

RELIGIOUS EXEMPTIONS AND LANGUAGE IN COVID-19 ORDERS

Explanation of formatting: Those states whose names are **BOLDED** have a religious exemption of some kind. The bolded states that have a star (*) before their name have a robust religious exemption (for others the exemption may be somewhat cursory). States that are not bolded do not have an express exemption (for some the order may not extend to ban churches but does not explicitly exempt them), but any language related to worship/religious activities is included. The states whose names are in **RED** have orders that would result in particularly harsh restriction of worship. Each state has a link to the relevant order and/or FAQs or guidance on that order.

1. Alabama

a. The Order does not extend to ban religious gatherings, but encourages social distancing. [Order](#)

2. Alaska:

a. The order has no religious exemption, however it does have an exemption for "All other businesses that can maintain Social Distancing Requirements (defined below) and prohibit congregations of no more than 10 people in the business at a time (including employees)." [Governor's Order, FAQs about the Health's Order, Essential Infrastructure Attachment A](#)

3. *Arizona:

a. The state's stay at home order of 3.30.20 provides that essential activities include, "Engaging in constitutionally protected activities such as speech and religion...provided that such is conducted in a manner that provides appropriate physical distancing to the extent feasible." [Executive Order](#)

4. *Arkansas:

a. The order bans gatherings over "more than ten (10) people in any confined indoor or outdoor space...Gatherings subject to this directive include, without limitation, community, civic, public, leisure, commercial, or sporting events, concerts, conferences, conventions, fundraisers, parades, fairs, and festivals." [Governor's Order](#)

b. "This directive does not apply to businesses, manufacturers, construction companies, places of worship, the Arkansas General Assembly, municipal or county governing bodies, or the judiciary," according to Secretary of Health Dr. Nate Smith. [Article explaining order](#)

5. California:

a. The California [order](#) does not mention religious organizations, but the list of essential infrastructure includes "Faith based services that are provided through streaming or other technology." [California Essential Infrastructure List](#)

6. Colorado:

a. "In-person pastoral services for individuals who are in crisis or in need of end of life services provided social distancing is observed to the greatest extent possible. Houses of worship may remain open, however, these institutions are encouraged to implement electronic platforms to conduct services whenever possible or to conduct smaller (10 or fewer congregants), more frequent services to allow strict compliance with Social Distancing Requirements." [Amended Public Health Order](#)

7. Connecticut:

a. The Order places a "Restriction of Social and Recreational Gatherings to No More Than 5 People. Effective immediately, and through April 30, 2020, unless earlier modified, extended, or terminated by me, the prior order set forth in Executive Order No. 7D, prohibiting social and recreational gatherings of 50 people or more, is hereby amended and modified to require that all such

gatherings of six (6) or more people, including but not limited to, community, civic, leisure, or sporting events; parades; conceits; festivals; plays or live performances; conventions; and similar activities, are prohibited throughout the State of Connecticut, **except that religious, spiritual or worship gatherings shall not be subject to such increased restrictions, and shall instead remain subject to the prohibition on gatherings of 50 or more people, provided that they employ reasonable and appropriate distancing measures.** To further clarify this order, it does not apply to government operations, private workplaces, retail establishments, or other activities that are not social or recreational gatherings." [Order](#)

8. Delaware:

a. The Delaware stay at home order states that, "Houses of worship and other place of religious expression or fellowship (subject to the requirements of existing emergency orders, which requirements are not affected by this Order). Further, The list of essential infrastructure includes "religious organizations" [Order, DE Industry List](#)

9. Florida: no statewide stay-at-home order. Affected counties may determine what businesses they deem essential.

a. Restricts non-essential businesses in select counties, but allows the counties to determine which businesses are essential. [Order](#)

10. Georgia:

a. The order does not discuss religious entities, but in the FAQs it states "Q: Should I go to my house of worship? A: Currently in the state of Georgia, gatherings of more than 10 people are not allowed. We understand this is a time when faith communities need to stay connected so we certainly support any efforts to provide the opportunity to worship online or electronically." [Order, FAQs](#)

11. Hawaii:

a. "Organizations that provide charitable and social services. Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities." Third Proclamation at 5. The COVID-19 FAQs state that "Services and activities at places of worship will be suspended."

