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Safer at Home and Badger Bounce Back Template for Local Health Officials

The Wisconsin Supreme Court ruling on May 13, 2020, in *Legislature v. Palm* invalidated the Wisconsin Department of Health's Emergency Order #28, the Safer at Home Order. In doing so, the Court diminished the Department's ability to respond to the unprecedented COVID-19 pandemic.

Local health officials may still issue local orders to protect their communities from communicable diseases like COVID-19. Under Wis. Stat. § 323.03(1), local health officers "shall promptly take all measures necessary to prevent, suppress and control communicable diseases" within their county. Similarly, Wis. Stat. § 252.03(2) authorizes local health officials to "do whatever is reasonable and necessary for the prevention and suppression of disease," including forbidding public gatherings. The Wisconsin Supreme Court's decision does not affect this authority.

To help local officials implement their own measures, the Office of the Governor and the Department of Health Services have developed a county-specific template order modeling Safer at Home and the Badger Bounce Back. By adopting this template order, it will maintain as much consistency as possible between the counties and consistency with the rules and guidelines that everyone has already come to know under Safer at Home.

Finally, the Office of the Governor and the Department stand ready to help local health officials in whatever way we can.

For your reference, here are some helpful links:

[**DHS guidance on COVID-19**](#), including FAQs, best practices, and industry-specific guidelines.

[**Badger Bounce Back**](#), including statewide data on gating criteria and core responsibilities. This tracking will continue despite the Supreme Court ruling.

[**County-specific data**](#), showing COVID-19 cases and deaths by county.

[**WEDC Reopening Guidelines**](#), including general and industry specific guidelines for keeping customers, employees, and the public safe while running a business.