

TEXAS ENDS MASK MANDATE AND REMOVES ALL OCCUPANCY LIMITS

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Texas' Governor marked the state's Independence Day on March 2, 2021, by issuing an Executive Order that eliminates the statewide face covering mandate, and allows all businesses in Texas to operate at full capacity beginning on March 10, 2021. Governor Abbott said that the decisions were based on the vaccine rollout and falling infection rates.

Deaths, new cases, and hospitalizations are down; in fact, hospitalizations in Texas are at the lowest levels since October 2020. Despite interruptions caused by the severe weather over the last few weeks, 6.8% of Texans have been vaccinated, leading Governor Abbott to join others in asserting that the attempts at controlling this virus are improving. The news comes only a day after the Director of the CDC warned about the possibility of a fourth wave of the virus, especially in light of the spread of several variants.

Key takeaways for businesses:

- The one caveat in the Order is that any region that qualifies as an “area of high hospitalizations” may be subject to mitigation measures imposed by the county judge, subject to certain limitations. The Department of State Health Services is maintaining a list of the counties that meet the criteria [here](#), and as of March 3rd the list includes Culberson, El Paso, and Hudspeth counties.
- The new Executive Order specifically allows businesses to require that employees and customers wear face coverings, so businesses should consider whether they want to institute policies that continue that practice. If so, written employee policies, signage for customers, and training for how to address non-compliant customers may be necessary.
- Along the same lines, although there are no hygiene or distancing requirements, the Order still allows businesses to adopt policies that it believes are necessary. If businesses are interested in keeping some kind of mitigation measures in place, they should once again consider developing written policies, signage, and training.

Conclusion

Texas is the largest state in the nation to end the state-wide facemask mandate, and the decision leaves businesses in Texas with important decisions of their own in terms of what types of voluntary measures they will adopt. Our [COVID-19 Reopening Team](#) is tracking those changes, and would be happy to discuss any questions regarding your particular business.

MEET THE TEAM



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