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EXECUTIVE ORDER

Amending Executive Orders D 2020 003, D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D2020 125, D 2020 152, D 2020 176, D 2020 205, and D 2020 234 Declaring a Disaster Emergency Due to the Presence of Coronavirus Disease 2019 in Colorado

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701 *et seq.*, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order amending Executive Orders D 2020 003, D 2020 018, D 2020 032, D 2020 058, D 2020 076, and D 2020 109, D2020 125, D 2020 152, D 2020 176, D 2020 205, and D 2020 234 declaring a state of disaster emergency, employing the Colorado National Guard to support and provide planning resources to State and local authorities, and providing additional funds for response activities due to the presence of coronavirus disease 2019 (COVID-19) in Colorado.

I. Background and Purpose

The Governor is responsible for meeting the dangers to the State and people presented by disasters. C.R.S. § 24-33.5-704(1). The Act defines a disaster as "the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to . . . epidemic." C.R.S. § 24-33.5-703(3). The threat currently posed by COVID-19, a respiratory illness that can spread from person to person, constitutes a disaster for purposes of the Act.

On March 5, 2020, the Colorado Department of Public Health and Environment's (CDPHE) public health laboratory confirmed the first presumptive positive COVID-19 test result in Colorado. Since then, the number of confirmed cases has continued to climb, and there is community spread throughout the State. I verbally declared a disaster emergency on March 10, 2020, and on March 11, 2020, I issued the corresponding Executive Order D 2020 003, as amended and extended by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D2020 125, D 2020 152, D 2020 176, D 2020 205, and D 2020 234, and as amended by this Executive Order. On March 25, 2020, I requested that the President of the United States declare a Major Disaster for the State of Colorado, pursuant to the Stafford Act. The President approved that request on March 28, 2020.

My administration, along with other State, tribal, local, and federal authorities, has taken a wide array of actions to mitigate the effects of the pandemic, prevent further spread, and protect against overwhelming our health care resources. The actions we have undertaken to date

have made progress in these areas, but we must continue taking aggressive action to minimize the duration of this epidemic and of the disruption to our daily lives.

This Executive Order amends Executive Order D 2020 003, as amended and extended by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D2020 125, D 2020 152, D 2020 176, D 2020 205, and D 2020 234, to increase the amount of funds previously made available to CDPHE by fifty-nine million one hundred forty thousand dollars ($59,140,000) from the Disaster Emergency Fund, to increase the amount of funds previously made available to CDPS by one million three hundred sixty thousand dollars ($1,360,000) from the Disaster Emergency Fund, and to transfer sixty million five hundred thousand dollars ($60,500,000) to the Disaster Emergency Fund from the Controlled Maintenance Trust Fund.

II. Amendment

Section II.C. of Executive Order D 2020 003, as amended and extended by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D 2020 125, D 2020 152, D 2020 176, D 2020 205, and D 2020 234, is amended to read as follows:

> On April 8, 2020, the funds in the Disaster Emergency Fund were deemed insufficient pursuant to C.R.S. § 24-33.5-706(4)(b), and eighty-three million five hundred thousand dollars ($83,500,000) was transferred from the Controlled Maintenance Trust Fund to the Disaster Emergency Fund. Pursuant to C.R.S. § 24-33.5-706(4), I order that two hundred eighty-six million thirty-eight thousand six hundred forty-eight dollars ($286,038,648) from the Disaster Emergency Fund be encumbered for response activities related to COVID-19. Of these funds, one hundred thirty-eight million thirty-eight thousand six hundred forty-eight dollars ($138,038,648) shall come from the Coronavirus Relief Fund sub-account of the Disaster Emergency Fund. Of the funds coming from the Coronavirus Relief Fund sub-account, one hundred twelve million two hundred seventy-five thousand three hundred sixty-four dollars ($112,275,364) shall be encumbered and made available to CDPHE for response activities related to COVID-19; twenty-three million one hundred sixty-nine thousand four hundred twenty-six dollars ($23,169,426) shall be encumbered and made available to the Department of Public Safety for response activities related to COVID-19; nine-hundred five thousand four hundred fifty dollars ($905,450) shall be encumbered and made available to the Colorado Governor's Office of Information and Technology for response activities related to COVID-19; and one million six hundred eighty-eight thousand four hundred eight dollars ($1,688,408) shall be encumbered and made available to the Colorado Department of Agriculture for response activities related to COVID-19. These funds shall remain available for expenses incurred from March 1, 2020 to December 30, 2020, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

Executive Order D 2020 003, as amended and extended by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D 2020 125, D 2020 152, D 2020 176, D 2020 205, and D 2020 234, and as amended by this Executive Order, shall expire on November 28, 2020, unless amended further by Executive Order, except that the funds described in Section II.C. shall remain available for the described purposes and the described time period stated in Section II.C. In all other respects, Executive Order D 2020 003, as amended and extended by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D 2020 125, D 2020 152, D 2020 176, D 2020 205, and D 2020 234, shall remain in full force and effect as originally promulgated.

GIVEN under my hand and the Executive Seal of the State of Colorado, this nineteenth day of November, 2020.

Jared Polis
Governor