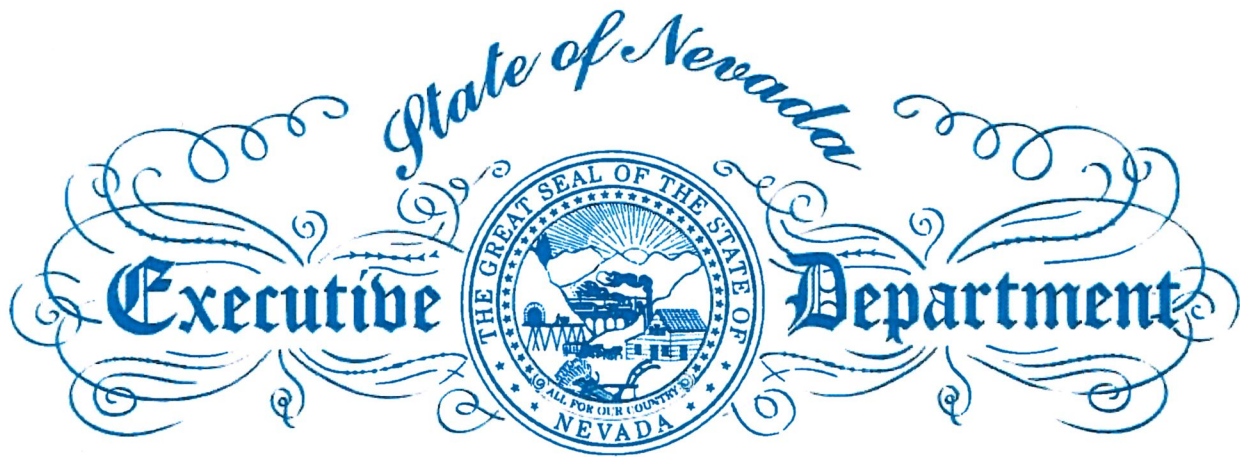




DECLARATION OF EMERGENCY

DIRECTIVE 049

WHEREAS, on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada, issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, then-President of the United States, Donald J. Trump, declared a nationwide emergency pursuant to Sec. 501(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

WHEREAS, the World Health Organization advises that the novel coronavirus that causes COVID-19 virus is highly contagious, and spreads through respiratory transmission, and direct and indirect contact with infected persons and surfaces; and

WHEREAS, the World Health Organization advises that transmission occurs through both droplet and airborne transmission, where droplet transmission occurs when a person is in close proximity to someone who is infected with COVID-19; and

WHEREAS, the World Health Organization advises that contact transmission occurs by direct contact with infected people or indirect contact with surfaces contaminated by the novel coronavirus; and

WHEREAS, on March 14, 2020, I formed a COVID-19 Medical Advisory Team to provide medical guidance and scientifically based recommendations on measures Nevada could implement to better contain and mitigate the spread of COVID-19; and

WHEREAS, in late December 2020, Nevada began distributing COVID-19 vaccines, and there is now an abundant supply of vaccines; and

WHEREAS, infectious disease and public health experts advised that wearing a mask or other face covering remains an important and effective measure to reduce the spread of COVID-19; and

WHEREAS, new variants of the COVID-19 virus have been identified, and medical experts have determined that some of these variants are significantly more contagious than previously known variants; and

WHEREAS, the CDC has identified the "delta" variant of COVID-19 and has deemed it a "variant of concern" due to its higher transmissibility; and

WHEREAS, COVID-19 cases in Nevada have trended upward since early July, 2021, the test positivity rate has climbed to over 15%, and most cases in Nevada have been identified as the delta variant; and

WHEREAS, on July 27, 2021, the CDC released updated guidance that all persons in counties with substantial or high transmission, whether vaccinated or not, continue to wear a mask while in indoor public spaces and crowded outdoor spaces; and

WHEREAS, on May 3, 2021, the Governor issued Emergency Directive 045, which provides, among other things, that the State of Nevada requires the wearing of masks in a manner consistent with current guidance from the CDC, including any subsequent guidance issued by the CDC; and

WHEREAS, COVID-19 remains a statewide public health crisis and requires that certain mitigation measures and emergency management functions will continue to be managed at the state level to protect the overall health and safety of all Nevadans; and

