

# Legal Alert

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## UPDATED TIMELINE OF IMPORTANT DATES AND DEADLINES FROM GOVERNOR CUOMO'S EXECUTIVE ORDERS

June 10, 2020

To help our clients navigate the coronavirus (COVID-19) outbreak, Keane & Beane is providing Legal Alerts on a variety of issues as they are presented. The information contained in this Legal Alert is applicable as of today, June 10, 2020.

Since March Governor Cuomo has issued a flurry of executive orders to mitigate the spread of COVID-19. This Legal Alert provides a timeline of certain important dates from Governor Cuomo's executive orders, but is not meant to be an exhaustive list and does not include information pertaining to nursing homes and adult care facilities, health care workers, criminal proceedings or absentee ballots.

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Keane & Beane, P.C. is a premier law firm serving Westchester, Putnam, Rockland, Dutchess and Orange Counties in the Hudson Valley, as well as New York City. Since 1980, our team of outstanding attorneys has provided the highest quality legal advice to businesses, individuals, families, school districts, municipalities and non-profit organizations.

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## TIMELINE OF IMPORTANT DATES AND DEADLINES FROM GOVERNOR CUOMO'S EXECUTIVE ORDERS

Expiration Date/Event Date	Directive	Most Recent Executive Order Extending Directive	Original Executive Order with Directive
This directive expires June 21, 2020.	Executive Order 202.10 is modified to permit any non-essential gathering of ten or fewer individuals, for any lawful purpose or reason, provided that social distancing protocols and cleaning and disinfection protocols required by the Department of Health are adhered to. (Except see <b>Executive Order 202.38</b> allowing non-essential gatherings for houses of worship.)	202.33	202.10 (Prohibiting Non-essential gatherings of individuals of any size for any reason).
Quarterly Sales Tax Returns are due June 22, 2020	New York taxpayers who failed to file and pay their quarterly sales tax return due on March 20, 2020 will not face penalties or interest if they did not make the payment. The original extended due date was May 19, 2020.	202.32	202.8
Presidential Primary will be held on June 23, 2020	The presidential primary will be held June 23, 2020. All eligible voters in active or inactive status will be mailed an absentee ballot application for the primary election to be held on June 23. (Executive Order 202.23)	202.12	202.12
Local governments in the Mid-Hudson Region may reopen with full	The directive contained in Executive Order 202.4, as extended, that required local governments to allow non-essential personnel to be able to work from home or take leave without charging accruals, and required such	202.39	202.4

<p>staff, pursuant to New York State Department of Health guidelines, on June 23, 2020.</p>	<p>number of non-essential personnel to total no less than 50% of the total number of employees across the entire workforce of such local government or political subdivision, is modified to apply only to local governments that have not met the prescribed public health and safety metrics to be eligible for Phase Two reopening, provided such local governments in Phase Two regions may bring non-essential employees back to work beginning two weeks after such region meets the metrics to reopen Phase Two.</p>		
<p>In-person graduations may be held starting June 26, 2020</p>	<p>Socially distanced graduations of up to 150 people will be allowed beginning June 26, 2020.</p>	<p>Executive Order not yet issued.</p>	
<p>This directive expires on June 27, 2020.</p>	<p>Business operators and building owners, and those authorized on their behalf shall have the discretion to ensure compliance with the directive in Executive Order 202.17 (requiring any individual over age two, and able to medically tolerate a face-covering, be required to cover their nose and mouth with a mask or cloth face-covering when in a public place), including the discretion to deny admittance to individuals who fail to comply with the directive in Executive Order 202.17 or to require or compel their removal if they fail to adhere to such directive, and such owner or operator shall not be subject to a claim of violation of the covenant of quiet enjoyment, or frustration of purpose, solely due to their enforcement of such directive.</p>	<p>202.34</p>	<p>202.34</p>

