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Title VI COUNTY, TOWNSHIP AND POLITICAL SUBDIVISION GOVERNMENT

Chapter 67

< > • **Effective - 15 Jun 2021, see footnote** ↓

67.265. Public health order for threat to public health by contagious disease, requirements, procedure. — 1. For purposes of this section, the term "**order**" shall mean a public health order, ordinance, rule, or regulation issued by a political subdivision, including by a health officer, local public health agency, public health authority, or the political subdivision's executive, as such term is defined in section [67.750](#), in response to an actual or perceived threat to public health for the purpose of preventing the spread of a contagious disease. Notwithstanding any other provision of law to the contrary:

(1) Any order issued during and related to an emergency declared pursuant to [chapter 44](#) that directly or indirectly closes, partially closes, or places restrictions on the opening of or access to any one or more business organizations, churches, schools, or other places of public or private gathering or assembly, including any order, ordinance, rule, or regulation of general applicability or that prohibits or otherwise limits attendance at any public or private gatherings, shall not remain in effect for longer than thirty calendar days in a one hundred eighty-day-period, including the cumulative duration of similar orders issued concurrently, consecutively, or successively, and shall automatically expire at the end of the thirty days or as specified in the order, whichever is shorter, unless so authorized by a simple majority vote of the political subdivision's governing body to extend such order or approve a similar order; provided that such extension or approval of similar orders shall not exceed thirty calendar days in duration and any order may be extended more than once; and

(2) Any order of general applicability issued at a time other than an emergency declared pursuant to [chapter 44](#) that directly or indirectly closes an entire classification of business organizations, churches, schools, or other places of public or private gathering or assembly shall not remain in effect for longer than twenty-one calendar days in a one hundred eighty-day-period, including the cumulative duration of similar orders issued concurrently, consecutively, or successively, and shall automatically expire at the end of the twenty-one days or as specified in the order, whichever is shorter, unless so authorized by a two-thirds majority vote of the political subdivision's governing body to extend such order or approve a similar order; provided that such extension or approval of similar orders may be extended more than once.

2. The governing bodies of the political subdivisions issuing orders under this section shall at all times have the authority to terminate an order issued or extended under this

section upon a simple majority vote of the body.

3. In the case of local public health agencies created through an agreement by multiple counties under [chapter 70](#), all of the participating counties' governing bodies shall be required to approve or terminate orders in accordance with the provisions of this section.

4. Prior to or concurrent with the issuance or extension of any order under subdivisions (1) and (2) of subsection 1 of this section, the health officer, local public health agency, public health authority, or executive shall provide a report to the governing body containing information supporting the need for such order.

5. No political subdivision of this state shall make or modify any orders that have the effect, directly or indirectly, of a prohibited order under this section.

6. No rule or regulation issued by the department of health and senior services shall authorize a local health official, health officer, local public health agency, or public health authority to create or enforce any order, ordinance, rule, or regulation described in section [192.300](#) or this section that is inconsistent with the provisions of this section.

(L. 2021 H.B. 271)

Effective 6-15-21

---- end of effective **15 Jun 2021** ----
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Click here for the [Reorganization Act of 1974 - or - Concurrent Resolutions Having Force & Effect of Law](#)

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