

OFFICE OF THE GOVERNOR
STATE OF MONTANA

Steve Bullock
Governor



Mike Cooney
Lt. Governor

TO: Montanans, all officers and agencies of the State of Montana
FROM: Governor Steve Bullock
DATE: April 7, 2020
RE: Directive implementing Executive Orders 2-2020 and 3-2020 and extending certain Directives through April 24, 2020

Executive Orders 2-2020 and 3-2020 declare that a state of emergency exists in Montana due to the global outbreak of COVID-19 Novel Coronavirus.

For the duration of the emergency, § 10-3-104(2)(a), MCA, provides authority to the Governor to "suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or orders or rules of any state agency if the strict compliance with the provisions of any statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster." Further, the statute authorizes the Governor to "control ingress and egress to and from an incident or emergency or disaster area, the movement of persons within the area, and the occupancy of premises within the area." Section 10-3-104(2)(c), MCA.

In addition, Montana's public health laws, subject to the Department of Public Health and Human Services (DPHHS or Department), acting under the Governor's direction, to "issue written orders for correction" of "conditions of public health importance," to "prevent and mitigate conditions of public health importance" through measures including "isolation and quarantine" and "abatement of public health nuisances." Section 50-1-201, MCA. The Department, under the Governor's direction, may take action to correct public health deficiencies in "buildings or facilities where persons assemble." Section 50-1-203, MCA. The Department, under the Governor's direction, is also authorized to impose quarantine and isolation measures to protect public health. Section 50-1-204, MCA. Montana law provides that these authorities will be utilized to respond to an "outbreak of disease," § 19-3-105(1), MCA, and to "limit the transmission of the communicable disease." See, e.g., § 19-1-101(3), MCA.

On March 15, 2020, I issued a Directive closing non-essential public schools in Montana through March 27. On March 26, I extended non-essential public school closures through April 10 by Directive. The March 28 Directive also closed certain on-premise dining and beverage businesses while expanding and encouraging delivery, alcohol, and drive-up options through April 10. On March 26, 2020, I issued a Directive providing that, to the maximum extent possible, all individuals stay at home or at their place of residence unless engaging in certain essential activities or functions through April 10. This Directive also required the temporary closure of non-essential businesses, provided social-distancing requirements, and limited non-essential travel, all through April 10. On March 30, I issued a Directive limiting restrictions, businesses, and disconnections for the duration of the Stay at Home Directive, again through April 10. On March 30, I also issued a Directive requiring a 14-day self-quarantine for individuals arriving in Montana for non-work-related travel, in effect through April 10. I have also issued other Directives that, unlike these, are effective for the duration of the state of emergency.