[FAQs, Order, Guidance on Order](#)

12. Idaho:

No exemption, but FAQs allow streaming.

a. No exemption for houses worship or religious organizations; however, there is an exemption for businesses that provide "social services." The additional guidance from the state provides "May clergy or church members get together to stream or record religious services? Answer: Yes. The recording or streaming should be done by the minimum number of individuals necessary, following Social Distancing Requirements. I am grateful to Idaho's religious leaders for caring for the spiritual needs of their congregations during this challenging time." [Order, Additional Guidance](#)

13. Illinois:

a. The Executive Order states that: "Organizations that provide charitable and social services. Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities." **The FAQs clarify that:** "The Executive Order does limit gatherings to no more than ten people and requires social distancing. At the same time, the Executive Order does not otherwise prohibit religious activities and specifically allows religious organizations to provide food, shelter, and social services, and other necessities of life, to its congregants and needy individuals.

Religious organizations are permitted to conduct services and prayer online." [Order, FAQs](#)

14. Indiana:

a. The Stay-at-Home order states that “religious facilities, entities and groups, and religious gatherings, provided they adhere to the CDC’s guidance on social gatherings” are exempt under the “Essential Businesses and Operations” exemption. [Order](#)

15. Iowa:

a. The Iowa order states that “Mass Gatherings: Social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events of more than 10 people are hereby prohibited at all locations and venues, including but not limited to parades, festivals, conventions, and fundraisers. Planned large gatherings and events must be canceled or postponed until after termination of this disaster.” [Order](#)

16. *Kansas:

a. The Executive Order states that “Religious gatherings, as long as attendees can engage in appropriate social distancing” are “exempt from the prohibitions” of the order. [Order](#).

17. Kentucky:

a. An order from 3.19.20 states that “All mass gatherings are hereby prohibited...Mass gatherings include any event or convening that brings together groups of individuals, including, but not limited to, community, civic, public, leisure, faith-based, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities.” An Order put out on 3.25.20 designates as essential “Organizations that provide charitable and social services. Businesses and **religious and secular nonprofit organizations**, including food banks, **when providing** food, shelter, and social services, and other necessities of life for economically disadvantaged or special populations, individuals who need assistance as a result of this emergency, and people with disabilities. These organizations have a special responsibility to implement social distancing to the fullest extent possible, and to take all necessary actions to stop the spread of disease, including by stopping in person retail operations.” [Order of 3.19.20](#); [Order of 3.25.20](#)

18. Louisiana:

a. The order states that “An activity is essential if the purpose of the activity is one of the following...going to and from an individual’s place of worship,” and thus can be done consistent with the Stay at Home order. [Order](#)

19. Maine:

a. The Maine order provides that “Certain Gatherings. Gatherings of more than 10 people are prohibited throughout the State. Gatherings subject to this Order are those that are primarily social, personal, and discretionary events other than employment. Such gatherings include, without limitation, community, civic, public, leisure, and faith-based events; social clubs; sporting events with spectators; concerts, conventions, fundraisers, parades, fairs, and festivals; and any similar event or activity in a venue such as an auditorium, stadium, arena, large conference room, meeting hall, theatre, gymnasium, fitness center or private club.” [Order](#)

20. Maryland:

a. The Maryland order states that “Social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events (“large gatherings and events”) of more than 10 people are hereby prohibited at all locations and venues, including but not limited to parades, festivals, conventions, and fundraisers.” [Order](#)

21. Massachusetts:

a. The Massachusetts order states that “Churches, temples, mosques, and other places of worship shall not be required to close their brick and mortar premises to workers or the public; provided, however, that such institutions shall be required to comply with all limitations on gatherings established in section 3 below.” Section 3 states that, **“Gatherings of more than 10 people are prohibited throughout the Commonwealth.** Gatherings subject to this order include, without limitation, community, civic, public, leisure, faith-based, or sporting events, concerts, conferences, conventions, fundraiser, parades, fairs, festivals, wedding, funerals, and any similar event or activity that brings more than 10 persons in any confined indoor or outdoor space.” COVID-19 Order No. 13.2. Further, the list of essential services has an exemption for “workers at places of worship.” [Order, List of Essential Services](#)

