism offering quick access to capital for small local businesses in this great time of need. In conjunction with the Detroit-based crowdfunding platform, Patronicity, the MEDC will match crowdfunding raises on a 1:1 basis up to \$5,000 for eligible small businesses experiencing economic challenges as a result of COVID-19. The MI Local Biz program

is a matching grant program that utilizes donation-based crowdfunding to generate public interest, to raise funds to assist small businesses negatively affected by the COVID-19 crisis, and help position that business for re-opening as the crisis eases. Pre-Check Applications needed to begin the process of applying for these grants will be available May 18, 2020 through May 22, 2020.

## Michigan Women Forward Entrepreneur Resilience Fund

The Michigan Entrepreneur Resilience Fund has secured funds to provide recovery grants and loans to diverse entrepreneurs and small businesses from underrepresented groups in Michigan. This fund is intended to assist geographically and demographically disadvantaged individuals. The Michigan Entrepreneur Resilience Fund will provide two primary avenues of funding: (i) grants ranging from \$1,000 – \$5,000 to assist with reopening or pivoting a business and (ii) microloans ranging from \$5,000 – \$10,000 with a 1-3 year repayment period. Loans are fixed rate (8%), fully amortizing, term loans. Eligible businesses may apply for both grant and microloan funds. Funds will be available on an ongoing basis until they are exhausted.

### Michigan Workers Hotline and Guidelines

The Michigan Occupational Safety and Health Administration (MIOSHA) within the Dept. of Labor and Economic Opportunity issued workplace guidelines for employers and employees and created a new hotline, 855-SAFEC19 (855-723-3219), to answer guidelines questions and further protect Michigan's workforce from the spread of COVID-19.

#### Northern Initiatives Program

■ The Northern Initiatives Program provides up to \$2 million in loan funds through the Michigan Economic Development Corporation's Capital Access program to assist Michigan businesses impacted by the COVID-19 virus, such as restaurants, coffee houses, retail stores, and service providers. Loans will range from \$5,000 to \$250,000. There is a temporary hold on new requests. Northern Initiatives expects to reopen inquiries in mid-May.

#### Pure Michigan Business Connect (PMBC) COVID-19 Procurement Platform

PMBC is collecting data from Michigan businesses to help such businesses source their needs for Personal Protection Equipment, including face masks, face shields, gloves, and goggles, and businesses transition to in-person operations over the coming weeks. PMBC is also looking for suppliers capable of filling urgent needs for non-medical grade PPE to support organizations that need to meet their PPE needs.

#### Resilience Microloan and Grant Fund

The Michigan Entrepreneur Resilience Fund has secured funds to provide recovery grants and loans to diverse entrepreneurs and small businesses from underrepresented groups in Michigan. This fund is intended to assist geographically and demographically disadvantaged individuals though two primary avenues of funding: (1) \$1,000 – \$5,000 grants to assist with reopening or pivoting a business, and (2) \$5,000 – \$10,000 term loans with a 1-3 year repayment period at a fixed rate of 8%.

# Temporary Relief from Certain Restrictions and Requirements Governing the Provision of Medical Services

Pursuant to Executive Order No. 2020-30, certain restrictions relating to the scope of medical practice, supervision, and delegation are temporarily suspended. Any licensed health care professional or designated health care facility that provides medical services in support of Michigan's response to the COVID-19 pandemic is not liable for an injury sustained by reason of such services (absent gross negligence). The order is effective until the end of the declared emergency.

### Work Share Program

Work Share permits employers to maintain operational productivity during declines in regular business activity. Instead of laying off workers, employers can keep employees working with reduced hours, while employees collect partial unemployment benefits to make up a portion of the lost wages.

#### Minnesota

#### State-Wide Programs

#### Small Business Emergency Loans

• Minnesota's Department of Employment and Economic Development has established a loan program to provide financing and loans to eligible small businesses that have been directly and adversely affected by COVID-19. Loans, ranging from \$2,500 to \$35,000, will be interest free.

### Mississippi

#### State-Wide Programs

- COVID-19 Business Relief Payments
  - Due to the COVID-19 outbreak, many Mississippi businesses have been impacted due to closures. Recent legislation created the "Mississippi COVID-19 Relief Payment Fund" in order to assist Mississippi small businesses affected during this time. The Department of Revenue has provided basic guidelines and is in the process of determining which businesses will be eligible.
- Extension of Income Tax Filings
  - The deadline to file and pay the 2019 corporate income tax has been extended until May 15, 2020. The first quarter 2020 estimated tax payment is also extended until May 15, 2020. Penalty and interest will not accrue on the extension period.
- Reopening Mississippi
  - As of June 1, 2020 Governor Tate Reeves has announced that businesses will be allowed to reopen with conditions. The state has two rules for gathering: one where social distancing is possible and one for when social distancing is not possible. For social gatherings that comply with social distancing, there is a limit of 50 people indoors and up to 100 people outdoors. Gatherings where people cannot socially distance have limits of 20 people indoors and no more than 50 people outdoors. Health care procedures can return as long as hospitals reserve at least 25% of capacity for COVID-19 patients. School buildings will also be able to open for summer programs. Businesses should check for any additional city or county restrictions.

#### Missouri

- CARES Act Coworking and Incubator Grant Program
  - The Department of Economic Development established the Coworking and Incubator Grant Program providing grants to participating Missouri-based Coworking and Incubator facilities to cover costs associated with COVID-19 related expenses. The State of Missouri will provide \$1 million in grant funds for eligible non-profit corporations and University-sponsored coworking and incubator facilities. The grants will be administered by the Missouri Technology Corporation and will allow coworking and incubator facilities to perform necessary infrastructure updates in compliance with current COVID-19 emergency related public health guidelines such as social

distancing, sanitation, and personal protective equipment (PPE) requirements. Applications will be evaluated based on applicants' financial need and ability to use the funds efficiently, proposed use of the funds, and anticipated economic impact on the community. Applications are due August 17, 2020.

## Economic Reopening Health Order

Beginning June 16, 2020, statewide restrictions have been lifted and all businesses are fully reopen, if there are no countervailing city or county restrictions. There is no longer any statewide public health order, however, businesses should prepare to implement basic infection prevention measures informed by industry best practices, including, but not limited to modifying physical workspaces to maximize social distancing, developing an infectious disease preparedness and response plan, and monitoring the workforce for indicative symptoms. Businesses should check for any additional city or county restrictions.

# Missouri: Guidance Regarding Missouri's Economic Reopening

As of June 16, 2020 Missouri has entered Phase 2 of its "Show Me Strong Recovery Plan" and has fully reopened. During Phase 2, there is no statewide health order. All statewide restrictions have been lifted and all businesses may fully reopen, subject to any countervailing city or county restrictions.

## Missouri Meat and Poultry Processing Grant Program

The State of Missouri is providing grants to Missouri meat and poultry processing facilities to address business disruption difficulties associated with the economic effects of COVID-19. Each loan will range from a minimum of \$20,000 to a maximum of \$200,000 depending on the type of facility. Applications for the Missouri Meat and Poultry Processing Grant Program are due by August 31, 2020.

# PPE Production Grant Program

The PPE Production Grant Program awards grants to manufacturers that shift their manufacturing infrastructure to the production of PPE. The grants assist eligible businesses with up to \$500,000 in funds to offset the costs of retrofitting machinery and hiring additional personnel to produce PPE. Manufacturers can use grant funds to retrofit, upgrade, or purchase equipment, as well as expand facilities. Twenty percent of funding may be set aside for nonprofit organizations and manufacturers with less than 25 employees.

### Shared Work Unemployment Compensation Program

The Shared Work Unemployment Compensation Program is an alternative to layoffs for employers faced with a reduction in available work. The available work is divided among affected employees, who share it instead of being laid off.

# Show Me Strong Destination Marketing Organization Program

The Department of Economic Development's Division of Tourism will administer the Show Me Strong Destination Marketing Organization Program, which provides funding for businesses to recoup marketing costs associated with marketing campaigns centered around COVID-19 safety and activity guidelines, as well as business expenses related to payroll, facility improvements, and supply purchases. Applications are due by August 21, 2020. A second wave of applications is due by September 18, 2020.

### Small Business Grant Program

The Small Business Grant Program provides grants to small businesses and family-owned farms to aid in business recovery from the economic effects of COVID-19 in Missouri's hardest hit industries. Grant funding can be used to address issues such as business interruption and closures, increased unemployment insurance costs, and livestock depopulation costs related to the economic effects of COVID-19. The application deadline is August 31, 2020. Funding for the small business portion of the program has reached capacity. Applications are still being accepted for family-owned farms.

### Small Communities Operating Capital Loan Relief Program

The Missouri Development Finance Board established the Small Communities Operating Capital Loan Relief Program as part of the Governor's Show Me Strong Recovery plan. The program allows for \$5 million in funding to be allocated to Missouri incorporated municipalities with populations under 25,000. Each loan will range from a minimum of \$50,000 to a maximum of \$300,000. The proceeds from the Operating Capital Loans will allow municipalities to continue to provide essential services to their constituents in times of projected revenue shortfalls due to the economic effects of COVID-19. Loan proceeds from this program must be used to replace decreased tax revenues, fees, or other governmental revenues and will be interest-free for the first year. Applications for the Small Communities Operating Capital Loan Relief Program are due by August 31, 2020.

#### State Income Tax Extension

Income tax payment deadlines for individual and corporate income returns with a due date of April 15, 2020, are extended until July 15, 2020.

### County-Based Programs

- St. Louis County Grants for Child Care Providers
  - St. Louis County established the Child Care Relief Program to provide grants to child care providers that experienced business interruption and increased expenses as a result of COVID-19. \$5.9m in funding is available to help child care providers continue to operate by addressing the costs of business interruption and the costs to comply with public health guidelines. Applications opened on June 3, 2020 and are due by June 30, 2020 at 5 p.m. Applications will be reviewed on a rolling basis.
- St. Louis County Funding for Non-Profits CARES Humanitarian Response Program
  - St. Louis County established the Humanitarian Response Fund allowing 501(c)(3) organizations to submit RFPs to receive funding for programs providing services in response to the COVID-19 public health emergency. The targeted impact areas are senior and homebound programs, housing stabilization and homeless prevention, technology, and social and emotional wellness for children. A total of \$9.5m in funding will be distributed. Applications opened on June 3, 2020 and must be submitted by June 17, 2020 at 5 p.m. Applicants may submit multiple proposals.

#### Montana

- Expedited Registration of Out-of-State Licensed Professionals for COVID-19 Response
  - The Department of Labor and Industry Business Standards Division (BSD) has implemented an interstate licensure recognition registration process to allow expedited registration of professionals who hold an active license in another state.
- Guidance on Reopening Businesses
  - Effective April 27, 2020, Main Street and retail businesses may become operational with reduced capacity and where strict physical distancing protocols can be maintained. Businesses that reopen must adhere to the reopening guidelines appended to Governor Bullock's directive. Effective May 4, 2020, restaurants, bars, breweries, distilleries, and casinos may become operational under strict

physical distancing and reduced capacity protocols in accordance with State guidelines. They will be required to close their doors by 11:30 p.m. and adhere to the guidelines appended to Governor Bullock's directive. Effective May 15, 2020, gyms and fitness studios will be allowed to operate at 50% capacity with sanitization and social distancing requirements met, and theaters and museums may open in accordance with the guidance outlined in Governor Bullock's May 7, 2020 Press Release. Effective June 1, 2020, all businesses, including places of assembly such as concert halls and bowling alleys, may operate, provided they follow CDC sanitization protocols and adhere to strict physical distancing guidelines. Businesses that reopen must adhere to the reopening guidelines appended to Governor Bullock's directive. For each of these phases of reopening, businesses should check for any additional city or county restrictions.

- Loans to Medical and Healthcare Facilities for Operating Expenses
  - Effective March 31, 2020 until the end of the declared state of emergency, the Montana Facility Finance Authority (MFFA) may provide financing for COVID-19 related operating expenses of healthcare, medical, and related facilities.
- Waiver of Licensure Renewal Late Fees
  - Pursuant to Governor Bullock's August 27, 2020 Executive Directive, certain late fees associated with licensure renewals administered by the Montana Department of Public Health and Human Services are waived, including as they relate to (a) wholesale food establishments, (b) retail food establishments, (c) hotels, motels, or rooming-houses, (d) tourist campgrounds or trailer courts, (e) public swimming pools, or (f) tattooing or body-piercing establishments. In addition, any late fees already collected since the beginning of calendar year 2020 must be refunded.

