On June 3, 2020, Texas Governor Greg Abbott issued Executive Order GA-26, representing the third phase for reopening Texas, and allowing virtually all businesses to resume operations subject to continued occupancy limitations. GA-26 became effective immediately upon issuance.

The executive order immediately permits businesses that had been operating at 25 percent capacity to increase their operations to 50 percent capacity. This includes indoor bars so long as service is limited to seated patrons. In addition, restaurants can increase their maximum table size from 6 people to 10 people; however, they still must ensure that social distancing is practiced between separate groups. Amusement parks and carnivals are also permitted to open at 50 percent capacity in those counties with fewer than 1,000 confirmed positive COVID-19 cases; otherwise reopening is delayed until June 19, 2020.
The executive order exempts certain businesses from occupancy limitations. These include: (1) any services identified by the U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency in its Guidance on the Essential Critical Infrastructure Workforce; (2) religious services; (3) local government operations; (4) childcare services; (5) youth camps; and (6) recreational sports programs for youths and adults. In addition, hair salons, barbershops, nail salons, massage establishments, and other personal care services (e.g., tanning salons, tattoo studios, etc.) may operate without any occupancy limitation provided six feet of social distancing can be maintained between workstations.

The order also provides that the 50 percent occupancy limitation does not apply to outdoor areas, events, or establishments, except for: (1) professional, collegiate, or similar sporting events; (2) swimming pools; (3) water parks; (4) museums and libraries; (5) zoos, aquariums, natural caverns, and similar facilities; and (6) rodeos and equestrian events. Outside of these particular outdoor events and venues, the order empowers the county judge or mayor in consultation with the local health authority to impose appropriate restrictions for any outdoor gatherings anticipated to draw more than 500 people.

Governor Abbott stated in the executive order that he encourages the continued use of precautionary measures, such as wearing face coverings, practicing good hygiene, avoiding groups with more than 10 people, and not visiting nursing homes or similar care facilities. Individuals 65 or older are “strongly encouraged to stay at home as much as possible.”


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