22. *Michigan:

a. “Nothing in this order should be taken to supersede another executive order or directive that is in effect, except to the extent this order imposes more stringent limitations on in-person work, activities, and interactions. Consistent with prior guidance, **a place of religious worship, when used for religious worship, is not subject to penalty under section 14.**” [Order](#)

23. Minnesota:

a. The Minnesota order exempts “Faith leaders and workers. This category includes officials, workers, and leaders in houses of worship and other places of religious expression or fellowship, wherever their services may be needed. This category also includes workers necessary to plan, record, and distribute online or broadcast content to community members.” [Order](#)

24. *Mississippi:

a. The order **qualifies religious entities as an “Essential Business or Operation” and thus exempt from the gathering limitation.** “Religious entities including religious and faith-based facilities, entities and groups, and religious gatherings provided that they adhere to the CDC and the Mississippi Department of Health recommendations and guidance to prevent the spread of COVID-19. [Order, MSDH Guidance](#) (which includes recommendations of avoiding gatherings of over 10 where people come into close contact and to practice social distancing).

25. Missouri: oral exemption by governor

a. The Missouri Department of Health issued a ban on gatherings of more than 20 people, but the governor orally exempted houses of worship. [Order, News article discussing oral exemption](#)

26. Montana:

a. Amended order to run concurrently with POTUS order- CDC Guidance

27. Nebraska: *the Nebraska order affect certain counties rather than applying statewide

a. Guidance on the health orders limiting social gatherings state that “For the period from March 16-31, 2020, it is critical that: Social gatherings be limited to 10 or less people...**This guidance applies to all previously planned social gatherings including church services, funerals, weddings, parades, and festivals.**” [Link to Health Orders, Guidance](#)

28. *Nevada:

a. The Social distancing guidance states that: “To our faith leaders, I respectfully request that if you are unable to provide for social distancing protocols, you consider postponing services for your congregations.” [Order, Social distancing guidance](#)

29. New Hampshire:

a. Exhibit A of the stay-at-home order exempts religious entities: "Workers at places of worship" are deemed "Entities that fall under this guidance shall continue to operate with necessary staff to complete critical and essential functions." The Order states that "This Order shall not apply to any church, synagogue, mosque, or other house of worship, provided that those organizations must still comply with Emergency Order #16." Order #16 states that "In accordance with updated CDC guidelines, **the following activities are hereby prohibited within the State of New Hampshire: Scheduled gatherings of 10 people or more for social, spiritual and recreational activities, including but not limited to, community, civic, public, leisure, faith based**, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities. **This prohibition does not apply to the General Court, day-to-day operations of for profit or not for profit organizations** and State Government, or gatherings for urgent medical purposes such as blood drives or meetings of medical personnel to discuss efforts to combat the COVID-19 pandemic." [Exhibit A of Order, Order #16](#)

30. *New Jersey:

a. The New Jersey order provides that "[L]eaving the home for an educational, religious, or political reason;" is a permitted activity. [Order](#)

31. *New Mexico:

a. The state order provides that "Mass gathering does not include individuals congregated in a church, synagogue, mosque, or other place of worship." Public Health Order of 03-23-2020 at (6). The FAQs further explain that "Are there any exemptions to the 5-or-more rule? A: Yes. If five or more people live together, they are exempt inside their residence. Also exempt are churches, synagogues, mosques or other places of worship." [Order, FAQs](#)

32. *New York:

a. Guidance on the order states that "Houses of worship are not ordered closed however it is strongly recommended not to hold congregate services. If held, social distance must be maintained and compliance with DOH guidance, which can be found at <https://coronavirus.health.ny.gov/information-providers>." The Guidance further provides that "Businesses ordered to close on Monday, March 15, 2020 under the restrictions on any gathering with 50 or more participants, including but not limited to, bars, restaurants, gyms, movie theaters, casinos, auditoriums, concerts, conferences, **worship services**, sporting events, and physical fitness centers, **are presumed to be compliant with NYS issued restrictions and must remain closed and are not eligible for designation as an essential business** for purposes of this guidance. (The earlier order stated that "any large gathering or event (concert, conference, worship service, performance before a large audience, etc.) shall be cancelled or postponed if more than fifty persons are expected in attendance, at any location in New York State until further notice." [Order 202.3](#)) [Guidance, Order 202.10](#)

