

Taylor County
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COUNTY OF TAYLOR
Abilene, Texas

Downing A. Bolls, Jr.
County Judge

May 18, 2021

To: All Taylor County Employees

From: Downing A. Bolls, Jr., Taylor County Judge

Re. New Mask Protocols

On May 17, 2021, Local Administrative Judge Thomas Wheeler issued new COVID-19 protocols which will be in effect at the Taylor County Courthouse. Henceforth, persons entering the Taylor County Courthouse will not be required to wear masks, but it will be recommended for persons who have not received the COVID-19 vaccination. County security personnel will not be asking whether a person has been vaccinated, but they will recommend that persons wear a mask and social distance if they have not been vaccinated. Each judge may establish the protocols for proceedings in their courtroom.

So, how will the Judge's new protocols affect you? The impact should be minimal and only affect those who enter the Taylor County Courthouse. For other county buildings, the protocols established by Governor Greg Abbott have been updated again. (*Read on*).

Governor Abbott's Executive Order GA-36 was released at 12:15 this afternoon (5/18).

Regarding Face Coverings: GA-36 relates to the prohibition of governmental entities and officials from mandating face coverings or restricting activities in response to the COVID-19 disaster. Here is what it says:

1. No governmental entity, including a county, city, school district, and public health authority, and no government official may require any person to wear a face covering or to mandate that another person wear a face covering; *provided, however, that:*
 - a) state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
 - b) the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with the Texas Commission on Jail Standards may continue to use the appropriate policies regarding the wearing of face coverings.

2. Notwithstanding the above, public schools may continue to follow policies regarding the wearing of face coverings to the extent reflected by the current guidance by the Texas Education Agency, until June 4, 2021. The Texas Education Agency shall revise its guidance such that, effective 11:59 p.m. on June 4, 2021, no student, teacher, parent, or other staff member or visitor may be required to wear a face covering.

NOTE: GA-36 supersedes any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in the preceding two paragraphs (numbers 1-2 above). To the extent necessary to ensure that local governmental entities of officials do not impose such face-covering requirements, the Governor's Executive Order suspend:

- a) Sections 418.101(b) and 418.108 of the Texas Government Code;
- b) Chapter 81, Subchapter E of the Texas Health and Safety Code;
- c) Chapters 121, 122, and 341 of the Texas Health and Safety Code;
- d) Chapter 54 of the Texas Local Government Code; and
- e) any other statute invoked by an local governmental entity or official in support of a face-covering requirement.

Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any such face-covering requirement by a local governmental entity or official constitutes a "failure to comply with" GA-36 that is subject to a fine up to \$1,000, beginning at 11:59 p.m. on May 21, 2021.

Under Executive Order GA-34, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials, in all counties not in an area of high hospitalizations as defined in that executive order. GA-34 also superseded any conflicting local order in response to the COVID-19 disaster, and directed that all relevant laws are superseded to the extent necessary to preclude any such inconsistent local orders.

This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

Regarding COVID-19 Vaccination: There are now several COVID-19 vaccines available, but there is neither a mandate that a person be required to receive it, nor is government allowed to ask if a person has been vaccinated, pursuant to Executive Order GA-35, relating to COVID-19 and the protection of Texan's private health information.

It states that an individual's COVID-19 vaccination status is private information, and no governmental entity should compel disclosure of this information by mandating a so-called "vaccine passport" for COVID-19 or by otherwise conditioning receipt of services on an individual's COVID-19 status."

The Governor's GA-35 specifically states:

- No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization;
- State agencies and political subdivisions (Taylor County is a political subdivision of the State of Texas) shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place,

documentation regarding the individual's vaccination status under an emergency use authorization;

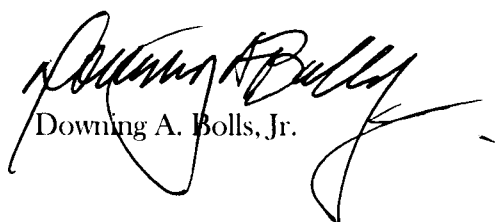
- Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status for COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status.

GA-35 does not limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.

The position of the County Judge and the Taylor County Commissioners Court has been – and still is - that: **“Personal responsibility is of paramount importance in attempting to prevent the spread of COVID-19.** All persons should follow the Centers for Disease Control and Prevention (CDC) recommended guidelines to protect themselves from exposure to COVID-19 and to protect the public from further community spread.”

The latest CDC updates are as follows:

- Fully vaccinated people no longer need to wear a mask or physically distance in any setting, except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.
- Fully vaccinated people can refrain from testing following a known exposure unless they are residents of or employees of a correctional or detention facility or a homeless shelter.



Downing A. Bolls, Jr.