### Nebraska

- Nebraska Loosens Directed Health Measures as of May 18, 2020
  - Although Nebraska has not been subject to any stay at home directives, Governor Ricketts announced that as of May 18, 2020 less restrictive Directed Health Measures will take effect in South Heartland, Public Health Solutions, and Two Rivers districts. The Governor also provided guidance on resuming youth sports in mid-June and issued guidelines for certain businesses planning to re-open, including salons, massage therapy services, and tattoo shops. Businesses should check for any additional city or county restrictions.

#### Relief to Restaurants and Bars

- Nebraska will permit establishments with liquor licenses to sell alcohol through take-out, pick-up, and drive-through orders. In addition, temporary operating permits will be extended from 90 to 180 days; penalties for late excise tax payments will be waived; and the deadline for paying for wine and spirit deliveries will be extended from 30 to 90 days.
- Waiver of Unemployment Insurance Requirements Including Employer Charging
  - For unemployment insurance benefits claims made between March 22, 2020 and May 2, 2020, Nebraska's Department of Labor has waived certain requirements including charges to employers providing benefits to former employees who file claims related to COVID-19.

#### Nevada

### State-Wide Programs

- Moratorium On Evictions, Foreclosures, and Late Fees for Commercial and Residential Properties
  - Effective March 29, 2020 at 11:59 p.m. through the duration of the COVID-19 State of Emergency, the Governor of Nevada has suspended by Emergency Directive certain notices to vacate, notices to pay or quit, evictions, foreclosure actions, and other proceedings involving residential or commercial real estate initiated under Nevada law. Late fees or penalties for nonpayment are also prohibited until August 31, 2020 at 11:59 p.m., at which time fees will be allowed for prospective late rental payments only. The moratorium does not apply to tenants or mortgagees who are considered "dangerous" because they pose a threat to other residents, the public, or a landlord's property. The definition of "dangerous" does not apply to those who have or may have been exposed COVID-19. The moratorium no longer applies to lockouts and certain summary evictions and notices for the same as described in Emergency Directive 025. Commercial lenders may commence foreclosure proceedings and initiate unlawful detainer actions effective June 30, 2020 at 11:59pm.

### Nevada Institutes Phase II of Reopening

Effective May 29, 2020, the Governor of Nevada has eased certain COVID-19-related restrictions and allowed the reopening of certain businesses pursuant to an emergency directive. The directive applies to retail businesses, indoor malls, non-retail indoor venues (including indoor movie theaters, bowling alleys, and arcades), non-retail outdoor venues (including miniature golf facilities and theme and amusement parks), gyms and other fitness facilities, and several other businesses listed in the directive. As of July 10, 2020, Phase II no longer applies to bars, pubs, taverns,

breweries, distilleries, and wineries that are not licensed to serve food, such that these businesses must remain closed pursuant to Emergency Directives 18 and 27.

- Reopening of Retail Businesses, Restaurants, Drive-in Movie Theaters, and Certain Cosmetology-Related Businesses
  - Effective May 9, 2020, Nevada has reopened retail shops, restaurants, drive-in movie theaters, and several cosmetology-related businesses by executive order. The reopening of these businesses is subject to several restrictions designed to prevent the spread of COVID-19, which vary depending on the type of business at issue. Businesses should check for any additional city or county restrictions.
- <u>Utility Companies Suspend Cut-Offs, Late Fees, and Penalties</u>
  - Participating utility providers are NVEnergy, Southwest Gas, City of Henderson, Las Vegas Water District (LVVWD). Details of relief and eligibility vary by provider.
- Waiver of Licensing Requirements and Fees for Healthcare Workforce
  - Nevada has waived by emergency directive certain licensing requirements to allow the practice of certain unlicensed skilled medical professionals during the COVID-19 crisis, including, but not limited to, medical providers licensed in other states, retired medical professionals, and medical students, subject to certain eligibility requirements. Providers of medical services in Nevada are also authorized to practice outside the scope of their specialization within the limits of their competency. Additionally, all licensing fees are waived for medical providers applying to practice pursuant to the emergency directive, and medical providers may delay submission of outstanding licensing fees. No license for medical providers will be suspended for nonpayment of licensing fees while the emergency directive is in effect, and for a period of 60 days thereafter.

#### City of Henderson Programs

- The City of Henderson's Optional Expansion of Alcoholic Beverage Licenses to Serve Alcohol with Curbside Meals
  - As of 5 p.m. on March 26, 2020, until the declared end of the closure of non-essential businesses or for the next 30 days, whichever occurs first, any establishment holding a restaurant with a bar, tavern, beer/wine on-sale, full-liquor on-sale or brewery license may serve beer, wine, spirits, and liquor in conjunction with meals being picked up curbside at the establishment. To qualify, businesses must email the City of Henderson Business Operations Division at <a href="mailto:FILicensedivision@cityofhenderson.com">FILicensedivision@cityofhenderson.com</a> and include in the body of the email: the name of the

business, address of the business, current City of Henderson business license number, and contact phone number for the owner or key employee.

## **New Hampshire**

State-Wide Programs

- Authorization for Remote Notarizations
  - Effective through the duration of the COVID-19 State of Emergency, to provide citizens and businesses a secure and safe method by which to execute important legal documents, notaries may perform notarizations for individuals not in the physical presence of the notary by using electronic devices or other processes to communicate, subject to certain conditions.
- Guidance on Reopening
  - Governor Sununu announced a new, modified Stay-at-Home Order, in effect now through the State of Emergency. If there are no countervailing city or county restrictions, the Order permits nonessential businesses to reopen under specific guidelines for each industry. Businesses should check for any additional city or county restrictions.
- Health Insurance Coverage for Telehealth Services, Including for In-Network and Out-of-State
   Providers
  - Effective through the duration of the COVID-19 State of Emergency, certain health insurance carriers must allow all in-network providers to deliver covered services via telehealth. Additionally, any out-of-state medical provider whose profession is licensed within New Hampshire will be allowed to perform any medically necessary service, including via telehealth, as if the medical provider were licensed to perform such service within New Hampshire, subject to certain conditions.

#### **New Jersey**

- Battelle Critical Care Decontamination System Available for Free Use Statewide to Clean and Preserve PPE
  - The New Jersey Office of Emergency Management, with the assistance of the U.S. Department of Health and Human Services and The Defense Logistics Agency, has secured the Battelle Critical Care Decontamination System (CCDS) to assist healthcare providers, first responders, and other

agencies in decontaminating and preserving critically needed N95 respirators at no charge to the sending agencies.

- Businesses Affected by the COVID-19 Emergency May Be Eligible for Financial Assistance from the New Jersey Economic Development Authority
  - The New Jersey Economic Development Authority offers financial assistance to businesses throughout New Jersey, including Micro Business Loans of up to \$50,000, direct loans of up to \$3 million, and lease reimbursement for up to 15% of the receiving business's annual lease payments, which may ease the financial impact of the COVID-19 epidemic on New Jersey businesses.
- Certain License Holders May Sell Alcohol for Consumption off the Licensed Premises
  - Holders of plenary retail consumption licenses, hotel or motel licenses, seasonal retail consumption licenses, concessionaire permits, which are generally issued to bars and restaurants, or craft distillery licenses are permitted to sell and deliver alcoholic beverages in original containers or in closed and sealed containers and mixed cocktails in closed and sealed containers for consumption off the licensed premises during the state of emergency.
- Elective Surgeries and Invasive Procedures Allowed to Resume
  - Elective surgeries and invasive procedures, both medical and dental, are allowed to resume. These procedures must resume according to the policies issued by the New Jersey Department of Health and the Division of Consumer Affairs, which include requirements that providers establish a prioritization policy for providing care and scheduling of these procedures.
- Emergency Assistance Eligibility Wizard
  - The New Jersey Economic Development Authority has developed an online screening tool for employers to allow them to quickly determine what emergency assistance programs they may be eligible for during the remainder of the COVID-19 crisis.
- Emergency Technical Assistance Program
  - This New Jersey Economic Development Authority program will support technical assistance to New Jersey-based companies applying for State and U.S. Small Business Administration (SBA) programs. The organizations contracted will be paid based on SBA application submissions supported by the technical assistance they provide.

## Entrepreneur Support Program

This New Jersey Economic Development Authority (NJEDA) program provides a guarantee of an investor loan advanced for working capital to an entrepreneurial company that has been impacted by COVID-19. NJEDA will guarantee up to 80% of the total investment amount, not to exceed \$200,000 per NJ entrepreneurial company.

#### Extension of Insurance Premium Grace Periods

A minimum 90-day grace period is now required for life insurance, insurance premium-financing arrangements, and property and casualty insurance premium payments, and a minimum 60-day grace period is now required for health and dental insurance policy premium payments. During the grace periods, certain insurance companies are not able to cancel policies for nonpayment of premiums. Insurance companies will be required to notify policyholders of this emergency grace period and to waive certain late fees, interest, or other charges associated with delays in premium payments. Insurance companies will also be required to pay any claim incurred during the emergency grace period that would be covered under the policy and any unpaid premium will be amortized over the remainder of the policy term or a period of up to 12 months following the end of the emergency grace period.

### Free Flights for Healthcare Volunteers Coming to New Jersey to Assist with COVID-19 Response

New Jersey's Department of Health is offering free round-trip flights to health care workers coming to New Jersey to help with the state's efforts to fight COVID-19.

### Guidance for Employers for Seasonal Farming

• The New Jersey Departments of Health, Agriculture, and Labor and Workforce Development have issued guidance on working conditions as well as testing/treatment procedures to assist agricultural businesses in minimizing the risk and potential exposure to COVID-19.

#### Health Care Provider Emergency Loan Program

New Jersey is offering a loan program to offset some of the unforeseen expenses incurred by health care providers in the COVID-19 pandemic. Loans will (1) have no application, initial, or annual fees; (2) be at an interest rate of 0%; and (3) be secured solely by federal and State grants and other financial aid received by the recipient health care organizations as a response to COVID-19, as well as grants from other private and public sources related to COVID-19 resilience and anything acquired with the proceeds thereof.

### Limit on Third-Party Delivery Fees

New Jersey law now places limits on service fees charged to restaurants by third-party delivery applications and websites during states of emergency declared by the Governor in response to COVID-19. The law prohibits third-party food takeout and delivery service applications and websites from charging service fees (1) greater than 20 percent of the cost of the individual order; or (2) greater than 10 percent of the cost of the individual order when the order is delivered by an employee of the restaurant or an independent contractor with whom the restaurant has contracted directly.

### Moratorium on NJEDA Direct Loan Payments

The New Jersey Economic Development Authority has approved a three-month moratorium on direct loan and premier lender participation loan payments (pending approval by the agency bank) for eligible businesses. The New Jersey Economic Development Authority is also allowing collateral releases, subordinations, and substitutions on business assets for businesses impacted by COVID-19, and waiving late fees on loan repayments and loan modification fees for impacted businesses.

#### Moratorium on Utility Shutoffs

• All of New Jersey's public electric, phone, cable, water, and gas utilities have universally agreed to suspend service shutoffs indefinitely due to the COVID-19 pandemic.

#### NJ COVID-19 Jobs Portal

The New Jersey Economic Development Authority has opened an online portal where employers in critical industries can post openings for additional employees created by the COVID-19 epidemic during the remainder of the COVID-19 crisis.

#### Permit Extension Act

The act automatically suspends the running of the period of eligible permits and approvals from March 9, 2020 until the end of the health emergency declared by the Governor in response to COVID-19. The act also extends any permit or approval for at least six months beyond the end of the health emergency declared by the Governor in response to COVID-19. Impacted permits and approvals include, but are not limited to: "any municipal, county, regional, or State approval or permit granted under the general authority conferred by State law or rule or regulation, or any other government authorization of any development application or any permit related thereto whether that authorization is in the form of a permit, approval, license, certification, permission, determination, interpretation, exemption, variance, exception, waiver, letter of interpretation, no

further action letter, agreement or any other executive or administrative decision which allows a development or governmental project to proceed; provided that, for all of the foregoing, the approval was validly issued, and the term of such approval was unexpired as of March 9, 2020."

### PPE Supplier Registry

New Jersey has assembled a PPE supplier registry to assist private businesses and organizations in locating potential suppliers for PPE and other COVID-related goods and services.

