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Travel for Leisure and Tourism Remains Prohibited Under California's Stay-At-Home Order

California recently modified its Stay-at-Home Order [Executive Order N-33-20] as of May 8, 2020, to allow manufacturing and certain retail businesses to re-open for curbside business. This modification of the Stay-at-Home Order has left hotels wondering whether hotels are allowed to re-open its doors to guests traveling for leisure or non-essential travel.

Unfortunately, the re-opening of hotels and lodging for leisure does not fall under Stage 2 of California's modified Stay-at-Home Order. According to the State's [Coronavirus \[COVID-19\] Response site](#), "*hotels and lodging are currently **not** permitted to operate for leisure/tourism in California.*"

Hotels are only permitted to accept guests who are staying on property for "essential travel." This means that, while hotels are an "essential business" or "critical infrastructure sector" under the Stay-At-Home Order, "*hotels should only open for COVID-19 mitigation and containment measures, treatment measures, providing accommodation for essential workers, or providing housing solutions, including measures to protect homeless populations.*" [See California's Industry Guidance, [here](#)].

California is comprised of numerous localities, and different areas have seen different case levels. As the State of California approaches the next phase of the crisis, vastly different approaches are emerging. Whether a specific hotel may re-open for leisure/tourism will depend both on modifications to the statewide order and any applicable orders in its specific county.

As a reminder, the order is enforceable under California law; individuals who violate the order can be prosecuted for a misdemeanor offense and, if found guilty, receive fines (up to \$1,000), imprisonment (up to six months), or both. [See Cal. Gov. Code § 8665].

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Questions? Contact Stokes Wagner.