WHEREAS, NRS 414.060 outlines powers and duties delegated to the Governor during the existence of a state of emergency, including without limitation, directing and controlling the conduct of the general public and the movement and cessation of movement of pedestrians and vehicular traffic during, before and after exercises or an emergency or disaster, public meetings or gatherings; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;"

NOW THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of Nevada and the United States, and pursuant to the March 12, 2020 Emergency Declaration,

IT IS HEREBY ORDERED THAT:

SECTION 1: The provisions of previous Directives are hereby superseded only by the explicit provisions of this Directive. Any provisions not addressed by this Directive shall remain in force as provided by previous Directives or regulations promulgated pursuant to the March 12, 2020 Declaration of Emergency.

SECTION 2: As used in this Directive, "event operator" means any person or entity, including a governmental entity, that organizes, manages, operates, or otherwise is responsible for holding or is in charge of a large event, as that term is defined in this Directive. As used in this Directive, "indoor" includes a venue that is enclosed with walls and has a retractable roof, even if the roof is retracted during the event.

SECTION 3: For certain large events held in counties where face coverings are required indoors pursuant to other Directives, fully vaccinated attendees and fully vaccinated staff may remove their face coverings inside the venue during the event if all requirements of this Directive are met.

SECTION 4: "Large event" means an indoor event that meets all of the following criteria:

1. It is held at a venue with fixed seating capacity of 4,000 or greater;
2. The event is for a discrete period of time;
3. The event requires tickets or registration;
4. The event is open only to those who hold tickets or registrations;
5. The event operator maintains access control that effectively prevents unticketed or unregistered or otherwise unauthorized persons from entering or attending the event; and,
6. Except as otherwise provided in this Directive, the event operator requires proof of at least one dose of a vaccination against COVID-19 for every attendee at that event and denies entry to all attendees who fail to provide such proof.

SECTION 5: Event operators must implement a method of verifying vaccination status that is accurate, effective and reliable. Staff must be sufficient in number and adequately trained to implement the system.

SECTION 6: Event operators may admit attendees who, because of their age, are ineligible to receive a vaccination against COVID-19. However, all such attendees age 2 and over must continue to wear a face covering during the event, regardless of whether they would otherwise be exempt from the face covering requirement due to age.

SECTION 7: The exception to the face covering requirement allowed by Section 3 of this Directive does not apply if the event operator admits attendees who claim an exemption from or inability to receive a vaccination against COVID-19, or claim an exemption from or inability to wear a face covering, for any reason other than age.

SECTION 8: Event operators must implement a system of distinguishing attendees who are fully vaccinated from those who are only partially vaccinated or who, due to age, are ineligible to receive a vaccine, and must ensure that all attendees who are not fully vaccinated continue to wear a face covering during the event.

SECTION 9: In the event the U.S. Food and Drug Administration ("FDA") authorizes, including authorization on an emergency use basis, a vaccination against COVID-19 for children under the age of 12, event operators must begin verifying vaccination status for those children. Event operators may admit attendees who are under the age of 12 and who have received at least one dose of a vaccination against COVID-19, but who are not yet fully vaccinated. All such attendees must wear a face covering during the event. Fully vaccinated attendees may remove their face coverings during the event.

SECTION 10: Event operators who, pursuant to Section 3 of this Directive, wish to hold an event where fully vaccinated persons are not required to wear face coverings must submit a form listing the event venue, the date(s) of the event(s), if known, and certifying that the event operator will comply with all requirements of this Directive. The certification form must be submitted to the State Department of Business and Industry and to the local health authority.

SECTION 11: The provisions of this Directive are effective immediately and shall remain in effect until amended or terminated by a subsequent Directive promulgated pursuant to the March 12, 2020 Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic, or upon dissolution or termination of the Declaration of Emergency.

IN WITNESS WHEREOF, I
have hereunto set my hand and
caused the Great Seal of the
State of Nevada to be affixed
this 16th day of August, in the
year two thousand twenty-one.



Governor of the State of Nevada

Barbara K. Cegavske

Secretary of State

Debbie Bowman

Deputy Secretary of State