Minnesota Executive Order 20-74 and the Broad Reopening of Places of Public Accommodation

Tuesday, June 9, 2020

On June 5, 2020, Governor Tim Walz continued with the phased reopening of Minnesota by issuing Executive Order 20-74. Effective June 10, 2020, this executive order will further loosen restrictions on businesses that are places of public accommodation, including:

- Restaurants, food courts, cafes, coffeehouses, bars, taverns, taprooms, and other places of public accommodation offering food, beverages, or tobacco products for on-premises consumption may now provide indoor and outdoor service, subject to several restrictions, including limiting indoor occupancy to 50 percent of capacity with a maximum of 250 people.
- Gyms, fitness centers, recreation centers, indoor and outdoor sports facilities, and exercise studios may reopen at no more than 25 percent capacity, but must require social distancing, strongly encourage face coverings, and regularly disinfect equipment and workout space.
- Indoor entertainment venues (such as theaters, cinemas, concert halls,
museums, performance venues, and bowling alleys) may reopen at 25 percent capacity with a maximum of 250 people.

- Personal services (such as salons, barbershops, and tattoo parlors) may increase to 50 percent capacity, but must require appointments.
- Outdoor entertainment venues (excluding those “involving round-seating, stadium seating, or involve the intermingling or congregation of attendees”) may reopen at 25 percent capacity with a maximum of 250 people.

All places of public accommodation remaining open or reopening under Executive Order 20-74 must follow “the requirements set forth in paragraph 7.e of this order, including development and implementation of a COVID-19 Preparedness Plan in accordance with [industry-specific] guidelines available at the Stay Safe Minnesota website.” Sample templates of preparedness plans are available on the Minnesota Department of Labor and Industry’s website. Places of public accommodation must generally draft and implement a preparedness plan, and they must do so while considering the following industry-specific guidance:

- General Guidance for All Businesses
- Restaurants and Bars
- Personal Care Services and Salons
- Places of Worship
- Retail
- Outdoor Recreation
- Gyms, Studios, and Fitness Centers
- Vehicle Gatherings and Parades
- Sales Auctions
- Public Swimming Pool and Aquatic Facilities
- Recreational Entertainment Venues
- Seated Entertainment and Meeting Venues
- Schools and Child Care

According to Executive Order 20-74, businesses in these industries must post and distribute copies of their preparedness plan to all employees and must provide training to employees on the plan.

Executive Order 20-74 also provides that all critical businesses—which were previously exempted from the preparedness plan mandate—must now proceed with drafting and implementing a COVID-19 preparedness plan by June 29, 2020. This new requirement may be surprising to critical businesses that have been operating successfully and safely throughout the COVID-19 pandemic.

In addition to loosening business restrictions, Executive Order 20-74 lifts certain social limitations in indoor settings, including allowing places of worship, funeral homes, and wedding gatherings to operate at 50 percent capacity. Further, Minnesotans may now attend indoor social gatherings of up to 10 people and outdoor gatherings of up to 25 people. Lastly, Minnesota will allow the further reopening of adult and youth sports and youth programs.


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