

- PANDEMIC
EMERGENCY
POWERS
AMENDMENTS
- EFFECTIVE
MARCH 24, 2021

H.B. 294

Called the
“endgame” bill,
HB 294 was
designed —
between now and
July 1, 2021— to
occupy the field
for all things
COVID-19.

- ▶ HB 294 has a broad reach and pertains to a state of emergency and any public health orders issued in response or related to “the spread of COVID-19 that the World Health Organization declared a pandemic on March 11, 2020.”

[Lines 55-56. 97-98 and 140-141].

HB 294's season is intentionally short.

HB 294 went into effect upon the Governor's signature on March 24, 2021.


[Enrolled Copy lines 292-296]

The bill sunsets and will be repealed by operation of law on July 1, 2021.

[Enrolled Copy lines 180-181; 216-217; and 225-226].



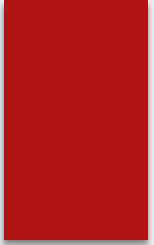
► HB 294 does six, principal things.



(1) WITH THREE EXCEPTIONS, HB 294 TERMINATES ALL COVID-19-RELATED PUBLIC HEALTH ORDERS AND STATES OF EMERGENCY AND RELATED EXECUTIVE ORDERS —WHETHER ISSUED BY THE STATE OF UTAH OR A COUNTY— WHEN THE FOLLOWING THRESHOLD REQUIREMENTS HAVE BEEN MET:

- (a) Utah's 14-day COVID-19 case rate falls below 191 cases per 100,000 residents;
- (b) Utah's 7-day average COVID-19 ICU bed utilization rate falls below 15% or less;
and
- (c) Utah's Department of Health provides notice the State of Utah has been allocated 1,633,000 prime doses of a COVID-19 vaccine.

[ENROLLED COPY LINES 57-64 (PHO); 99-105 (PHO); AND 142-147 (STATE OF EMERGENCY)].




(2) Notwithstanding the termination provision, HB 294 permits a state or local public health order pertaining to public school health and safety restrictions, including the Utah Department of Health's K-12 mask mandate, to remain in place until July 1, 2021.

[Enrolled Copy lines 65-70; 107-113; and 149-153]

- ▶ (2) Except in K-12 public schools, terminates the Utah Health Department's statewide mask mandate, with two limited alternatives, on April 10, 2021.
- ▶ [Enrolled Copy lines 71-73; 114-116; and 156-158].



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- (4) (3) As an alternative to the April 10 end to the statewide mask mandate, and subject to the termination conditions set out at no. (1), above, HB 294 allows a mask order issued by the Utah Department of Health and/or a local health department to remain in place where the requirement pertains to gatherings of 50 persons or more when 6-foot social distancing among persons in unrelated parties is not possible.

[Enrolled Copy lines 74-79; 117-122; and 159-164].

(5) As an additional exception to the April 10 end to the statewide mask mandate, and subject to the termination conditions set out at no. (1), above, HB 294 allows a local health department, with approval of the county legislative body, to issue a public health order requiring the wearing of masks.

[Enrolled Copy lines 80-81; 123-125; and 165-167].

► (6) And notwithstanding any of the above, HB 294 expressly permits a state or local public health emergency declaration to remain in effect.

[Enrolled Copy lines 85-87; 128-131; and 170-173].

