MEMORANDUM

Date: July 30, 2021

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

Re: Ability of Pima County through our Public Health Agency to Require Masks for Students in the K-12 System and in Particularly for those Students under the age of 12 who are not yet Eligible to be Vaccinated

I have provided each Board Member with a copy of an Attorney-Client Privilege document dealing with the County's ability to issue a Public Health directive requiring masks for K-12 students, faculty and staff. Please note an addition to this communication relating to effective date.

This legislation is an example of laws passed by the Legislature and enacted into law by the Governor without public or public health input. This language was a floor amendment to House Bill (H.B.) 2898 that occurred on June 25, 2021. It was introduced and passed by the House on that date without a single hearing, transmitted to the Senate on June 28, passed by the Senate on June 30, transmitted to the Governor and signed by the Governor on June 30. No hearings, no public discussion, no information was made available for public review regarding this amendment that has significant and potentially serious adverse public health outcome particularly for those younger than 12 years of age who cannot be vaccinated at this time.

This legislation endangers public health.

CHH/dym

c: The Honorable Laura Conover, Pima County Attorney
Jan Lesher, Chief Deputy County Administrator
Carmine DeBonis, Jr., Deputy County Administrator for Public Works
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer, Health and Community Services
Terry Cullen, MD, MS, Public Health Director, Health Department
Sam Brown, Chief Civil Deputy County Attorney, Pima County Attorney's Office