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EXECUTIVE ORDER

Amending and Extending Executive Order D 2020 091 Safer at Home and in the Vast, Great Outdoors

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 and extending Executive Order D 2020 091, Safer at Home and in the Vast, Great Outdoors, 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 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 by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, and D 2020 109. 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.

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. It can also be spread through contact with contaminated surfaces. 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. This is especially important for Vulnerable Individuals as ninety percent (90%) of Colorado fatalities are individuals older than sixty (60). Evidence shows that Social Distancing and the Stay at Home Executive Order D 2020 017, as amended, have helped to slow the rate of infection and ensured that Coloradans who needed it had access to healthcare resources.

While we have seen indications that our efforts to "flatten the curve" are working, increased transmission of the virus, and the resulting strains on our healthcare resources,

continue to threaten Coloradans' way of life and livelihoods. As we take steps to return Coloradans to work, we must continue to practice Social Distancing from others at a high level and implement other measures, such as limiting our social interactions, extra precautions for Vulnerable Individuals, and wearing non-medical masks while in public to facilitate reopening the economy while we protect public health. As we move forward, the State continues to monitor the spread of COVID-19, increase our testing and tracing capabilities, and consider additional precautions as we learn more about the novel coronavirus and its effects on human health.

This Executive Order amends and extends Executive Order D 2020 091 by modifying the conditions for Bars to open while continuing to allow many Coloradans to return to work and recreation in the great outdoors while Coloradans maintain a sustainable level of Social Distancing.

II. Amendments

Section II of Executive Order D 2020 091 is amended as follows:

1. Replace paragraph II.E.iii. with the following:

> Get tested for COVID-19 if they are experiencing flu-like symptoms or if they are sick. If an individual has tested positive for COVID-19 and/or has developed symptoms of COVID-19, including early or mild symptoms (such as cough and shortness of breath), they should be in isolation (staying away from others) until they have had no fever for at least seventy-two (72) hours (that is three full days of no fever without the use of medicine that reduces fevers), other symptoms have improved (such as cough or shortness of breath), and at least ten (10) days have passed since symptoms first appeared. Coloradans who are sick and receive negative COVID-19 test results should continue to stay home while they are sick and should consult with their healthcare provider about the need for additional testing and the appropriate time to resume normal activities; and

2. Add new paragraph II.F.7. as follows:

> 7. Close Bars, as defined in PHO 20-28, as amended, or any other PHO issued pursuant to this Executive Order, to ingress, egress, use, and occupancy by members of the public unless the establishment ensures access to served food from a licensed retail food establishment at tables spaced at least six (6) feet apart with set seating for on-premise consumption. In accordance with Executive Order D 2020 029, as amended, Bars are permitted to sell alcoholic beverages to-go for takeout or delivery consumption if the alcoholic beverages are sold with food and provided in containers approved by rule by the State Licensing Authority to customers who are over twenty-one (21) years old. Bars permitted to open pursuant to the terms of a county variance granted under paragraph II.J. of this Executive Order shall be exempt from any additional restrictions provided in this paragraph II.F.7.

3. Amend paragraph II.I. by inserting the word "Bars," between the words "Social Distancing Requirements," and "and."

4. Add new paragraph II.N. as follows:

   N. I direct the Executive Director of the Department of Revenue to ensure that the Liquor Enforcement Division takes action within twenty-four (24) hours of submission of an application for temporary modification of a license for Bars that serve food from a licensed retail food establishment in compliance with paragraph II.F.7. of this Executive Order.

III. Duration

Executive Order D 2020 091, as amended and extended by this Executive Order, shall expire thirty (30) days from June 30, 2020, unless extended further by Executive Order. In all other respects, Executive Order D 2020 091 shall remain in full force and effect as originally promulgated.

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

Jared Polis
Governor