33. North Carolina:

a. The stay at home order lists as an essential activity "travel to and from a place of worship." The FAQs state that "places of worship" are exempt but that "The Order allows individuals to attend their places of worship if they follow the mass gathering ban and do not have more than 10 people assembled. Social distancing should be practiced. Places of worship are encouraged to stream their services online to accommodate people complying with the Order." [Order, FAQs](#)

34. *North Dakota:

a. Order does not refer to houses of worship in enumeration of facilities that must close. The guidance states that, "Any attempts to implement social distancing in cultural & religious gatherings should be informed by cultural & religious leaders." [Order, Guidance](#)

35. *Ohio:

a. Listed as essential businesses and operations in the order are: "Organizations that provide charitable and social services. **Businesses and religious and secular** nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;...**Religious entities.** Religious facilities, entities and groups and religious gatherings, including weddings and funerals." [Order](#)

36. Oklahoma:

a. Executive Department Executive Memorandum 2020-01 exempts "faith-based services that are provided through streaming or other technology." According to Order 2020-07, this exemption applies to the requirement that "all businesses not identified as being within a critical infrastructure sector...shall close." Further, limits gatherings to 10 or fewer people. [Order 2020-01](#), [Order 2020-07](#)

37. Oregon:

a. Oregon enumerated what places are closed and does not list houses of worship. However, businesses and nonprofits must work remotely to the extent possible and to the extent not possible must practice social distancing or close until they show compliance. All gatherings over 25 are cancelled and over 10 are recommended to not occur. [Orders](#)

38. Pennsylvania:

a. "Religious institutions" are exempt from the stay at home order. [Guidance](#), [Governor's Order](#), [Secretary of Health's Order](#).

39. Rhode Island:

a. Stay at home order of March 28, 2020 states that "All gatherings of more than five (5) people in any public or private space such as an auditorium, stadium, arena, large conference room, meeting hall, library, theater, place of worship, parade, fair, festival, park or beach, are prohibited." [Order](#)

40. *South Carolina—AG and Chief Law Enforcement Officer interpret the order to be inapplicable to religious gatherings.

a. "I hereby authorize any and all law enforcement officers of the State, or any political subdivision thereof, to do whatever may be deemed necessary to maintain peace and good order during the State of Emergency and to enforce the provisions of any Order issued by the undersigned in connection with the same...I hereby authorize, order, and direct any and all law enforcement officers of the State, or any political subdivision thereof, in accordance with section 16-7-10 of the South Carolina Code of Laws and other applicable law, to prohibit or disperse any congregation or gathering of people, unless authorized or in their homes, in **groups of three (3) or more people**, if any such law enforcement official determines, in their discretion, that any such congregation or gathering of people poses, or could pose, a threat to public health." [Order](#)

b. However, guidance from the Attorney General states that power of enforcement is limited by constitutional protections and lists as examples, "freedom of religion inherent in a church or other religious meeting, or a wedding or funeral..."[AG's Guidance](#)

c. Further, "SLED [South Carolina Law Enforcement Division] Chief Mark Keel said that he had no concerns with the constitutional matters raised by the Wilson's opinion, 'I've had a couple of sheriffs call me about whether or church gatherings are allowed and I've told them in my opinion, it doesn't cover church,' Keel said." [New Source quoting Chief of SLED](#)

41. South Dakota:

a. Order: does not apply to places of worship. [Order](#)

42. *Tennessee:

a. "Organizations that Provide Charitable and Social Services. This includes, but is not limited to: businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, social services, and other necessities of life for economically disadvantaged or individuals otherwise in need, individuals who need assistance as a result of this emergency, or persons with disabilities;

"Religious and Ceremonial Functions. This includes, but is not limited to: religious facilities, entities, groups, personnel, services, rites, and gatherings, including weddings and funerals, provided that the Health Guidelines set forth in Executive Order No. 22 are followed to the greatest extent practicable." [Order](#)

43. Texas:

a. The Texas order bans gatherings of more than 10 consistent with CDC guidance.