### Protection from Civil Liability for Healthcare Providers in Response to COVID-19

For the duration of the COVID-19 crisis, New Jersey has granted immunity from civil liability for healthcare professional for any damages alleged to have been sustained as a result of the individual's acts or omissions undertaken in good faith in the course of providing healthcare services in support of the State's COVID-19 response, whether or not within the scope of their practice and whether or not such immunity is otherwise available under current law. This immunity covers both healthcare professionals who were licensed prior to the COVID-19 crisis and those granted temporary licenses as part of New Jersey's COVID-19 crisis response.

### Remote Notary Services

 New Jersey law now allows notaries and authorized officials to execute remote notarial acts during the COVID-19 crisis.

# Schedule for Reopening Certain Non-Essential Businesses and Public Areas Subject to Social Distancing Protocols

• If there are no countervailing city or county restrictions, certain non-essential businesses and public areas, including beaches, boardwalks, lakes, campgrounds, and lakeshores; golf courses; marinas; non-essential construction; drive-thru and drive-in events; car dealerships, motorcycle dealerships, boat dealerships, and bike shops; professional sports and horse racing tracks; outdoor recreational and entertainment businesses; personal care service facilities, such as barbershops; outdoor dining at restaurants; portions of indoor shopping malls; casinos; museums; indoor recreation facilities at limited capacity, including gyms; non-emergency child care; youth organized sports and day camps; and nonessential retail, are allowed to reopen now so long as social distancing protocols are followed. Businesses should check for any additional city or county restrictions.

### Small Business Emergency Assistance Guarantee Program

A pilot program from the New Jersey Economic Development Authority that makes available oneyear first loss guarantees of permanent working capital loans and lines of credit originated by Premier Lender banks. These loans must be made to cover operating expenses for New Jersey small businesses and non-profit organizations that have been impacted by the COVID-19 outbreak.

### **New Mexico**

#### State-Wide Programs

### COVID-19 Business Loan Guarantee Program

Businesses seeking emergency loans or lines of credit to deal with the economic impact of the COVID-19 crisis can apply for assistance from New Mexico's Economic Development Department. The Department may guarantee a portion of a loan or line of credit up to 80% of the principal, or \$50,000. Purposes of the loans include, but are not limited to, working capital, inventory, and payroll.

### Local Economic Development Act

• Companies must be a qualified manufacturing business with over 50% of its revenue outside of New Mexico or a retail business in a community with under 15,000 people.

#### Local Food Supply Chain Response Fund

The Local Food Supply Chain Response Fund is set up to address gaps in and disruptions to the local food supply chain in New Mexico, by providing resources to farmers, ranchers, and other actors in this chain. There are two types of funding available through the fund: individual producer grants or collaborative grants. Individual grants are for New Mexico-based individual farmers and ranchers from farm or ranch operations. Funding for individual grants range from \$500 to \$2,500. Collaborative grants are for nonprofits and federally-recognized tribes operating in New Mexico. Funding for collaborative grants can range from \$2,500 to \$15,000 and can be for up to 6 months with the possibility of extension depending on the state of COVID-19. Funds will be provided as unrestricted operating funds.

### New Mexico Small Business Investment Corporation (NMSBIC) Low Interest Loans

The NMSBIC has pledged up to \$25 million to its lending partners (The Loan Fund, DreamSpring, LiftFund, and Homewise) to assist New Mexico's small businesses that are impacted by COVID-19. NMSBIC's lending partners will receive funds from NMSBIC at a discounted interest rate to

distribute to businesses based on need. Interest rates will be as low as 3.75% and may be available to impacted businesses for up to 36 months.

### City of Albuquerque Programs

### Micro-Business Relief Program

As of March 30, 2020, the City of Albuquerque is providing working capital grants of up to \$5,000 for qualifying small businesses impacted by COVID-19. To qualify, businesses must have 5 or fewer employees (including owner(s)), be registered and physically located within the Albuquerque city limits, have been in business for at least six months, and have experienced financial hardship due to COVID-19. Grant funds must be deposited into a business bank account and only be used for business expenses. Business owners must agree to provide a report about the use and results of the grant fund six months after receipt. Franchises or those businesses restricted to patrons 18 or older are not eligible for an award.

#### **New York State**

### State-Wide Programs

- Application for the Suspension of NYS Debt Collection (for Non-Medical and Non-Student Debt)
  - The New York Attorney General has announced an application process for persons or businesses that owe non-medical and non-student debts to the State of New York that have been referred to the Office of the Attorney General for collection and litigation.

### New York Forward Loan Fund

Empire State Development announced a new economic recovery program to support New York's small businesses during the re-opening process. The loans will target businesses with 20 or fewer full-time equivalent employees, nonprofits, and small landlords that have seen a loss of rental income. The program aims to help offset upfront expenses required to comply with the guidelines of the New York Forward Plan. Priority will be given to industries and regions that have been reopened, but this is not first-come, first-served and applications will be reviewed on a rolling basis.

# New York Forward Reopening Plan

Governor Andrew Cuomo released the NY Forward Reopening Plan. According to the Reopening Plan, New York will reopen on a regional basis as each region meets certain criteria to reopen and has been grouped into ten regions: Western New York, Finger Lakes, Southern Tier, Central New York, North Country, Mohawk Valley, Mid-Hudson, New York City, Capital Region, and Long

Island. As of July 20, 2020, all regions have met the metrics required to enter into Phase One (construction, agriculture, forestry, fishing and hunting, retail limited to curbside or in-store pickup or drop off, manufacturing and wholesale trade), Phase Two (office-based businesses, real estate, limited retail, vehicle sales, leases and rentals, retail rental, repair and cleaning, commercial building management, and hair salons and barbershops), Phrase Three (indoor restaurant, food services, and personal care services) and Phase Four (higher education, schools, low-risk and high-risk outdoor arts and entertainment, professional sports with no fans, malls). Indoor dining in New York City, however, will not be reopened. Businesses should check for additional restrictions and guidance at the city and county level.

#### New York PAUSE Act: Closure of Non-Essential Businesses and Services

Order (the "PAUSE Order"), including a directive requiring all non-essential for profit or non-profit businesses statewide to close their in-office personnel functions, effective March 22, 2020 at 8:00 pm. The PAUSE Order has since been extended, by Executive Order, until May 28, 2020; provided, however, the closure of all non-essential for profit or non-profit business shall no longer apply to businesses in selected industries in certain regions in New York, effective May 15, 2020. These regions have met specific metrics established in the Governor's plan for reopening the state, known as the "NY Forward Reopening Plan." Businesses should check for any additional city or county restrictions.

#### New York PAUSE Act: Moratorium on Residential and Commercial Evictions

Governor Andrew Cuomo issued the New York State on PAUSE Executive Order (the "PAUSE Order") on March 20, 2020, including a directive prohibiting enforcement of either an eviction of any residential or commercial tenant, or a foreclosure of any residential or commercial property for a period of 90 days, effective Sunday, March 22, 2020 at 8:00 pm. On May 7, 2020, Governor Cuomo extended the Moratorium, by Executive Order, for another 60 days until August 18, 2020. On August 20, 2020, Governor Cuomo extended the Moratorium, by Executive Order, for commercial evictions and foreclosures only, until September 20, 2020.

## Protection for Health Care Workers, Facilities, and Administrators from COVID-19-Related Liability

On April 3, 2020, Governor Andrew Cuomo signed into law the Emergency Disaster Treatment Protection Act (the "Act"), which immunizes health care facilities and professionals from certain forms of liability during the COVID-19 emergency. Along with a collection of other states, New York has taken action to shield health care providers from liability arising from the difficult medical decisions presented by the pandemic. The Act expands on Governor Cuomo's March 23, 2020 executive order, which protects physicians and nurses from civil liability for certain acts or

omissions that result in injury or death during the COVID-19 emergency. The new law broadens this coverage to encompass health care facilities and their administrators, as well as volunteer organizations that make their facilities available to support the state's response to COVID-19.

- Small Businesses Experiencing Financial Hardship Due to COVID-19 May Defer Paying Certain
   Insurance Premiums
  - Small businesses experiencing financial hardship due to COVID-19 may defer paying premiums for property and casualty insurance, including auto, homeowners, renters, workers compensation, medical malpractice, livery and taxi insurance for a 60-day period. There is also a moratorium on an insurer cancelling, non-renewing, or conditionally renewing any insurance policy issued to an individual or small business for a period of 60 days for any policy holder who is facing financial hardship as a result of the COVID-19 pandemic.
- Tax Relief for Quarterly and Annual Filers of Sales Tax for Vendors Affected by COVID-19
  - Governor Andrew Cuomo has issued an executive order expanding the Tax Commissioner's authority to allow the Commissioner to abate interest on quarterly sales and use tax filings and remittances with a due date of March 20, 2020 for those who were unable to timely file and pay as result of the COVID-19 virus.

### New York City Programs

- Small Business Continuity Fund
  - New York City was offering zero-interest loans of up to \$75,000 to businesses with fewer than 100 employees and at least two years of operations, whose sales have decreased by 25% or more due to COVID-19. Due to overwhelming interest, application intake is paused as of April 8, 2020 and the program is not accepting applications at this time.
- Waiver and Abatement of Penalties for Late-Filed and Late-Paid Business and Excise Taxes
  - The New York City Department of Finance is granting waivers and abatements of penalties for late-filed and late-paid business and excise taxes due between March 16, 2020 and April 25, 2020 and due between April 26, 2020 and June 25, 2020. Taxpayers may file a return, extension, or penalty waiver request at <a href="www.nyc.gov/dofaccount">www.nyc.gov/dofaccount</a>; request a penalty abatement by emailing <a href="penalty-abatements@finance.nyc.gov">penalty-abatements@finance.nyc.gov</a>; or file a return, extension or abatement request by writing to NYC Department of Finance, P.O. Box 5564, Binghamton, NY, 13902-5564 (abatement requests should include "COVID 19" at the top center of the front page). Taxpayers that file a return or extension and pay owed taxes by July 15, 2020 will not be subject to any late filing, late payment or underpayment penalties. But, while late filing and late payment penalties will be waived, interest,

where applicable, at the appropriate underpayment rate, must be paid on all tax payments received after the original due date calculated from the original due date to the date of payment. Quarterly estimated payments must still be made by the June 15, 2020 deadline.

#### **North Carolina**

### State-Wide Programs

- Business Edge Layoff Aversion Strategies and Activities
  - An existing program, Business Edge is a series of layoff aversion strategies and activities designed to help North Carolina employers prevent or minimize job losses. Through Business Edge, workforce partners collaborate with business leaders to assess the needs of, and options for, "atrisk" firms, and to deliver services that address those needs.

### Free Small Business Counseling

Available now, the Small Business Center Network of North Carolina is helping small businesses navigate challenges associated with COVID-19 by offering free confidential business counseling. The Small Business Center Network can also assist with loan requests, business plans, general startup questions, marketing, sales, and more.

#### Immunity to Healthcare Workers

Effective April 8, 2020, and remaining in effect for sixty days, the Governor of North Carolina has signed an Executive Order easing restrictions to allow additional healthcare workers to treat patients. The Executive Order also grants immunity from civil liability for injury or death to healthcare providers treating patients in connection with the COVID-19 pandemic, so long as they act in good faith and not with gross negligence or recklessness.

#### Reopening of Nonessential Businesses

By Executive Order of the Governor, beginning May 22, 2020 at 5:00 pm, through September 11, 2020 at 5:00 pm (unless repealed, replaced, or rescinded by another applicable Executive Order), retail businesses, restaurants, personal care and grooming businesses, tattoo parlors, childcare facilities, and camps and programs for children and teens may operate with certain restrictions. Bars are still limited to take-out and delivery service only. Gyms and health clubs, and entertainment facilities must continue to remain closed.

### Safety Training Program for Restaurants and Other Businesses

The North Carolina Department of Health and Human Services and the North Carolina Restaurant and Lodging Association have joined together to create Count on Me NC, a free online training program to help restaurants, hotels, and other businesses learn the best ways to protect customers and employees from COVID-19. The training program includes evidence-based practices on social distancing, employee health, and sanitation to protect people's health. Participating businesses will receive printable certificates to display in their establishments to show they completed the training.

### Weekly Forums for Business Community

The North Carolina Department of Health and Human Services' Division of Public Health (DPH) and the North Carolina Area Health Education Center are holding weekly forums for the North Carolina business community every Wednesday until they are no longer needed. The forums will enable members of the business community to obtain timely information on COVID-19 and to pose questions directly to public health subject-matter experts. The forums are structured to allow either webinar access through the computer or traditional audio dial-in.

