

Dallas County Amends And Extends Its “Stay Home, Stay Safe” Order On APRIL 16, 2020 – Face Covering Requirements And More

April 17, 2020

(Last updated April 17, 2020)

On April 16, 2020, Dallas County Judge Clay Jenkins issued an amended and extended “Stay Home, Stay Safe” order. The order is effective as of 1 p.m. on April 16, 2020 (with the exception of the face covering requirements which are effective as of 11:59 p.m. on April 17, 2020) and continues in force until 11:59 p.m. on April 30, 2020. The latest version of the order can be found [here](#).

Since the initial “Stay Home, Stay Safe” order was issued effective at 11:59 p.m. on March 23, 2020, Judge Jenkins has issued numerous gradual amendments to the order on a piecemeal basis as and when additional rules and guidelines were established.

The following are the Exhibits added since the original order:

Exhibit A – Rules for Essential Retailers (attached [here](#)) – Added to the order on March 31.

Exhibit B – Rules for the Construction Industry (attached [here](#)) – Released initially on March 29 and added officially to the order on March 31.

Exhibit C – Rules for Manufacturers and Distributors (attached [here](#)) – Added to the order on April 2.

Exhibit D – Rules for Financial Institutions (attached [here](#)) – Added to the order on April 6 and relates primarily to check cashing businesses and pawnshops.

Exhibit E – Rules for Common Carriers, Shipper, Delivery Services, and Related Companies (attached [here](#)) – Added to the order on April 6.

Exhibit F – Rules for Real Estate Agents (attached [here](#)) – Added to the order on April 6.

Exhibit G – Guidance on Covering Nose and Mouth (attached [here](#)) – Added to the order on April 16.

Key Changes Since the Initial Order

Face Coverings Required. Effective at 11:59 p.m. on April 17, 2020, everyone in Dallas County is required to use face coverings specifically when: (i) patronizing Essential Businesses; and (ii) utilizing public transportation, taxis or ride-sharing services. See Exhibit G for more information.

Recovered Employees. Employers **may not** implement any rules making a negative COVID-19 test or a healthcare provider note a requirement before a COVID-19 recovered employee can return to work.

Significant Construction Rules. The rules imposed on construction projects are significant and include, without limitation, temperature checks, workers not being able to change shifts, requirements to provide soap and water or hand sanitizer at each site, and establishing a COVID-19 safety monitor for each site. Many construction companies have had concerns about the practical ability to implement all of the rules. The penalty for not complying with the rules can include removal from the essential business list and being prohibited from operating in Dallas County.

Eviction Hearings. The amended rule apparently extends the suspension on eviction hearings and writs of possession in Dallas County for the next 60 days (apparently until the middle of June). The rule does not distinguish between commercial properties and residential properties, although the order states that the intent is to “prevent renters from being displaced.” Judge Jenkins’ amended order also provides guidance that Landlords should cap late fees at \$15/month. In contrast, the current applicable emergency order of the Texas Supreme Court is clear that, as to the statewide order at least, only residential evictions are halted and such statewide moratorium is in effect through April 30. Additionally, under the order of the Texas Supreme Court, writs of possession may still be issued but may not be executed until after April 30.

This Client Alert is intended to highlight significant developments and is not intended to be a complete description of all aspects of Judge Jenkins’ order. Please consult the order (linked above) for further information.

We will continue to watch for further updates and will provide additional Client Alerts as warranted.