<p>This directive expires on June 28, 2020.</p>	<p>Executive Order 202.34, which extended the provisions of Executive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, 202.13, 202.14, 202.28, and 202.31 which each closed or otherwise restricted public or private businesses or places of public accommodation, and Executive Order 202.32 as modified by Executive Order 202.33 which required postponement, cancellation, or restriction on size of all non-essential gatherings of more than ten individuals, and which together constitute New York On PAUSE, is continued through June 28, 2020 until and unless later amended or extended by a future Executive Order.</p>	<p>202.35</p>	<p>202.35</p>
<p>Summer Camp Start Date June 29, 2020</p>	<p>New York will allow summer day camps to start June 29 pursuant to New York State Health and Safety guidelines.<sup>1</sup></p>	<p>Executive Order not yet issued. Guidance issued by NYSDOH.</p>	
<p>This directive expires on July 6, 2020.</p>	<p>All other directives issued in Executive Orders 202.1-202.14, as continued in Executive Orders 202.27 and 202.28, that are not part of the New York On Pause policy, expire on July 6, 2020.</p>	<p>202.38</p>	<p>202.38</p>
<p>This directive expires on July 6, 2020.</p>	<p>Article 7 of the Public Officers Law is suspended until July 6, 2020, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.</p>	<p>202.38</p>	<p>202.1</p>

<sup>1</sup> [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Child\\_Care\\_Daycamps\\_Detailed\\_Guidelines.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Child_Care_Daycamps_Detailed_Guidelines.pdf)

<p>This directive expires on July 6, 2020.</p>	<p>Any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding, as prescribed by the procedural laws of the state, including but not limited to the criminal procedure law, the family court act, the civil practice law and rules, the court of claims act, the surrogate’s court procedure act, and the uniform court acts, or by any other statute, local law, ordinance, order, rule, or regulation, or part thereof, is tolled until July 6.</p>	<p>202.38</p>	<p>202.8</p>
<p>This directive expires on July 6, 2020.</p>	<p>The validity of all drivers’ license, non-driver identification cards, registration or temporary registration documents that expired on or after March 1, 2020 are deemed valid until July 6, 2020.</p>	<p>202.38</p>	<p>202.8</p>
<p>This directive expires on July 6, 2020.</p>	<p>Commercial building owners, retail store owners and those authorized on their behalf to manage public places within their buildings and businesses (collectively “Operators”) shall have the discretion to require individuals to undergo temperature checks prior to being allowed admittance. Operators shall have the discretion to deny admittance to (i) any individual who refuses to undergo such a temperature check and (ii) any individual whose temperature is above that proscribed by New York State Department of Health Guidelines.</p>	<p>202.38</p>	<p>202.38</p>
<p>This directive expires on July 6, 2020.</p>	<p>For those regions in Phase 2, a restaurant or bar can serve patrons food or beverage on-premises only in outdoor space, provided such restaurant or bar is in compliance with</p>	<p>202.38</p>	<p>202.38</p>

	Department of Health guidance promulgated for such activity. <sup>2</sup>		
This directive expires on July 6, 2020.	Executive Order 202.35 which continued the directive of Executive Order 202.33 is modified to permit any non-essential gatherings for houses of worship at no greater than 25% of the indoor capacity of such location, provided it is in a geographic area in Phase 2 of re-opening, and further provided that social distancing protocols and cleaning and disinfection protocols required by the Department of Health are adhered to.	202.38	202.10 (Prohibiting Non-essential gatherings of individuals of any size for any reason).
is directive expires July 6, 2020.	Restaurants or bars in the state of New York shall be permitted to expand the premises licensed by the State Liquor Authority to use (a) contiguous public space (for example, sidewalks or closed streets) and/or (b) otherwise unlicensed contiguous private space under the control of such restaurant or bar, subject to reasonable limitations and procedures set by the Chairman of the State Liquor Authority <sup>3</sup> and, with respect to (a) the use of public space, subject to the reasonable approval of the local municipality, and all subject to the guidance promulgated by the Department of Health. (see footnote 2)	202.38	202.38
This directive expires on July 7, 2020.	The suspensions and modifications of law, and any directives, not superseded by a subsequent directive, made by Executive Orders 202.15, 202.16, 202.17, 202.18, 202.19, 202.20 and 202.21, as contained in Executive Order 202.29, are extended to July 7, 2020.	202.39	202.39