#### **North Dakota**

#### State-Wide Programs

#### COVID-19 PACE Recovery Program (CPRP)

This program provides support for the working capital needs of any person or entity whose business is located within North Dakota. Borrower must be a business that: (i) is located in North Dakota; (ii) has capacity or history of showing it could service debt before February 15, 2020; and (iii) incurred economic injury as a result of the COVID-19 Pandemic. This program became effective April 29, 2020 and applications will be accepted through November 30, 2020.

#### Development Fund Loans

- The Development Fund offers a number of flexible financing options for new or expanding primary sector businesses in North Dakota, which are available through the following programs:
  - North Dakota Development Fund: The funding limit for this program is \$1,000,000, and is based on job requirement. Qualifications include: (i) borrower must be a primary sector North Dakota business, (ii) must be located in a city with a population of 8,000 or more, (iii) minimum equity requirement of 15%, (iv) personal/corporate guarantees, (v) loan amount based on job creation of \$40,000 per FTE created.

- Revolving Rural Loan Fund: The funding limit for this program is \$1,000,000, and is based on job requirement. Qualifications include: (i) borrower must be a primary sector North Dakota business, (ii) must be located in a city with a population of less than 8,000 or more than 5 miles outside city limits, (iii) minimum equity requirement of 15%, (iv) personal/corporate guarantees, (v) loan amount based on job creation of \$50,000 per FTE created.
- Rural Incentive Growth Program: The funding limit for this program is \$75,000. Qualifications include: (i) borrower must be a North Dakota business that provides a community an essential service with North Dakota Department of Commerce Commissioner approval, (ii) must be located in a city with a population of less than 2,500, (iii) no minimum equity requirement, (iv) personal/corporate guarantees, (v) the loan is made to the city, which in turn loans to the business.
- <u>Childcare Loan Program</u>: The funding limit for this program is \$100,000 or based on availability of funds. Qualifications include: (i) borrower must be a licensed childcare provider and, (ii) personal/corporate guarantees on the loan.
- Venture Capital Program: The funding limit for this program is \$1,000,000. Qualifications include: (i) borrower must be a primary sector North Dakota business, (ii) must be located in a city with a population of 8,000 or more, (iii) minimum equity requirement of 15%, (iv) personal/corporate guarantees, (v) loan amount based on job creation of \$40,000 per FTE created.
- Small Business Technology Program: The funding limit for this program is \$50,000. Qualifications include: (i) borrower must be a start-up primary sector North Dakota business in the technology field, (ii) minimum equity requirement of 15%, (iii) personal/corporate guarantees, (iv) for every \$1 of state funds, \$2 of certified North Dakota angel funds is required, (v) recipient may not receive more than one investment.

#### Economic Resiliency Grant

The North Dakota Department of Commerce is offering eligible private businesses a grant of up to \$50,000 (or up to \$100,000 in the case of businesses with multiple locations) to help cover costs associated with making improvements to such businesses for the purpose of reducing the spread of infection and instilling consumer confidence in the marketplace. The program is effective now until funding is exhausted. The deadline for the first round of applications is August 17, 2020. The application process for the second round of grants will open September 14, 2020 and end September 25, 2020. The dates for the third round of applications have yet to be decided.

- Guidance Regarding Reopening Restaurants, Bars, Fitness Centers, Personal Services, Movie Theaters,
   Recreational Pools, and Event Venues
  - Governor Burgum has announced that restaurants, bars, fitness centers, personal services, movie theaters, recreational pools, and event venues would be allowed to reopen, if a number of safety guidelines were followed. Some of these guidelines apply to all North Dakota businesses, such as encouraging the use of face coverings and regularly disinfecting surfaces, and others are industry-specific.
- Income Tax Deadline Change
  - Individuals or businesses who are unable to file an income tax return or pay the tax by the April 15, 2020 deadline, can file and make payment through July 15, 2020, without penalty and interest.
- Small Employer Loan Fund (SELF)
  - This program provides loans to North Dakota small businesses to cover working capital needs, recurring expenses and inventory costs. To receive these loans, as of March 13, 2020 the borrower must have: (a) had a physical presence in North Dakota; (b) been current on financial obligations; and (c) along with any guarantors, showed the capacity or historical ability to service debt; (iv) had an employee count of 10 or less full-time equivalents (FRT); and (v) had an owner with at least 20% ownership, or a guarantor with a pre-pandemic minimum credit score of 650. This program became effective April 29, 2020 and applications will be accepted through November 30, 2020.
- Unemployment Insurance and Workforce Safety and Insurance Suspension of Certain Requirements
  - Effective March 13, 2020, <u>Executive Order 2020-08</u> suspended (1) interest on certain employer premium payments, (2) late fee penalties for late-filed employer payroll reports, and (3) due dates for quarterly unemployment insurance contributions and reports.

## Ohio

- Extension of Certain Tax Return Filing Deadlines
  - Effective as of March 27, 2020, Ohio will be following the federal government and IRS in extending the deadline to file and pay the state income tax to July 15, 2020.

## Health Insurance Coverage Flexibility

Effective March 20, 2020. Insurers must permit employers to continue covering employees under group policies even if the employee would otherwise become ineligible due to a decrease in hours worked per week.

## Liquor Buyback Program

Effective March 16, 2020. Bars and restaurants can return unopened high-proof liquor products purchased within the past 30 days.

## SharedWork Ohio

SharedWork Ohio is a voluntary layoff aversion program, allowing eligible workers to remain employed and eligible employers to retain trained staff during times of reduced business activity. The participating employer reduces affected employees' hours in a uniform manner, and the Ohio Department of Job and Family Services provides eligible individuals an employment benefit proportionate to their reduced hours.

#### 90-Day Suspension of Rent and Moratorium on Evictions

On April 1, 2020, Governor Mike DeWine issued an executive order that requests that landlords suspend, for at least 90 days, rent payments for small business commercial tenants facing financial hardship due to the COVID-19 pandemic and provide a moratorium on evictions of those tenants. The order also asks lenders to provide forbearance of 90 days for commercial mortgages.

#### City of Cincinnati Programs

## Temporary Outdoor Dining Programs

The City of Cincinnati is making permits available for restaurants and bars to temporarily expand their outdoor dining and service areas onto public sidewalks or streets or into privately owned parking facilities in order to comply with COVID-19 prevention best practices. Two separate permits are available, one for outdoor street dining and one for private outdoor dining.

#### City of Cleveland Programs

#### Emergency Working Capital Fund

 On April 4, 2020, Mayor Frank Jackson announced the establishment of the Emergency Working Capital Fund for the purpose of reimbursing Cleveland businesses for certain business expenses

incurred from March onward, such as rent, payroll, utilities, inventory, marketing and other working capital needs. Applicants are eligible for up to a \$10,000 loan with no fees, interest accrual or payments of any kind until January 1, 2021. After January 1, 2021, the loans will bear a \$150 monthly payment with a 1% interest rate until the loan is repaid. Funds are limited, so applicants are encouraged to apply as soon as possible.

## Emergency Working Capital Program – Specially Impacted Businesses

As part of Mayor Jackson's ReStart CLE plan, certain businesses, including restaurants, personal care businesses and storefront retail establishments, may receive low-interest loans up to \$20,000 of which 50% (\$10,000) is forgivable for costs associated with the purchase of personal protective equipment. Eligible businesses can apply loan proceeds towards rent/mortgage payments, utilities, payroll and personal protective equipment. To qualify, applicants must be a locally-owned small business and demonstrate an adverse impact on cash flow or revenue due to the coronavirus. Preference will be given to entities that are unable to access other coronavirus-related capital, are able to retain and/or restore pre-coronavirus employment, and show a substantial negative impact on revenues. Additionally, each business will be required to provide a business sustainability plan outlining how they anticipate changing and re-orienting their business in response to the changes in operations.

## Excise Tax Payment Extension

The Commissioner of the Division of Assessments and Licenses has been authorized to extend excise tax payment deadlines to July 20 without interest accrual or penalties. The excise taxes included in the order are the admissions tax (due April 30, May 30, and June 30), motor vehicle lessor tax (due April 30, May 31, and June 30), parking tax (due April 20, May 20, and June 20), and transient occupancy tax (due April 30, May 31, and June 30).

## Restoration Working Capital Program

As part of Mayor Jackson's ReStart CLE plan, businesses can receive low interest loans of (i) up to \$100,000 for large businesses (more than 30 employees) and (ii) up to \$25,000 for small businesses, as well as additional resources that are available through the city's EDA Working Capital Loan Program for companies with additional need. Eligible businesses can apply loan proceeds toward accounts receivable, rent/mortgage payments, utilities, and payroll. To qualify, applicants must demonstrate an impact on cash flow or revenue due to the coronavirus. Preference will be given to applicants that are unable to obtain other coronavirus-related capital, are able to retain and/or restore pre-coronavirus employment, and show a substantial negative impact on revenues.

## Six Month Deferral on City Loan Payments

The Director of Economic Development has deferred payments on loans funded from the city's resources until October 1, 2020. The Director is currently engaged with grantor agencies to secure payment relief for loans funded through these resources. The Department of Economic Development has begun implementing this accommodation, and many borrowers have already been relieved of their payment obligation due on April 1, 2020.

## City of Toledo Programs

- Six-Month Payment Deferral on Enterprise Development Loans & Brownfield Revolving Loan Fund Loans
  - Mayor Wade Kapszukiewicz has deferred payments on Enterprise Development Loans and Brownfield Revolving Loan Fund Loans from April 1, 2020 through September 30, 2020.

#### Oklahoma

- COVID-19 Talent Exchange
  - Oklahoma Works has created a simple application for Oklahomans seeking employment.
     Applicants' information will be distributed to local employers seeking to fill current job openings.
     Participating employers will contact applicants directly if there is a suitable opening.
- COVID-19 Weekly Industry Webinars
  - The Oklahoma Department of Commerce is holding a series of COVID-19 guidance and economic recovery webinars for Oklahoma industry sectors with Oklahoma Secretary of Commerce, Sean Kouplen. Business leaders are encouraged to attend webinars for sectors in which they do business. The webinars are listen-only, but you may submit your questions in the webinar chat box or in advance via email.
- Immunity to Businesses and Individuals
  - The Governor of Oklahoma has signed into law Senate Bill 1946, which provides businesses and individuals with immunity from civil actions claiming an injury due to exposure or potential exposure to COVID-19. In order for a business or individual to be immune, the act or omission that is alleged to have created exposure to COVID-19 must be "in compliance or consistent with federal or state regulations, a Presidential or Gubernatorial Executive Order, or guidance applicable at the

time of the alleged exposure." If two or more sources of guidance are applicable to the conduct at issue, the business or individual is protected so long as the conduct at issue is consistent with "any applicable guidance." Senate Bill 1946 does not discuss situations in which a business or individual attempts to follow applicable guidelines but is not fully in compliance.

## Immunity to Healthcare Providers

In response to the COVID-19 pandemic, the Governor of Oklahoma has signed into law the COVID-19 Public Health Emergency Limited Liability Act, which provides health care facilities and providers with immunity from civil actions claiming "any loss or harm to a person with a suspected or confirmed diagnosis of COVID-19 caused by an act or omission by the facility or provider that occurs during the COVID-19 public health emergency." In order for a facility or provider to be immune, the act or omission must: (1) have "occurred in the course of arranging for or providing COVID-19 health care services for the treatment of the person who was impacted by the decisions, activities or staffing of, or the availability or capacity of space or equipment by, the health care facility or provider in response to or as a result of the COVID-19 public health emergency"; and (2) not be the result of the facility's or provider's "gross negligence or willful or wanton misconduct."

## Oklahoma Business Relief Program (OBRP)

OBRP offers vital funding for qualifying businesses that have suffered revenue loss due to the COVID-19 pandemic. Individual grants will be equal to two months of average total payroll, but only up to \$25,000. Through July 10, 2020, Oklahoma businesses can apply for OBRP through participating financial institutions, a list of which can be found on the Oklahoma Department of Commerce's website. The financial institutions will evaluate applications based on the program rules and make a preliminary determination of eligibility, and submit applications and supporting documents to the Oklahoma Department of Commerce for final determinations. Applications will be accepted on a first-come, first-served basis, and funds will be provided to the business through the financial institution.

### Oklahoma City Public Utility Relief: Water

• The Oklahoma City Utilities Department has stopped all water service cut-offs to residential customers for a minimum period of 30 days but provides no effective date.

### Guidance on Reopening of Certain Businesses: Open Up & Recovery Safely (OURS) Plan

 Oklahoma has begun implementing a three-phased approach to open Oklahoma's economy back up. Specific businesses and organizations are advised to follow guidance for social distancing and

sanitation. Additional information and guidance for businesses and organizations can be found here.

