

**ORDER OF COUNTY JUDGE LINA HIDALGO**  
**County Judge's Ninth Order Rescinding Previous Orders**

**Whereas**, in response to the novel coronavirus (COVID-19) pandemic, federal, state and local officials have issued proclamations and declarations of disaster and thereby invoked their respective emergency management plans to protect the public; and

**Whereas**, on January 31, 2020, the Secretary of Health and Human Services declared a public health emergency “in response to COVID-19, a highly contagious virus that spreads through person-to-person contact and continues to ravage communities across the globe”; and

**Whereas**, in March 2020, the U.S. Centers for Disease Control and Prevention (“CDC”) issued guidance as to individuals, recommending that individuals practice social or physical distancing to prevent the spread of COVID-19 by staying at least six feet from other people, by refraining from gathering in groups, by staying out of crowded places and by avoiding mass gatherings; and

**Whereas**, on March 4, 2022, the CDC issued community-based guidelines, to allow for three different risk levels (low, medium, or high) determined by looking over a seven-day period at three factors: the number of new COVID-19 cases in an area, the share of hospital beds being used, and hospital admission. With this change, only 14% of the nation’s counties fall into the high risk category. The CDC does not make specific mask recommendations for areas at low risk. For areas classified as medium risk, people who have other health problems or are immunocompromised are urged to speak to their health care provider about whether they should mask up and take other precautions. In areas deemed to be high risk, residents are urged to wear masks in indoor public spaces; and

**Whereas**, the total percentage of Harris County residents who are fully vaccinated against COVID-19 as of March 10, 2022, is approximately 62%; and

**Whereas**, the Texas Disaster Act is codified at Sections 418.001 – 418.261 of the Texas Government Code; and

**Whereas**, on March 13, 2020, Governor Greg Abbott issued a disaster proclamation, certifying under Section 418.014 of the Texas Government Code that COVID-19 poses an imminent threat of disaster for all counties in the State of Texas; and

**Whereas**, in each subsequent month since then and, most recently on February 21, 2022, Governor Abbott determined that a state of disaster continues to exist in all counties due to COVID-19 and has issued proclamations renewing the disaster declaration for all Texas counties; and

**Whereas**, Governor Abbott has issued executive orders and suspensions of Texas laws in response to the COVID-19 pandemic, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster and recognizing the importance of face coverings to reduce the spread of COVID-19; and

**Whereas**, upon Declaration of a Local Disaster, a County Judge is authorized to control ingress to and egress from a disaster area and control the movement of persons and the occupancy of premises in accordance with Section 418.108(g) of the Texas Government Code; and

**Whereas**, on March 11, 2020, Harris County Judge Lina Hidalgo issued a Declaration of Local Disaster for Public Health Emergency to allow Harris County to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Harris County residents in accordance with Section 418.108(a) of the Texas Government Code. Since then, the Harris County Commissioners Court has repeatedly extended this Declaration in accordance with Section 418.108(b) of the Texas Government Code. This Declaration has remained in effect since March 11, 2020; and

**Whereas**, on March 19, 2020, the Harris County Judge issued her first order requiring that any person entering a building owned, occupied or operated by Harris County may be screened for symptoms consistent with COVID-19; and

**Whereas**, the Harris County Judge has issued subsequent orders requiring that any person entering a building owned, occupied or operated by Harris County may be screened for symptoms consistent with COVID-19 and, with some exceptions, requiring all people seeking entry into a Harris County owned or controlled building to wear a face covering over their nose and mouth when entering and while in such building; and

**Whereas**, on June 11, 2020, Harris County implemented a Harris County COVID-19 Threat Level System that provides color coded levels of risk based on the incidence of COVID-19 and its transmission level in Harris County and provides corresponding recommendations to the public.<sup>1</sup> At the time of implementation of the Harris County COVID-19 Threat Level System, Harris County was at a Level 2, Significant Uncontrolled Community Transmission; and

**Whereas**, on March 10, 2022, the Harris County Judge lowered Harris County's COVID-19 threat level to Level 3 (Yellow – “Moderate, Controlled Transmission” presenting a severe threat to public health), meaning a further demonstrated reduction in transmission and the local healthcare system is well within capacity; and

**Whereas**, at COVID-19 Threat Level 3, unvaccinated residents should remain vigilant but can resume contact with others and leave home, minimize attendance at medium or large gatherings; limit visits to non-essential businesses and personal travel; and are encouraged to mask and social distance; and

**Whereas**, at COVID-19 Threat Level 3, vaccinated residents may resume activities without wearing a mask or physical distancing, except where required by federal, state, local, tribal or territorial laws, rules, and regulations, including local business and workplace guidance; and

**Whereas**, the transmission of COVID-19 has dissipated but still remains a significant threat to the health and safety of the Harris County community; and

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<sup>1</sup> See [https://www.readyharris.org/Portals/60/documents/INFO\\_ReopeningStrategyPUBLIC-FULL.pdf](https://www.readyharris.org/Portals/60/documents/INFO_ReopeningStrategyPUBLIC-FULL.pdf)

**Whereas**, the Harris County Judge has determined that extraordinary emergency measures must be taken in order to protect the health, safety and welfare of the citizens of Harris County to mitigate the effects of this public health emergency and to facilitate a response to the public health threat;

**NOW THEREFORE, I, COUNTY JUDGE FOR HARRIS COUNTY, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:**

That the findings and recitations set out in the preamble to this ORDER are found to be true and correct and they are hereby adopted and made a part hereof for all purposes.

Effective upon signing and continuing through the fourteenth day following the expiration of Governor Greg Abbott's final declaration certifying that the novel coronavirus (COVID-19) poses an imminent threat of disaster unless terminated or modified by an earlier order issued by me as the County Judge for Harris County, Texas, I deem it in the public interest to order the following:

1. Except as otherwise expressly provided below:
2. The Judge's order dated August 17<sup>th</sup>, 2021, is rescinded and superseded by this Order. All County mask and screening requirements are rescinded, and may be reinstated at any time should the Harris County Judge determine that such measures must be taken in order to protect the health, safety and welfare of the citizens of Harris County to mitigate the effects of this public health emergency and to facilitate a response to the public health threat.
3. If a judge's courtroom is located in a courthouse with other county offices, that judge will determine whether face coverings must be worn in his/her courtroom and chambers. A court's orders regarding face coverings do not extend to the use of such face coverings in other areas of a Harris County owned or controlled building.
4. State supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings.
5. The Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.
6. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

7. The Harris County Judge will file this Order with the Harris County Clerk's Office. Harris County will post this Order on the Internet. All Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purpose of this Order.

ORDERED at 5:00 p.m. on this 18<sup>th</sup> day of March 2022, in the County of Harris, Texas.

IT IS SO ORDERED.



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LINA HIDALGO  
HARRIS COUNTY JUDGE