[Executive Order, Order from the Commissioner of Public Health](#)

44. Utah:

a. The FAQs state that "Social distancing means staying away from mass gatherings (e.g., stadiums, theaters, shopping centers, schools, community events, **church**), avoiding local public transportation (e.g., bus, taxi, TRAX, ride share), and maintaining distance (approximately 6 feet) from others. This is a strategy public health uses often for other respiratory diseases such as influenza." [FAQs](#)

b. The text of the order exempts "Faith leaders and workers, including an official, worker, or leader in a house of worship or other places of religious expression or fellowship, wherever their services may be needed. Faith leaders and workers also include a worker necessary to plan, record, and distribute online or broadcast content to community members." [Order](#)

45. Vermont:

a. "Except as set forth below, effective Wednesday, March 25, 2020 at 5 p.m., subject to closures and limitations provided in prior orders, all businesses and not-for-profit entities in the state shall suspend in-person business operations. These businesses and not-for profit entities are encouraged to develop business strategies, procedures and practices such as using an on-line presence, telephone and web-based service delivery and phone or online orders for curb-side pick-up and delivery." [Order, Guidance](#)

46. Virginia:

a. Virginia's order exempts from the stay at home order "Traveling to and from one's resident, place of worship, or work;" but holds that "All public and private in-person gatherings of more than ten individuals are prohibited. This includes parties, celebrations, religious, or other social events, whether they occur indoor or outdoor." The FAQ Guidance on the Order states: "What about **religious** services? Can I still go to my church, synagogue, or mosque? Virginians are strongly encouraged to seek alternative means of attending religious services, such as virtually or via "drive-through" worship. Places of worship that do conduct in person services must limit gatherings to 10 people, to comply with the statewide 10-person ban." [Order, FAQs](#)

47. Washington:

a. Washington's order states that it is a "Proclamation to impose a Stay Home – Stay Healthy Order throughout Washington State by **prohibiting all people in Washington State from leaving their homes or participating in social, spiritual and recreational gatherings of any kind regardless of the number of participants...** All people in Washington State shall **immediately cease participating in all public and private gatherings and multi-person activities for social, spiritual** and recreational purposes, regardless of the number of people involved, except as specifically identified herein. Such activity includes, but is not limited to,

community, civic, public, leisure, **faith-based**, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities. This prohibition also applies to planned wedding and funeral events. This prohibition shall remain in effect until midnight on April 6, 2020, unless extended beyond that date.... To implement this mandate, I hereby order that all people in Washington State are immediately prohibited from participating in **public and private gatherings of any number of people** for social, **spiritual** and recreational purposes..." [Order](#)

48. *West Virginia:

a. The Order lists "going to and from a place of worship" as an essential activity and as an essential organization "Religious facilities, entities, and groups and religious gatherings, including weddings and funerals; provided that such gatherings should still practice proper social distancing of six feet between persons to the greatest extent possible." [Order, FAQs](#)

49. *Wisconsin:

a. The Wisconsin order exempts "Organizations that provide charitable and social services. Businesses and religious and secular nonprofit organizations, including prevocational group supportive employment, food banks and food pantries, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this public health emergency, and people with disabilities... **Religious facilities, entities, groups, and gatherings**, and weddings and funerals, except that any gathering shall include fewer than 10 people in a room or confined space at a time and individuals shall adhere to Social Distancing Requirements as much as possible." [Order](#)

50. Wyoming:

a. Statewide Public Health Order #3 provides that: "Gatherings of ten people or more are prohibited in order to help stop the spread of COVID-19 and protect the health of the public." [Order](#)

- Washington D.C.:

a. The Mayors order exempts "Travel required to visit a house of worship" as an essential activity. [Stay at Home Order](#) However, houses of worship are not deemed an essential business for the purposes of gathering. [Gathering Order](#). The Additional information from the Gathering order state that "**Did the Mayor close churches?** No, but large gatherings of ten or more people are prohibited, so as a practical matter, most churches are not holding services. Weddings and funerals may only be 10 or fewer people. Houses of worship can maintain basic business operations, and many open their doors to people who walk in who want a quiet place to pray alone. Many congregations are also maintaining their social service programs to deliver essential items like food to people who are at home or helping others get to medical appointments." [Additional Information](#)