- Public Utility Relief: Electric & Gas
  - OG&E and <u>Public Service Company of Oklahoma</u> have temporarily suspended non-payment disconnections of services.
- 2019 State Income Tax Filing Extension
  - Oklahomans have until July 15, 2020 to file and pay income taxes.

## **Oregon**

State-Wide Programs

- Reopening Guidance
  - The Governor of Oregon has announced guidance for certain businesses to reopen in the state, if there are no countervailing city or county restrictions, based on a phased plan. Each county must apply and be approved to enter each phase of reopening, with all counties entering at least the baseline reopening phase starting on May 15, 2020. Businesses should check for any additional city or county restrictions.
- Work Share Program
  - Employees can receive a portion of their unemployment benefits while working reduced hours. Employers may divide available work among a group of employees in lieu of a layoff. Eligible staff whose hours and wages are reduced receive a portion of their regular unemployment insurance benefits to compensate for lost wages. Employees may receive up to 25 weeks of benefits.

## Pennsylvania

- Business-to-Business (B2B) Interchange Directory for COVID-19 Supplies and PPE
  - The Commonwealth of Pennsylvania has established a business-to-business (B2B) interchange directory as a means of connecting businesses that need personal protective equipment (PPE) and other medical supplies with manufacturers and suppliers. The directory lists manufacturers and suppliers of N95 masks, surgical masks, cloth masks, hand sanitizer, thermometers, and face shields, and was compiled from information that the manufacturers and suppliers voluntarily

submitted in response to the Commonwealth's own procurement efforts. Note that the site is not a purchase platform by which businesses can purchase PPE or supplies directly; rather, it provides names and contact details of manufacturers and suppliers for purposes of facilitating private transactions between those entities and businesses seeking those items. The directory can be found here.

## COVID-19 Relief Pennsylvania Statewide Small Business Assistance Program

The COVID-19 Relief Pennsylvania Statewide Small Business Assistance Program is a new program by which the Commonwealth will provide grants of \$5,000 to \$50,000 in CARES Act funds to small businesses that have been economically impacted by COVID-19. Businesses must satisfy certain eligibility requirements (for example, residency restrictions, revenue maximums, and size limitations) and are subject to priority criteria set forth on the program's website. Applications must be submitted through a Community Development Financial Institution (CDFI), but are not first-come, first-served; there will be multiple application windows and future rounds of funding.

## COVID-19 Risk Assessment Tools for Employers and Businesses

The Pennsylvania Department of Health has developed a risk assessment tool in response to questions from local businesses seeking guidance on reopening safely. The resource highlights risk considerations that may affect businesses as they reopen, assesses the magnitude of each risk, and identifies mitigation strategies that businesses can use to protect the health and safety of their employees and customers. The guidance provided is not binding; rather, the resource is designed to help employers make informed decisions regarding reopening and resuming operations.

#### Emergency Order Issuing Moratorium on Termination of Public Utility Services

The Pennsylvania Public Utility Commission has issued an emergency order prohibiting electrical, natural gas, water, wastewater, telecommunications, and steam utilities in Pennsylvania from terminating services during the pendency of the Proclamation of Disaster Emergency signed by Governor Wolf on March 6, 2020. Utilities providers have also been encouraged to restore service to customers whose service has been terminated, to the extent that the providers are able to do so safely.

## Pennsylvania Critical Medical Supplies Procurement Portal

The Commonwealth of Pennsylvania Critical Medical Supplies Procurement Portal (the "Portal") is a platform designed to facilitate the state government's efforts to obtain critical medical supplies for hospitals and medical facilities across Pennsylvania. Manufacturers, distributors, and other

suppliers are directed to complete a procurement form listing supplies available for purchase, to allow quick and efficient procurement by the Commonwealth.

### Pennsylvania Industrial Development Authority Low-Interest Loan Program

The program makes low-interest loans available to businesses that commit to creating and/or retaining jobs and that are within specified sectors, including manufacturing, industrial, agricultural, research and development, hospitality, defense conversion, recycling, construction, child daycare, retail and service, export, and computer-related service. Funds are only available to cover certain projects and costs, including but not limited to land costs, working capital lines of credit costs, and accounts receivable lines of credit costs. Official program guidelines are available online <a href="here">here</a>.

## Pennsylvania Rapid Response Services

Pennsylvania's Rapid Response Services team offers assistance to businesses that are forced to conduct layoffs or close temporarily, or that are financially at risk for permanent closure. The Rapid Response team works with employers to help them plan and manage economic transitions and avoid layoffs, including by coordinating pre-layoff placement services for employees. These services are provided to the employers free of charge and regardless of the reasons for the layoffs.

## Pennsylvania Shared-Work Program

Pennsylvania's Shared-Work Program allows an employer plan to temporarily reduce the work hours of a group of employees and divide available work hours equally among affected employees, rather than laying off employees entirely. Employees covered by their employer's Shared-Work plan receive a percentage of their weekly unemployment compensation allowances while they work reduced hours, if those employees are otherwise eligible to receive unemployment compensation.

## Plan for Reopening Businesses in Pennsylvania

Pennsylvania Governor Tom Wolf and his administration have announced a plan to guide the reopening of businesses in the Commonwealth. The administration will make reopening decisions on a county- or region-specific basis, using data-driven support tools developed by Carnegie Mellon University to assess the risks that COVID-19 continues to present for particular localities. Counties and regions will be designated as within the "red," "yellow," or "green" phase of reopening, with each phase corresponding to a different set of restrictions on business operations. Regardless of which phase a region is in, all businesses that continue operating or resume operations must comply with the Commonwealth's safety guidance. Additional details on the reopening plan,

together with further information about the restrictions associated with each phase, can be found on Governor Wolf's <u>Process to Reopen Pennsylvania</u> webpage, which is regularly updated.

# City of Philadelphia Programs

- Postponement of Shutoff of Water Services in Philadelphia
  - The Philadelphia Water Department has announced that water service will be restored through August 31, 2020 to customers who are currently delinquent on bill payments. Fees for such restoration will be waived. The Department also announced that until August 31, 2020, water service will not be shut off to customers who fall behind on bill payments.
- Suspension of Energy Service Disconnections
  - PECO Energy Company is suspending energy service disconnections until further notice. It also is waiving late payment fees incurred by customers during that time period. Additionally, PECO continues to offer a number of preexisting programs that are not specific to COVID-19 but that may provide assistance to customers who have difficulty paying their energy bills.
- Suspension of Non-Payment Terminations of Gas Services
  - Philadelphia Gas Works has announced that until further notice, it will not terminate gas services to any customer due to lack of bill payment. It also will waive fees incurred for late payments during that time period. In addition, Philadelphia Gas Works continues to offer a number of preexisting programs that are not specific to COVID-19 but that may provide assistance to low-income customers.

### City of Pittsburgh Programs

- Moratorium on Water and Sewer Shutoffs
  - The Pittsburgh Water and Sewer Authority has imposed a moratorium on shutoffs of water and wastewater service, which will remain in effect until September 1, 2020. While customers will still be billed for services during that period, a customer's failure to pay his or her bills on time will not result in a shutoff of services before September 1, 2020. (Note, however, that services to a customer may be shut off for lack of payment on that customer's bill after September 1, 2020 unless the moratorium is extended.)

#### **Rhode Island**

## State-Wide Programs

## COVID-19 Moratorium on Utilities Collections

The Public Utilities Commission (PUC) has directed all electric, gas, water, and wastewater utilities regulated by the PUC "to cease certain collections activities, including service terminations for nonpayment." This moratorium extends to July 17, 2020 for all customers. In each case, the PUC will revisit the temporary moratorium prior to its expiration and decide whether to extend the order.

## Extension of State Tax Return Filing Deadline

The Rhode Island Division of Taxation has mirrored the Internal Revenue Service's (IRS) federal extension. The IRS has extended the annual filing deadline and federal income tax payments from April 15, 2020 to July 15, 2020. This deferment applies to all taxpayers, including individuals, trusts and estates, corporations, and other non-corporate tax filers as well as those who pay self-employment tax.

## Moratorium on Evictions

• The Rhode Island Governor has announced that as of June 1, 2020, the moratorium on evictions is lifted and state courts will continue to process residential and commercial evictions.

## Small Business Hotline/Resource Page

 Small businesses can use the hotline (401) 521-HELP to ask questions and navigate available resources.

## Tech Support

Rhode Island Commerce is providing free 45-minute tech support sessions for small businesses and sole proprietors via zoom or conference call. If you or your staff needs help setting up work from home technology, online meetings, e-commerce, remote working security or document management, coaches with various specialties are available from 1 to 5 pm, Monday through Friday. Sign up for a coaching session with the specialist of your choice at <u>District Hall Providence</u>.

## WorkShare Program for Employers

Rhode Island's WorkShare program is an alternative for an employer to avoid layoffs when experiencing temporary major slowdown in business due to economic conditions. It connects their workers with Unemployment Insurance (UI) to partially replace wages lost due to a reduction in work hours and keeps the employment relationship intact, benefitting both employers and workers alike. Employers retain their skilled workforce, while workers remain job-attached and receive most of their weekly pay and fringe benefits during a time when work hours have been reduced. WorkShare claimants are able to collect up to fifty (50%) of their weekly benefit rate. WorkShare is available to any employer with two or more employees and whose taxes or reimbursement payments are currently up to date. Employers that temporarily close down their entire operation do not qualify for WorkShare.

#### **South Carolina**

- Emergency Requirements Regarding Face Coverings
  - Pursuant to <u>Executive Order 2020-50</u>, counties and municipalities have been urged to enact or implement appropriate emergency ordinances or other measures requiring individuals to wear a face covering in public settings where they are reasonably likely to come into close proximity with others who are not of the same household, and where maintaining a distance of six feet for effective "social distancing" is not feasible.
- Emergency Restrictions Regarding Restaurant Operations
  - Pursuant to Executive Order 2020-50, South Carolina restaurants are authorized to provide outdoor customer dining services and limited indoor, on-premises dining, provided they follow emergency restrictions promulgated by the Governor's Office. Among other requirements, restaurants must: (i) require all employees, customers, suppliers, vendors, and other visitors entering the premises to wear face coverings, except when actively eating or drinking; (ii) cease the sale or consumption of alcohol between the hours of 11 p.m. and 10 a.m. the next day; (iii) limit the number of customers and patrons inside the premises to 50% capacity; (iv) space all indoor and outdoor tables at least six feet apart; and (v) limit seating to no more than eight customers at a table, unless all customers seated at a table are members of the same family unit or household. There are several other important mandates announced in the order. In addition, restaurants should incorporate industry guidelines for safe reopening such as those promulgated by the South Carolina Restaurant and Lodging Association, and should take all reasonable steps to comply with any applicable sanitation guidelines promulgated by the Centers for Disease Control and

Prevention, the South Carolina Department of Health and Environmental Control, or any other state or federal public health officials.

## Emergency Restrictions on Gatherings

- Pursuant to the Governor's Executive Order 2020-50, recent guidance on which non-essential businesses may open to the public has been rescinded and replaced with guidance restricting "Gatherings." Gatherings are defined as planned or spontaneous indoor or outdoor events that involve or are reasonably likely to involve large numbers of people physically present in close proximity or otherwise simultaneously in attendance at the same indoor or outdoor location. Any organizer, operator, owner, or host of, or other parties responsible for, a Gathering must take reasonable steps to implement and adhere to any applicable sanitation, "social distancing," and hygiene guidelines promulgated by the CDC, Department of Health and Environmental Control, or any other state or federal public health officials, as well as relevant industry guidance, in order to prevent the spread of COVID-19. In addition, the total number of persons present for or in attendance at a Gathering must not exceed fifty percent of the location's occupancy limit, all persons in attendance must wear face coverings as a condition of entry, and the sale or consumption of alcoholic beverages is prohibited between 11:00 p.m. and 10:00 a.m. the following day.
- Immunity from Civil Liability for Volunteer Health Care Workers and Emergency Assistant Medical Examiners or Coroners
  - Pursuant to the Governor's Executive Order No. 2020-08 and the Emergency Health Powers Act (SC § 44-4 et al.), any "emergency support function volunteer" health care provider appointed pursuant to the DHEC's emergency volunteer appointment powers will not be held liable for any civil damages as a result of medical care or treatment to combat the COVID-19 pandemic unless the appointee recklessly causes the damages. Similarly, any medical examiner or coroner appointed by the DHEC as an emergency assistant medical examiner or coroner in connection with the COVID-19 pandemic will be entitled to the same immunity from liability, unless the appointee recklessly causes the damages.
- <u>Temporary Restrictions Regarding Alcoholic Beverages at Restaurants, Bars, and Other Establishments after 11:00 p.m.</u>
  - South Carolina restaurants, bars, and other establishments licensed to sell beer, wine, or alcoholic liquor for consumption on-premises will be prohibited from doing so between the hours of 11:00 p.m. to 10:00 a.m. the following day.

