



From The NC Board of Funeral Service

As the Coronavirus continues to spread across the United States, it has direct and immediate impact on North Carolina. With regard to the practice of funeral service, the NC Board of Funeral Service will send you regular updates on the crisis as more information is announced at both the state and federal levels.

As an important first step, please visit the Board website at www.ncbfs.org for links to current, critical sources of information regarding the virus and its impact on our state and profession.

IMPORTANT INFORMATION & UPDATES FOR LICENSEES

GOVERNOR COOPER ISSUES STATEWIDE STAY-AT-HOME ORDER

Governor Cooper has issued Executive Order 121 which imposes additional restrictions on all North Carolina residents in response to the acceleration in the number of COVID-19 cases and deaths occurring in North Carolina. Please visit the website to access the Executive Order text at www.ncbfs.org.

Among its provisions, the Governor's Executive Order deems the practice of Funeral Service as an Essential Business and further states that there is no statewide ban on funerals. The Order does recognize, however, that local jurisdictions have and may continue to impose orders and declarations that are more restrictive than Executive Order 121.

We have provided you below the exact language from Executive Order 121 pertaining to Mass Gatherings. Please note the reference to funerals in A.3.

Section 3. Mass Gatherings

For the reasons and pursuant to the authority set forth above:

A. Section I(a) of Executive Order Nos. 117 and 120 is rescinded and replaced as follows:

- 1. A mass gathering is defined as any event or convening that brings together more than ten (10) persons in a single room or single space at the same time, such as an auditorium, stadium, arena, large conference room, meeting hall, or any other confined indoor or outdoor space. This includes parades, fairs and festivals.**
- 2. A mass gathering does not include normal operations at airports, bus and train stations, medical facilities, libraries, shopping malls and centers. It also does not include any COVID-19 Essential Business or Operation as defined in this Executive Order.**
- 3. Notwithstanding the above, and in an effort to promote human dignity and limit suffering, funerals are permitted to include no more than fifty (50) persons, while observing Social Distancing Requirements to the extent practicable.**

4. Pursuant to N.C. Gen. Stat. §§ 166A-19.30(a)(2), -19.30(c) the provisions of this section shall be enforced by state and local law enforcement officers.

Additionally, we are providing below the text from the Executive Order pertaining to local jurisdictions with more stringent restrictions than those expressed in Executive Order 121.

Section 4. Local Orders

A. The undersigned recognizes that the impact of COVID-19 has been and will likely continue to be different in different parts of North Carolina. Urban areas have seen more rapid and significant spread than most rural areas of the state. As such, the undersigned acknowledges that counties and cities may deem it necessary to adopt ordinances and issue state of emergency declarations which impose restrictions or prohibitions to the extent authorized under North Carolina law, such as on the activity of people and businesses, to a greater degree than in this Executive Order. To that end, nothing herein is intended to limit or prohibit counties and cities in North Carolina from enacting ordinances and issuing state of emergency declarations which impose greater restrictions or prohibitions to the extent authorized under North Carolina law.

B. Notwithstanding the language in paragraph (A) of this Section, no county or city ordinance or declaration shall have the effect of restricting or prohibiting COVID-19 Essential Governmental Operations of the State as determined by the State.

C. Nothing in this Executive Order rescinds, amends, or otherwise modifies Section 2 of Executive Order No. 120.

We urge you to consult with your legal counsel to determine the application of these provisions in your particular jurisdiction particularly where your funeral establishment is subject to a local ordinance or declaration that imposes restrictions or prohibitions to a greater degree than in the Executive Order the Governor issued this afternoon.

Several media outlets offer news summaries of the Governor's press conference and the provisions he announced this afternoon. You may want to search media websites serving your particular area or regional media markets in the state for more information about the Order.

As more information is released, we will make every effort to keep you informed.