

MELICK & PORTER, LLP COVID-19 MEMO:

Melick & Porter, LLP provides you with the below update regarding the impact of COVID-19 on issues relating to insurance in the United States. The below is not meant to be all-inclusive, but provides an overview as to the trends in the United States. If you have any questions regarding any of the updates below, please do not hesitate to contact us.

SUMMARY OF IMPORTANT LEGISLATION AND EMERGENCY ORDERS AND DIRECTIVES:

Below we provide an overview as to the types of legislative actions that have been occurring, both on a federal and state level.

- On August 8, 2020, President Donald Trump signed an executive action in the form of a [memorandum](#) directing “the Secretary of the Treasury to use his authority to defer certain payroll tax obligations with respect to the American workers most in need.” The intent of the memorandum is to provide economic relief in response to the coronavirus pandemic. The memorandum directs the Secretary of the Treasury to defer payroll tax obligations on amounts paid from September 1, 2020, through December 31, 2020, as well as determine whether such obligations may be forgiven through legislative or other action.
- President Donald Trump has indicated he would sign a series of executive orders to try to halt evictions and student loan payments, suspend the payroll tax, and extend enhanced unemployment insurance following an unproductive meeting on August 7, 2020, between House Speaker Nancy Pelosi, Senate Minority Leader Chuck Schumer, White House Chief of Staff Mark Meadows, and Treasury Secretary Steven Mnuchin.
- New York Governor Andrew Cuomo [announced](#) on August 7, 2020, that the New York City school district and all other districts across the state can reopen.
- Massachusetts Governor Charlie Baker [announced new initiatives](#) intended to curb the spread of the coronavirus, all of which went into effect August 11, 2020. Facemask protocols, outdoor group gathering size restrictions, restaurant operations, and enforceable violation fines are among the revisions Massachusetts residents should note.

INSURANCE AND COVERAGE RELATED NEWS AND ORDERS/LEGISLATION:

Below we provide an update as to regulations, news, and litigation specifically related to insurance and potential coverage.

- There has been evolving state insurance regulatory activity related to the coronavirus pandemic. State insurance regulatory authorities have issued emergency rules and regulations, notices and bulletins, containing both directives and guidance, as well as requesting information related to the COVID-19 outbreak.

BUSINESS AND COMMERCE NEWS AND LEGISLATION RELATED TO COVID-19:

Below we discuss news regarding the economic impact of COVID-19 and measures being taken to address that.

- The Department of Revenue issued [revised guidance](#) and emergency and proposed [regulations](#) addressing the Massachusetts source-of-income for nonresidents telecommuting during the COVID-19 pandemic.
- The Department of Revenue finalized a Technical Information Release ([TIR 20-9](#)) addressing conformity to the federal CARES Act.
- The State of New York signed [Senate Bill 8411](#) into law on June 17, 2020, as Chapter 121 of the New York Laws of 2020. The legislation disallows, for purposes of the unincorporated business corporation tax, the general corporation tax, the city banking tax, and the city business corporation tax, certain amendments, with respect to taxable years beginning before January 1, 2021, made to the internal revenue code by sections 2303, 2304 and 2306 of public law 116-136.
- In [Advisory 2020-24](#), the Rhode Island Department of Revenue Division of Taxation announced that for the duration of Rhode Island's coronavirus state of emergency, the Division will not seek to establish nexus for Rhode Island corporate income tax and sales and use tax purposes solely because an employee is temporarily working from home during the state of emergency.
- The Labor Department [reported](#) the U.S. added 1.763 million jobs in July, the unemployment rate fell to 10.2 percent.

LITIGATION/CIVIL JUSTICE SYSTEM UPDATES AND ORDERS:

Below we, highlight additional judicial orders related to the COVID-19 pandemic.

- The Jury Management Advisory Committee of the Supreme Judicial Court of Massachusetts has [issued recommendations](#) on the resumption of jury trials in Massachusetts state courts, which have been postponed since March because of the COVID-19 pandemic.
- The Maine Supreme Judicial Court issued [PMO-SJC-7: Order Regarding Trial Court Remote Proceedings and Public Access](#).