- Temporary Suspension of Regulations to Permit Curbside and Drive-Thru Sale of Beer and Wine
  - The Governor of South Carolina has temporarily suspended regulations that prohibit the curbside or drive-thru sale of beer or wine for current holders of a valid On or Off-Premises Beer/Wine Permit. Retailers with the appropriate permit must have a clearly designated delivery, pick-up, curbside, drive-thru or drive-in area abutting or adjacent to the retailer's place of business and are only permitted to deliver beer or wine to a customer's vehicle within the designated area. Retailers must confirm customers are over the age of 21 at the time of purchase and all beer or wine sold must be in a sealed container for off-site consumption. Holders of "special event" permits for use at fairs and special functions cannot offer curbside or pick-up service of beer and wine. Holders of retail beer and wine permits who deliver food cannot deliver beer or wine with that food. Curbside pick-up or delivery of alcoholic liquors remains prohibited.
- Unemployment Insurance Changes for Employers
  - Benefits paid as a result of the COVID-19 pandemic <u>will not be charged</u> to contributory employers' accounts.
- Voluntary Employer COVID-19 Support Payments
  - Pursuant to the Governor's Executive Order No. 2020-22, employers who have furloughed employees as a result of the economic impact of COVID-19 may voluntarily provide COVID-19 Support Payments to furloughed employees. COVID-19 Support payments are defined as: (1) a payment or series of payments; (2) made by an employer to an employee in response to furloughing the employee; (3) for services rendered in the past; (4) which the employee or the employee's estate is not required to repay; (5) which are provided without obligation for the recipient to perform or not perform any act in connection with the recipient's status as an employee; and (6) which are made pursuant to a plan provided to the South Carolina Department of Employment and Workforce, accessible on the DEW website. The Governor has directed the DEW to interpret COVID-19 Support Payments as a form of severance pay, which will not affect furloughed employees' eligibility for Unemployment Insurance Benefits.

#### **South Dakota**

• No such programs at this time.

#### Tennessee

- Ability of Motor Vehicle Dealers to File Liens on Vehicles with Secretary of State
  - In light of COVID-19, motor vehicle dealers may record their interest in financed vehicles with the Secretary of State while county offices are closed. Click <a href="here">here</a> to read the Governor's order.
- Excise and Franchise Tax Filing Extensions
  - The Tennessee Department of Revenue has extended the due date for filing and paying franchise and excise taxes from April 15, 2020 to July 15, 2020.
- Expedited Unemployment Claim Process for Employers
  - Employers experiencing reduced hours or closing due to COVID-19 may expedite the unemployment claim process for their employees by providing a mass layoff list (preferred method if business has already closed and employer is not in contact with employees) or an employer-filed mass claim (preferred method if business has not yet closed and employer believes that the business will eventually reopen) to the Department of Labor & Workforce Development. The required forms for each filing can be found <a href="here">here</a>. If employers do not file one of these two lists, they will be required to respond to each individual employee's claim, which can delay the benefit payment process.
- Fee Waivers for Business Entity Filings Required for Relief from State or Federal Programs
  - Effective until August 1, 2020, free copies of business entity filings are available for those using such filings to apply for relief from a federal or state disaster assistance program.
- Filing and Payment Extension for Business Tax
  - The Tennessee Department of Revenue has extended the due date for filing and paying the Business Tax from April 15, 2020 to June 15, 2020. Interest and late filing penalties will not be applied to returns filed and payments made on or before this extended due date. The Business Tax is a tax on gross receipts that applies to most businesses selling goods or services. This extension applies only to state and local business tax imposed under Tenn. Code Ann., title 67, chapter 4, part 7 and applies only to returns and payments due on April 15, 2020.

## Filing and Payment Extension for Professional Privilege Tax

The Tennessee Department of Revenue has extended the due date for filing and paying the professional privilege tax from June 1, 2020 to July 1, 2020. Interest and late filing penalties will not be applied to returns filed and payments made on or before this extended due date. The following professions are subject to professional privilege tax: agents, broker-dealers, and investment advisors registered under Title 48 of the Tennessee Code; attorneys; lobbyists; and physicians and osteopathic physicians.

## Guidelines for Reopening Certain Businesses and Guidelines for Nursing Homes and Places of Worship

The Governor of Tennessee has lifted previous orders requiring the closure of certain businesses provided that such businesses comply with the applicable reopening guidelines, which are available <a href="here">here</a>. The Governor's Executive Orders also outline guidelines for and restrictions on social gatherings and the operation of places of worship and nursing homes in Tennessee. Businesses should check for any additional city or county restrictions.

## Limits on Liability for Healthcare Providers

- The state of emergency declared by the Governor of Tennessee has triggered certain protections for healthcare workers in the state. Further, the state's previously existing Good Samaritan Law may act to limit the liability exposure faced by healthcare providers responding to crises such as COVID-19. Please click <a href="here">here</a> to read the Good Samaritan Law and <a href=here</a> for more information on the emergency management powers of the Governor.
- Notice of Exception to Rules and Regulations Limiting Hours of Service for Operators or Commercial Motor Vehicles Providing Supplies to Assist Persons Affected by COVID-19
  - Tennessee has instituted a temporary exception from the federal rules and regulations limiting the hours of service for the operator of a commercial vehicle providing supplies, equipment, personnel, and other provisions, including items related to the maintenance of the food supply and disinfectant or sanitizing supplies of any kind, to assist persons affected by COVID-19.

## Remote Shareholder Meetings

Corporations may conduct remote shareholder meetings provided that the corporation or its board of directors establishes procedures to enable verified shareholders and proxyholders not physically present at the meeting with a reasonable opportunity to: (i) read or hear the proceedings of the meeting substantially concurrently with such proceedings, (ii) submit questions during the

meetings, (iii) be deemed present in person at the meeting, and (iv) vote on matters submitted at the meeting.

#### Resources for Small Businesses

In light of COVID-19, the Tennessee Department of Economic and Community Development has launched a website that provides links to useful resources for small business owners.

#### Small and Rural Hospital Grants

The Small and Rural Hospital Readiness Grant program supports hospitals that are facing financial strain due to the ongoing response to COVID-19. Grants, totaling \$10 million across eligible hospitals, will be allocated from the state's FY20 COVID-19 response appropriation and distributed by the Department of Finance & Administration (F&A). For qualifying hospitals, grants are available up to \$500k per hospital. Applications for this program are due May 6, 2020.

## Suspension of Utilities Service Disconnections for Non-Payment

Effective immediately, the Tennessee Public Utilities Commission has ordered all natural gas, electric, water, and wastewater public utilities under its jurisdiction to immediately suspend the disconnection of service for non-payment until the state of emergency in Tennessee expires or is formally lifted. Any customer of a regulated natural gas, electric, water, or wastewater public utility whose service was disconnected for lack of payment on or after March 12, 2020, shall be reconnected at no charge.

### Talent Exchange Program

Effective immediately, the Tennessee Department of Labor & Workforce Development has implemented a program to help quickly connect job seekers to companies that are hiring in the grocery, retail, and logistics industry. Companies may participate in the Talent Exchange Program by logging into or creating a <u>Jobs4TN</u> account.

## **Texas**

- Event Permit Refunds for Businesses Affected by COVID-19
  - The Governor has temporarily suspended certain provisions of the Texas Alcoholic Beverage Code to help businesses whose events were cancelled due to COVID-19. Suspending these provisions will

allow for refunds of application fees paid to obtain a temporary event permit that was later cancelled.

## Shared Work Program

The Shared Work program provides Texas employers with an alternative to layoffs, allowing them to supplement their employees' wages lost because of reduced work hours with partial unemployment benefits. To qualify, employers must reduce normal working hours by at least 10%, but not more than 40%, for at least 10% of employees in an affected unit. Shared Work unemployment benefits are payable to employees who qualify for and participate in an approved Shared Work Plan. Employees who qualify will receive both wages and Shared Work unemployment benefits.

## Temporary Postponement of Certain Tax Filings

To help taxpayers affected by COVID-19 avoid default on existing payment plan agreements, the Texas Comptroller of Public Accounts will consider, on a case-by-case basis, postponement of the deadlines to remit payments to the Comptroller's office.

## Waiver of Regulation to Allow Restaurants to Deliver Alcohol

The Governor issued a waiver that will allow restaurants to deliver alcoholic beverages with food purchases to patrons, including beer, wine, and mixed drinks. The Governor also directed the Texas Alcoholic Beverage Commission to waive certain provisions to allow manufacturers, wholesalers, and retailers of alcoholic beverages to repurchase or sell back unopened products.

## **Waiver of Trucking Regulations to Expedite Delivery of Resources**

 The Governor waived regulations relating commercial trucking in order to expedite commercial delivery of more supplies in each truckload.

### Utah

## State-Wide Programs

### Business Expansion and Retention (BEAR) Grants

Due to the COVID-19 pandemic, the Utah Governor's Office of Economic Development (GOED) is, at the counties' discretion, permitting BEAR grant recipients to repurpose funds to be used for utilities, rent, payroll, payroll taxes, or employee health benefits. For more information, please email <a href="mailto:business-services@utah.gov">business-services@utah.gov</a>.

## COVID-19 Impacted Businesses Grant Program

Utah businesses are eligible for grants to promote local consumerism by offering discounts or other financial incentives with an estimated value to customers of at least 50% of the grant amount. 75% of grant funding will be awarded to Utah companies with 250 or fewer full-time employees. To qualify, companies must have experienced a revenue decline related to COVID-19; been in operation on March 1, 2020; have employees physically located in Utah; and establish that the use of funds will benefit Utah's economy. New applications for the grant program are no longer being accepted. Businesses can still complete and submit in-progress applications.

# COVID-19 PPE Support Grant Program

Businesses that were in operation on March 1, 2020, have employees physically located in Utah, and experienced a revenue decline related to the COVID-19 pandemic are eligible to apply for federal CARES Act funds for the purchase of PPE, implementation of workplace redesigns, additional signage, new technology solutions for distance working, and other items to comply with COVID-19 public health guidelines on safely returning employees to work. The grant amount is the lesser of (1) the business's actual COVID-19-related expenses or (2) \$100 per full-time employee, not to exceed \$50,000. The application period opens July 20, 2020.

## Economic Rapid Response Team for Businesses

The Utah Economic Response Task Force has created a Rapid Response Team to assist Utah-based business understand and utilize federal programs designed to help businesses during the COVID-19 pandemic.

#### Small Business Development Centers (SBDC)

Utah's SBDC is offering free one-on-one management consulting for small businesses and is available to assist with disaster loan applications, long term planning, insurance navigation, physical and economic loss estimations, and business preparedness.

# The Mainstreet Preservation Grant

The Salt Lake Chamber of Commerce is providing grants of up to \$5,000 to Utah rural and/or minority small businesses (fewer than 50 employees). Businesses may apply for the grants through their local chamber of commerce or county economic development department. Grantees must be nominated by their local Utah chamber or economic development department to be eligible.

## University of Utah's Online Lecture Series for Small Businesses

The University of Utah's David Eccles School of Business is offering a free online series to help Utah businesses navigate the COVID-19 health and economic crisis.

### Utah COVID-19 Commercial Rental Assistance Program

• Utah businesses that have a current lease on commercial property in the state of Utah, operate with fewer than 100 full-time employees, and can demonstrate at least a 30% loss of gross monthly revenue after March 1, 2020 as a direct result of the COVID-19 pandemic are eligible to receive a grant, not to exceed \$15,000, of 50% to 100% of two months of their business lease amount.