<sup>2</sup> <https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/OutdoorTakeoutDeliveryFoodServicesMasterGuidance.pdf>

<sup>3</sup> <https://sla.ny.gov/new-york-state-liquor-authority-guidance-outdoor-expansion-licensed-premises-response-covid-19>

This directive expires on July 7, 2020.	Section 214-g of the Civil Practice Law and Rules is suspended until July 7, 2020, to the extent it allows an action to be commenced not later than one year and six months after the effective date of such section, is modified to allow an action commenced pursuant to such section to be commenced not later than one year and eleven months after the effective date of such section.	202.39	202.29
This directive expires on July 7, 2020.	Any officiant, public or private, may perform or solemnize a marriage ceremony utilizing audio-video technology.	202.39	202.21
This directive expires on July 7, 2020.	Any person utilizing public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, shall wear a mask or face covering over the nose and mouth during any such trip; any person who is operating such public or private transport, shall likewise wear a face covering or mask which covers the nose and mouth while there are any passengers in such vehicle.	202.39	202.18
This directive expires on July 7, 2020.	Any individual who is over age two and able to medically tolerate a face-covering shall be required to cover their nose and mouth with a mask or cloth face-covering when in a public place and unable to maintain, or when not maintaining, social distance.	202.39	202.17
This directive expires on July 7, 2020.	Any local official, state official or local government or school, which, by virtue of any law has a public hearing scheduled or otherwise required to take place in April or May of 2020 shall be postponed, until July 7, 2020, without prejudice, however such hearing may continue if the convening public body	202.39	202.15

	or official is able to hold the public hearing remotely, through use of telephone conference, video conference, and/or other similar service.		
The Federal government extended the IRS filing and payment deadline to July 15, 2020.	Executive Order 202.12 authorized the Tax Commissioner to provide relief from certain tax filing and payment deadlines. In response, the Tax Commissioner extended New York State personal income tax and corporation tax returns from April 15, 2020 to July 15, 2020. The Commissioner is allowing taxpayers to defer all related tax payments due on April 15, 2020, to July 15, 2020, without penalties and interest, regardless of the amount owed.	202.12	202.12
Toll on evictions until August 20, 2020.	There shall be no initiation of a proceeding or enforcement of either an eviction of any residential or commercial tenant, for nonpayment of rent or a foreclosure of any residential or commercial mortgage, for nonpayment of such mortgage, owned or rented by someone that is eligible for unemployment insurance or benefits under state or federal law or otherwise facing financial hardship due to the COVID-19 pandemic for a period of sixty days beginning on June 20, 2020.	202.28	202.8
Village elections will be held on September 15, 2020.	Any village election previously scheduled to be held in March, April, May or June will be held on September 15, 2020.	202.26	202.26
All district or special district elections and/or budget votes will	Any district or special district, including, but not limited to fire, library, sewer, or water, that conducts an election and/or budget vote shall be	202.26	202.26

be held on September 15, 2020.	rescheduled to September 15, 2020; provided however, a library district may conduct an election on June 9, 2020 if such election is managed by a school district.		
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### **CONSULT COUNSEL REGARDING SPECIFIC QUESTIONS**

This Legal Alert does not list all dates and deadlines set forth by Governor Cuomo’s numerous executive orders. If you have any questions or concerns regarding this legal alert, or any dates or deadlines from the Executive Order, or require further assistance with this topic, please feel free to contact [Eric L. Gordon, Esq.](#) or [Drew Victoria Gamils, Esq.](#) or any other attorney in our Municipal or Education Law Practice Group