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# D 2020 159

## EXECUTIVE ORDER

**Extending Executive Orders D 2020 064, D 2020 102, and D 2020 135 Ordering the Temporary Suspension of Certain Regulatory Statutes Concerning Signature Collection for Unaffiliated and Independent Candidates and Authorizing the Secretary of State to Create Temporary Rules for Registered Electors To Receive and Return Candidate Petitions Over Mail and Email Due to the Presence of COVID19**

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 extending Executive Orders D 2020 064, D 2020 102, and D 2020 135 ordering the temporary suspension of certain regulatory statutes concerning signature collection for unaffiliated and independent candidates who are required to file petition with the Secretary of State under Title 1 and authorizing the Secretary of State to create temporary rules to allow for mail and email signature collection due to the presence of coronavirus disease 2019 (COVID-19) in Colorado.

## I. Background and Purpose

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 we have evidence of 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 by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D 2020 125, and D 2020 152. 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, 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.

We must take action to minimize the duration of this epidemic and the disruption to our daily lives. The virus that causes COVID-19 is spread primarily by close contact between people and through respiratory droplets when an infected person coughs or sneezes. Public health experts recommend we practice "social distancing," or maintaining a physical distance of six (6) feet or more from other people, as a way to slow the spread of COVID-19. On April 26, 2020, I issued Executive Order D 2020 044 Safer at Home, as amended and extended by Executive

Order D 2020 079, and, on June 1, 2020, I issued Executive Order D 2020 091 Safer at Home and in the Vast, Great Outdoors, as amended and extended by Executive Orders D 2020 123, D 2020 142, and D 2020 144, limiting in person activities, which imposes a significant hurdle for unaffiliated and independent candidates and duly designated circulators, who play an essential role in our democratic republic and have significant and determinative barriers due to State and local public health orders that prevent them from the normal statutory conduct of in-person signature gathering.

This Executive Order extends Executive Order D 2020 064, as extended by D 2020 102 and D 2020 135, which preserves our constitutional principle of ballot access, for an additional thirty (30) days.

## II. Duration

Executive Order D 2020 064, as extended by D 2020 102, D 2020 135, and this Executive Order, shall expire thirty (30) days from August 10, 2020, unless extended further by Executive Order. In all other respects, Executive Order D 2020 064, as extended by Executive Order D 2020 102 and D 2020 135, shall remain in full force and effect as originally promulgated.

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

Jared Polis
Governor