### <u>Utah Emergency Healthcare Access and Immunity</u>

Utah passed S.B. 3002 to provide limited civil immunity during a major public health emergency to healthcare providers delivering care to patients with the illness causing the major public health emergency, as long as the care is provided in good faith and not grossly negligent or intentionally or maliciously conducted. The law also provides limited immunity to healthcare providers that are practicing outside their normal scope of practice but are otherwise properly licensed if there is an urgent shortage of healthcare providers as a direct result of the major public health emergency or the care is provided in good faith to treat a patient for the illness that resulted in the declared major public health emergency. Additionally, a healthcare provider is not subject to civil or criminal liability, or sanctions against the healthcare provider's license, for providing treatments recommended by the federal government as treatment for the illness causing the major healthcare immunity if the provider receives informed consent from the patient or patient's representative. Finally, the law provides immunity from civil, criminal, and licensing actions against a healthcare provider when they use an investigational drug or device on a patient with the illness causing the major public health emergency if the provider receives informed consent, among other requirements.

#### Utah Statewide Reopening Order

On May 15, 2020, Utah's Governor issued an executive order permitting counties and cities to move either to the moderate-risk or low-risk phase of the state's COVID-19 response. As a result, Utah is easing statewide business restrictions and setting forth guidelines for businesses to resume certain services and in-person operations. The guidelines for restaurants and food services, retail, hotel, tourism, and accommodations, entertainment, personal services (such as salons), home repair, gyms, construction/manufacturing, and day care are available in Utah's <a href="Phased Guidelines for the General Public and Businesses">Phased Guidelines for the General Public and Businesses</a>. Businesses should check for any additional city or county restrictions.

## Workers' Compensation Fund

 Utah's Workers' Compensation Fund is offering flexible payment options, including reduced premiums, to businesses affected by COVID-19. For more information, please call (385) 351-8000.

## County-Based Programs

- Salt Lake County Business Relief Hotline
  - Businesses in Salt Lake County can call (385) 468-4011 from 8 a.m. to 8 p.m. Monday-Friday to ask questions and find out about up-to-date available resources.
- Salt Lake County Small Business Impact Grant
  - Small businesses located in Salt Lake County with fewer than 100 employees are eligible for a onetime grant of up to \$35,000 if the business was established and licensed before January 1, 2020, has received less than \$35,000 in financial aid through CARES ACT programs, and can demonstrate financial loss due to COVID-19. Small businesses that were denied a grant in Round 1 based on industry requirements or because they received other COVID-19 financial aid are invited to reapply.
- Washington County's Greater Together Small Business Resilience Fund
  - Businesses that hold a current business license in a municipality within Washington County, are headquartered in Southwest Utah, and have 50 or fewer employees are eligible to apply for an emergency 0% interest loan of up to \$20,000. Funds may be used for payroll, rent and/or utility payments, inventory, or upgrades in digital tools to pivot business models. The loan term is up to 5 years with payments deferred for 90 days following the expiration of the municipality's declaration of emergency. Businesses are encouraged to apply as soon as possible. The application period for loans is temporarily closed.

#### Ogden City Programs

- Ogden City's Emergency Loan Fund
  - Ogden City is offering emergency 0% interest loans of up to \$10,000 for working capital. The loan term is 10 years with payments deferred for up to 12 months. Businesses are encouraged to apply as soon as possible.

#### Vermont

#### State-Wide Programs

## Pandemic Unemployment Assistance

Pandemic Unemployment Assistance (PUA) provides support for workers not traditionally eligible for unemployment benefits (self-employed, independent contractors, workers with limited work history, and others) who are unable to work as a direct result of the coronavirus public health emergency. PUA benefits are calculated based on a claimant's reported prior earnings. PUA will provide for lost wages, including an additional \$600/week for each week of lost wages. This program is ongoing. For eligibility requirements, please see <a href="here">here</a>.

## Phased Restart of Vermont Economy

If there are no countervailing city or county restrictions, the following businesses are allowed to reopen subject to mandatory health and safety requirements: outdoor businesses may resume operations; low contact professional services; manufacturing, construction, and distribution operations; outdoor recreation that requires low or no direct physical contact; nonessential retail operations are limited to 50% of approved fire safety occupancy and subject to other safety requirements; hair salons and barber shops, gymnasiums, fitness centers, massage therapists, nail salons, spas, tattoo parlors and indoor recreation facilities are limited to 25% of approved fire safety occupancy and subject to other safety requirements; and drive-in operations. Effective June 8, 2020, multi-room lodging operations and campgrounds may book a maximum of 50% of rooms for non-residential lodging or have a total of 25 guests and staff on the property—whichever is greater; restaurants, catering, food service, and bars may allow 50 percent of fire safety occupancy or 1 person per 100 square feet, with a maximum of 75 people indoors and 150 people outdoors (use of shared food service (buffet style) and self-serve utensils, plates or napkins, are prohibited). Businesses should check for any additional city or county restrictions.

#### Relief of Charges for Employee Benefits

On March 30, 2020, the Governor signed Vermont H.742 into law. Under the new law, an employer will not be charged for benefits paid to employees for any reason related to COVID-19. If an employer rehires or offers to rehire employees within a reasonable time, the employer will also be relieved of charges for benefits paid to an individual for up to 8 weeks where: (1) the employer temporarily ceased operations in response to a request from a public health authority, emergency order from the Governor or President, or actual exposure to COVID-19 at the workplace; or (2) an employee either (i) becomes unemployed due to a state of emergency or order by the Governor or

President related to COVID-19, or (ii) has to isolate or quarantine at the recommendation of a medical professional or public health authority as a result of COVID-19.

## Virginia

- Deferral of License Renewal Fees and Expansion of Mixed Beverage Licenses to Include Takeout or Delivery
  - Governor Northam issued Executive Directive Ten authorizing the Virginia Alcoholic Beverage Control Authority (ABC) to defer the collection of annual fees for licenses and permits set to expire on or after March 31, 2020 and before July 1, 2020 for 90 days from the original expiration date or 30 days following the expiration or rescission of Executive Order 51, whichever is later. Penalties normally associated with late fees will be waived.
- **Emergency Temporary Standard Workplace Safety Standards for COVID-19 Pandemic** 
  - Virginia adopted statewide emergency workplace safety standards in response to the COVID-19 pandemic mandating certain personal protective equipment, sanitation, social distancing, infectious disease preparedness and response plans, record keeping, training, and hazard communications in workplaces across the Commonwealth. The Virginia Department of Labor and Industry's Safety and Health Codes Board approved this emergency temporary standard (ETS), which will remain in effect for six months and can be made permanent under a process set forth in state law. Training and outreach products are being developed and will be made available to covered employers, employees, and the general public as soon as they are available.
- Guidelines for Reopening All Business Sectors
  - Governor Northam issued guidelines for easing public health restrictions for Phase Three, beginning on July 1, 2020. The Phase Three guidelines for all business sectors, as well as for social gatherings; restaurant and beverage services; farmers' markets; brick and mortar retail; fitness and exercise facilities; indoor and outdoor swimming pools; recreational sports; personal care and personal grooming services; private campgrounds; entertainment and public amusement; religious services; indoor and outdoor horse and other livestock shows; and horse racing racetracks are <a href="here">here</a>. In Phase Three, overnight summer camps are not permitted to reopen. Businesses should check for any additional city or county restrictions. Due to increasing cases of COVID-19 in the Eastern Region, Governor Northam issued <a href="Executive Order Sixty-Eight">Executive Order Sixty-Eight</a> and Order of <a href="Public Health">Public Health</a> <a href="Emergency Eight">Emergency Eight</a> on July 31, 2020 imposing additional restrictions on restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, and tasting rooms in

the Cities of Virginia Beach, Chesapeake, Norfolk, Suffolk, Portsmouth, Hampton, Williamsburg, Newport News, Poquoson, James City County, and York County.

### Income Tax Payment Extension and Penalty Waiver

The deadline for income tax payment has been extended to June 1, 2020 for any taxpayer paying individual or corporate taxes. Virginia has an automatic 6-month filing extension, which moves the filing deadline from May 1 to November 1 for most taxpayers. Since November 1, 2020 is a Sunday, taxpayers have until Monday, November 2, 2020 to file this year.

## Liability Protections for Healthcare Workers

Governor Northam issued Executive Order Sixty, clarifying that existing statutory liability protections for Virginia healthcare workers during a state of emergency apply during the COVID-19 pandemic. This order ensures that public and private healthcare workers who are operating with limited resources and may be forced to serve patients outside of conventional standards of care due to the impact of COVID-19 are protected from certain kinds of liability. Nothing in the order prevents liability in cases of gross negligence or willful misconduct.

## Prevention of Utilities from Suspending Service

• Effective March 16, 2020 until September 16, 2020. Covers any customer of a utility company identified by the State Corporation Commission.

## Rebuild VA Grant Fund

The Rebuild VA Grant Fund is a program to help small businesses and nonprofits affected by COVID-19. Business and non-profits that are approved for the grant may receive up to 3 times their average eligible expenses up to a maximum of \$10,000. The following are eligible uses of the funds, for expenses incurred between March 24, 2020 and the present: payroll support, including paid sick, medical, or family leave, and costs related to the continuation of group health care benefits during those periods of leave; employee salaries; mortgage payments, rent, and utilities; principal and interest payments for any business loans from national or state-chartered banking, savings, and loan institutions, or credit unions, that were incurred before or during the emergency; and eligible personal protective equipment, cleaning and disinfecting materials, or other working capital needed to address COVID-19 response.

## Temporary Statewide Eviction Moratorium

At the request of Governor Northam, the Supreme Court of Virginia has suspended eviction proceedings related to the failure to pay rent, effective August 10, 2020 through September 7, 2020. This does not relieve renters of their obligations to pay rent or otherwise comply with the terms of their lease.

## County-Based Programs

#### Grants for Small Businesses

The Commonwealth of Virginia awarded the Capital Region Workforce Board a \$201,000 grant to reimburse small businesses with fewer than 250 employees for costs incurred that are related to COVID-19. Costs are considered on a case-by-case basis. Examples of appropriate costs include paying for cleaning services so that the business can stay open or purchasing items to assist employees in teleworking.

## City of Norfolk Programs

#### Tax Relief Program for Residents and Businesses

• Effective beginning March 24, 2020, Norfolk's tax relief program gives taxpayers and business owners the option to delay payment on Norfolk business taxes and personal property taxes.

#### City of Richmond Programs

## Richmond Small Business Disaster Loan Program

The Richmond Small Business Disaster Loan Program will offer interest-free emergency loans of up to \$20,000 to small businesses in Richmond that have been affected by the COVID-19 pandemic. Loans can go to paying employees. The maximum loan amount is six months of current employee wages or \$20,000, whichever is less. Loan payments will be disbursed over six months, and the repayment of the loans will be deferred for six months, followed by 48 months of interest-free payments. Applications are available April 6, 2020.

#### City of Virginia Beach Programs

# City of Virginia Beach Deferral of Trust Taxes for Businesses

The City of Virginia Beach Treasurer is allowing trust taxes due during the state of emergency to be paid at a later date, without penalty and in installments. Businesses must still file their gross receipts by the 20th of each month but can request relief from late filing penalties if the filing is

hampered by the COVID-19 pandemic. To defer payment of trust taxes, businesses must submit a Payment Plan Request Form.

## **Washington State**

### State-Wide Programs

- Four-Phase Plan to Reopen Economy
  - The Governor has announced a four-phase plan to reopen Washington's economy. In the first phase, low-risk, non-essential business activities are permitted, including landscaping and lawn care; vehicle and vessel sales; pet walking; retail (curb-side pick-up orders only); and car washes. In the last phase, recreational travel and large concerts and sporting events will be permitted. Under the plan, counties may apply to move to the next phase of the plan provided they meet target metrics set by the Secretary of the Washington State Department of Health. On July 28, the Governor announced an indefinite pause on counties moving into their next phase. Businesses should check for any additional city or county restrictions.
- SharedWork Program for Employers
  - An existing program, Washington's SharedWork program is an alternative for employers to avoid layoffs when experiencing temporary major slowdown in business due to economic conditions. The program allows employers to reduce the hours of permanent and hourly-paid employees by as much as 50 percent, and the employees can collect partial unemployment benefits to replace a portion of their lost wages.

## City of Seattle Programs

- City of Seattle Public Utilities Will Not Suspend Service During COVID-19 Emergency and Will Offer Deferred Payment Plans
  - Seattle Public Utilities (SPU) and Seattle City Light (SCL) will keep utility services on during the COVID-19 Civil Emergency in Seattle. This will provide immediate utility relief for customers, both residential and commercial, financially impacted by the COVID-19 outbreak. All SPU and SCL customers can set up deferred payment plans if their financial stability has been jeopardized by COVID-19. Utility service will stay on as their deferred payment plans are developed and implemented.

- <u>City of Seattle Offers Extension of Business & Occupation Taxes Until October 31, 2020 for Small Businesses</u>
  - The City of Seattle is offering relief to small businesses by extending the Business & Occupation (B&O) tax filing until later in 2020. The 1st and 2nd Quarterly 2020 B&O tax returns will tentatively be due on or before Oct. 31, 2020. That deadline may change dependent on COVID-19 crisis conditions.
- Small Business Stabilization Grants for Small Businesses Affected by COVID-19
  - The City of Seattle has created an emergency fund for businesses impacted by COVID-19. The City will commit approximately \$2.5 million in one-time Community Development Block Grant funds to the Small Business Stabilization Fund, an emergency fund that provides working capital grants in amounts up to \$10,000 to qualifying small businesses impacted by COVID-19.

## **West Virginia**

- Business Relief Resource Directory
  - The West Virginia Department of Commerce has launched a COVID-19 business relief resource directory that provides information about human and financial resources available to businesses and individuals impacted by COVID-19.
- COVID-19 Coaching Resources for Small Businesses
  - The West Virginia Small Business Development Center (WV SBDC) network is available throughout West Virginia and is providing support for small businesses affected by COVID-19. The WV SBDC supports small businesses by connecting business owners with information and free confidential business coaching. The WV SBDC does not provide funding or grants, but can help small businesses identify financing options.
- Guidance Regarding Phased Reopening of Certain Businesses
  - West Virginia has implemented a phased plan and has issued guidance for reopening businesses. Reopening under the plan is a choice, not a requirement. If there is a surge in the number of positive COVID-19 cases, the schedule for reopening may be slowed, stopped, or reversed. Businesses should check for any additional city or county restrictions.

- West Virginia CARES Act Small Business Grant Program
  - Governor Justice's West Virginia CARES Act Small Business Grant Program provides small businesses affected by the COVID-19 pandemic with up to \$5,000 in grant funding. West Virginia-based small businesses in existence on February 29, 2020, with 1–35 employees, may apply.

#### Wisconsin

#### State-Wide Programs

- Guidance on Reopening Businesses
  - The Wisconsin Economic Development Corporation (WEDC) has compiled a series of industry-specific documents to provide guidance to businesses while taking the necessary precautions to maximize safety. The WEDC encourages businesses to check back regularly for updates to guidelines and the addition of new industry documents. Businesses should check for any additional city or county restrictions.
- Immunity for Health Care Providers and Those Involved in the Manufacturing, Distribution, or Sale of Emergency Medical Supplies
  - Pursuant to 2019 WISCONSIN ACT 185, enacted on April 15, 2020, health care providers are insulated from liability for treatment related to COVID-19 and for any treatment rendered for any condition, so long as the act or omission does not constitute reckless or wanton conduct or intentional misconduct. Additionally, any person who is engaged in the manufacturing, distribution, or sale of emergency medical supplies, and who donates or sells, at a price not to exceed the cost of production, emergency medical supplies to a charitable organization or governmental unit to respond to this crisis is immune from civil liability for the death of or injury to an individual caused by the emergency medical supplies. Charitable organizations that distribute, free of charge, the emergency medical supplies are also immune.

## Work-Share Program

The Shared Work Program is an ongoing collaborative effort between Wisconsin and employers, which provides an alternative to layoffs. Workers whose hours are uniformly reduced under an approved Work-Share plan receive unemployment benefits that are pro-rated for the partial work reduction.

# Wyoming

- Assistance to Small Businesses Applying for Federal Economic Disaster Loans
  - The Wyoming Small Business Development Center (SBDC) is offering no-cost, confidential assistance for businesses applying for COVID-19 disaster loans from the U.S. Small Business Administration (SBA).
- Guidance for Livestock Markets
  - Livestock markets are excluded from the general statewide order prohibiting gatherings of 10 or more people, provided that certain precautions are taken to protect sellers, staff, and buyers detailed here.
- Guidance Regarding Reopening Businesses and Schools, and Gatherings of More than 50 People
  - The Governor has issued three separate reopening orders, all three effective June 15 through June 30, 2020. The first is an order reopening certain personal services, provided that services are provided on an appointment basis and that certain safety protocols and best practices are followed. The second is an order reopening certain public spaces (gyms, restaurants, childcare centers, and home services), subject to certain restrictions and requirements to follow certain protocols and best practices. The third is guidance regarding gatherings of more than 50 people, exempting certain businesses from the gathering restrictions of 50 people or fewer, including allowing outdoor gatherings of no more than 250 people at event venues with certain precautions and restrictions in place. These state orders may be modified by a county variance. Businesses should check for any additional city or county restrictions.
- Wyoming Business Interruption Grant
  - As of June 8, 2020, the Wyoming Business Council has implemented a program that offers grants of up to \$50,000 to eligible independent Wyoming businesses that have experienced business interruptions caused by required COVID-19 closures. Eligible businesses must have, as of March 31, 2020, employed 50 or fewer full-time employees, and preference will be given to businesses that did not receive funding from the Paycheck Protection Program established by the CARES Act. Further information is available <a href="here">here</a>. The application is available <a href="here">here</a>.

### **District of Columbia**

### District-Wide Programs

## Delayed Hotel Property Tax and General Sales Tax Remittances

- As part of the COVID-19 Response Emergency Amendment Act of 2020, businesses are provided with a time extension to file certain taxes. A hotel or motel tax filer may pay its first half tax year 2020 real property tax installment by June 30, 2020. All other businesses (except hotels and motels) can defer paying sales and use tax for periods ending on February 29, 2020 and March 31, 2020 until July 20, 2020, with penalties for failure to timely pay waived and interest abated.
- The deadline for businesses and individuals to file their Tax Year 2020 estimated tax payments (D-40ES, D-41ES, D-20ES, and D-30ES) remain unchanged. The first quarter payments are due April 15, 2020 and the second quarter payments are due June 15, 2020.
- The deadline for taxpayers to file and pay their 2019 District of Columbia individual and fiduciary income tax returns (D-40, D-41, and D-40B), partnership tax returns (D-65), and franchise tax returns (D-20, D-30) is extended to July 15, 2020.

## Disconnection of Utilities

As part of the COVID-19 Response Emergency Amendment Act of 2020, D.C. has prohibited the providers of natural gas, electricity, and water from shutting off services for non-payment during a public health emergency or for 15 days thereafter. The D.C. Council has also prohibited telecommunications service providers from disconnecting, suspending, or degrading telecommunications service for non-payment of a bill, any fee for service or equipment, and other charges, or noncompliance with a deferred payment agreement during a public health emergency and for 15 days thereafter.

#### Emergency Sales and Use Tax Relief

• All vendors required to file sales and use tax returns on a monthly or quarterly basis (except hotels and motels permitted to defer real property taxes) can defer paying sales and use tax for periods ending on February 29, 2020 and March 31, 2020 until July 20, 2020, with penalties for failure to timely pay waived and interest abated.

## Eviction Prohibition and Tenants' Rights

 DC has prohibited tenants from being charged late fees for rent and has frozen rent increases during the public health emergency and for 30 days thereafter. DC has also required landlords to negotiate

rent payment plans with eligible commercial tenants. In addition, all eviction proceedings, including those involving commercial tenants, are stayed through at least October 9, 2020, and landlords are prohibited from filing eviction paperwork during the public health emergency and for 30 days thereafter. Mortgage lenders that make or hold servicing rights to a commercial mortgage must develop a program to grant deferrals of mortgage principal and interest payments to borrowers due to the COVID-19 public health emergency.

## Exemption from Civil Liability

The COVID-19 Response Supplemental Emergency Amendment Act of 2020 has expanded the Good Samaritan exemption to any person, employee of the District of Columbia, or contractor providing services arising out of a contract with the District of Columbia. It provides exemption from civil liability for damages for actions taken while acting within the scope employment or organization's purpose, voluntary service, or scope of work to implement the provisions of the District of Columbia response plan, except in instances of gross negligence, and solely for actions taken during the public health emergency.

### Franchise Tax Nexus

The Office of Tax and Revenue will not seek to impose corporation franchise tax or unincorporated business franchise tax nexus solely on the basis of employees or property used to allow employees to work from home (e.g., computers, computer equipment, or similar property) temporarily located in the District during the period of the declared public emergency and public health emergency, including any further extensions by the Mayor.

#### Income, Partnership, and Franchise Tax Extension

The deadline for taxpayers to file and pay their 2019 District of Columbia individual and fiduciary income tax returns (D-40, D-41, and D-40B), partnership tax returns (D-65), and franchise tax returns (D-20, D-30) is automatically extended to July 15, 2020. The deadline for businesses to file their Tax Year 2020 estimated tax payments (D-40ES, D-41ES, D-20ES, and D-30ES) remains unchanged. The first quarter payments are due April 15, 2020 and the second quarter payments are due June 15, 2020.

# Real Property Tax Waiver

• The Office of Tax and Revenue has further extended the deadlines for (i) First Level Assessment Appeals, (ii) filing Income and Expense reports, and (iii) filing the Exempt Property Use Report.

## Reimagining Outdoor Space: Restaurants and Retail

Restaurants can convert sidewalk space, alleys, parking lanes, and travel lanes into parklets and outdoor dining seating. Community organizations (specifically, Advisory Neighborhood Commissions, Main Street Organizations, or Business Improvement Districts) can turn an entire block face of parking or travel lane(s) into streateries, and parts of an alley or other public space into dining plazas. Retailers can use outdoor space for curbside pickup and delivery.

## Remote Notarizations

During a Public Health Emergency, the Mayor may permit notarial acts even without the physical appearance of the person making the statement or executing the signature if (a) both the notary public and the individual communicate with each other simultaneously via an audio and video communication program, and (b) the notary public meets certain eligibility requirements. Any notarial act will be deemed to have occurred in DC regardless of the notary public's physical location as long as the requirements are met.

## Reopening of Non-Essential Businesses and Potential Waivers

The District entered <a href="Phase One">Phase One</a> of reopening on May 29, 2020 which means that waivers are no longer required for the operation of certain non-essential businesses, including certain retail shops, barbershops, and hair salons. Businesses that would like to begin operations on open spaces should apply/register <a href="here">here</a>, and must also apply for a permit to use sidewalk space. Since then the Mayor has issued another Executive Order outlining the District's move on June 22, 2020 into <a href="Phase Two">Phase Two</a> of reopening, which allows for further operation of non-essential businesses, such as indoor dining, and expands the scope of business to include learning institutions, places of worship, gyms, construction, etc.

#### Sales of Sealed Beer, Wine, or Spirits for Takeout or Delivery

Select Alcoholic Beverage Control (ABC) licensees that register with the Alcoholic Beverage Control Board may temporarily sell beer, wine, or spirits in closed containers to individuals for carry-out to their home, or may deliver beer, wine, or spirits in closed containers to the homes of District residents, provided that each such carry-out or delivery order is accompanied by one or more prepared food items. Eligible establishments are limited to ABC-licensed hotels, multipurpose facilities, private clubs, nightclubs, restaurants, taverns, and food retailers with commercial street footage at the Walter E. Washington Convention Center. Registered retailers may also sell alcohol

in closed containers at one location in addition to the licensed premises for a limited time period and pursuant to <u>various guidelines</u>.

## Shared Work Unemployment Insurance Program

This is a voluntary program that provides an alternative to layoffs for employers confronted with a temporary decline in business. It allows employers to reduce employees' hours, which keeps the existing trained workforce in place and avoids the time and expense of hiring and training new employees.

#### Small Retailer Tax Credit

The Office of Tax and Revenue is reaching out to 2,500 small businesses that have not filed a District franchise tax return claiming the Small Retailer Tax Credit. If an eligible small retailer did not claim the credit on its 2018 District franchise tax return, it is not too late to file a return claiming the credit. For 2019, the deadline to file a return is July 15, 2020. The credit, of up to \$5,000, is available for tax years 2018 and 2019 to eligible small retailers who had a sales tax account with the Office of Tax and Revenue and federal gross receipts of \$2.5 million or less during those years and are current on all District tax obligations.

## Third-Party Food Delivery Commissions

During the public health emergency, third-party food delivery platforms (e.g., Uber Eats, DoorDash) are prohibited from charging a restaurant a commission fee of more than 15% of the purchase price per online order for the use of the platform's services for delivery or pick-up, and the third-party food delivery platform is prohibited from reducing the compensation rate paid to a delivery service driver or garnish gratuities in order to comply with this mandate. The third-party platform is also required to disclose to the customer any commission, fee, or any other monetary payment they are imposing on the restaurant.

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