STATE OF KANSAS

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GOVERNOR LAURA KELLY

EXECUTIVE ORDER NO. 20-28

Reissuing and extending certain Executive Orders relating to the COVID-19 pandemic

WHEREAS, securing the health, safety, and economic well-being of residents of the State of Kansas is this Administration's top priority;

WHEREAS, Kansas is facing a crisis—the pandemic and public health emergency of COVID-19—resulting in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;

WHEREAS, the United States Departments of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with now more than 1,005,000 cases of the illness and more than 57,000 deaths as a result of the illness across the United States;

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020;

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020;

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 50 1 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the "Stafford Act");

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;

WHEREAS, as of this date, in Kansas there have been 4,238 reported positive cases of COVID-19 spread among 80 counties, including 129 deaths;

WHEREAS, since March 12, 2020, I have issued emergency executive orders to address or combat the COVID-19 pandemic and its effects on Kansans;

WHEREAS, those orders each expire no later than when the statewide State of Disaster Emergency proclaimed on March 12, 2020, relating to COVID-19 expires;

WHEREAS, the Legislature, by House Concurrent Resolution 5025, has extended the State of Disaster Emergency through May 1, 2020, but under the Kansas Emergency Management Act there is currently no effective mechanism for additional extensions of the State of Disaster Emergency other than passage of another concurrent resolution through each legislative chamber;

WHEREAS, when the Legislature adjourned in March, Senate Concurrent Resolution 1615 stated that the Legislature would reconvene on April 27, 2020, or on another date determined by the Legislative Coordinating Council ("LCC");

WHEREAS, on April 22, 2020, the LCC voted to not reconvene the Legislature on April 27, 2020, and delayed the decision on when or if to reconvene the Legislature to no later than May 6, 2020;

WHEREAS, as of this date, there is no indication that the LCC intends to reconvene the Legislature on or before May 1, 2020, and practically there is no possibility that the Legislature can reconvene to extend the State of Disaster Declaration by concurrent resolution before it expires;

WHEREAS, the clearest available mechanism to ensure the continued effectiveness and validity of emergency measures taken to respond to the COVID-19 pandemic—including emergency executive orders and essential federal support—is to issue a new State of Disaster Declaration under the Kansas Emergency Management Act;

WHEREAS, accordingly, I have issued a new State of Disaster Declaration in order to avoid the serious threats to public health, safety, and welfare that would otherwise ensue;

WHEREAS, the expiration of the previous State of Disaster Declaration requires that previous executive orders be re-issued under the authority triggered by the new State of Disaster Declaration; and

WHEREAS, this Administration will do whatever it can to assist Kansans in these challenging times, including providing relief that will help avoid immediate danger to the health, safety, and welfare of Kansans.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, including the authority granted me by K.S.A 48-924 and K.S.A 48-925, to continue the emergency response efforts and other measures dealing with the COVID-19 pandemic I hereby direct and order the following:

1. Each executive order listed below is incorporated herein by reference and is hereby re-issued and remains in effect through May 31, 2020, or until the statewide State of Disaster Emergency proclaimed on April 30, 2020, relating to COVID-19 expires, whichever is earlier, unless a separate expiration date is noted below.

    a. 20-03 – Extending states of local disaster emergency

    b. 20-05 – Temporarily prohibiting utility disconnects

c. 20-07 – Temporarily closing K-12 schools to slow the spread of COVID-19

d. 20-08 – Temporarily expanding telemedicine and addressing certain licensing requirements to combat the effects of COVID-19

e. 20-10 – Temporarily prohibiting certain foreclosures and evictions

f. 20-11 – Temporarily requiring continuation of waste removal and recycling services

g. 20-12 – Drivers' license and vehicle registration and regulation during public health emergency

h. 20-13 – Allowing certain deferred tax deadlines and payments during the COVID-19 pandemic

i. 20-16 – Establishing a statewide "stay home" order in conjunction with the KEFF for COVID-19 response efforts

    i. EO 20-16 shall expire—in conjunction with EO 20-24—at 11:59 p.m. on May 3, 2020.

j. 20-17 – Temporary relief from certain unemployment insurance requirements in response to the COVID-19 pandemic

k. 20-19 – Extending professional and occupational licenses during the COVID-19 pandemic

l. 20-20 – Temporarily allowing notaries and witnesses to act via audio-video communication technology

m. 20-21 – Suspending the issuance of general nonresident spring 2020 turkey permits

n. 20-22 – Extending conditional and temporary relief from certain motor carrier rules and regulations in response to the COVID-19 pandemic

    i. EO 20-22 shall expire at 11:59 p.m. on May 15, 2020, unless extended by further order.

o. 20-23 – Licensure, Certification, and Registration for persons and Licensure of "Adult Care Homes" during public health emergency

p. 20-24 – Extending Executive Order 20-16 to May 3, 2020

    i. EO 20-24 shall expire at 11:59 p.m. on May 3, 2020.

q. 20-25 – Temporarily prohibiting mass gatherings of more than 10 people to limit the spread of COVID-19

i. EO 20-25 shall expire at 11:59 p.m. on May 3, 2020

r. 20-26 – Temporary relief from certain restrictions and requirements governing the provision of medical services

s. 20-27 – Temporarily suspending certain rules relating to sale of alcoholic beverages

2. This order supersedes and amends the expiration dates noted in each executive order listed in paragraph 1 above.

This document shall be filed with the Secretary of State as Executive Order No. 20-28. It shall become effective immediately and remain in force until rescinded, until May 31, 2020, or until the statewide State of Disaster Emergency proclaimed on April 30, 2020, relating to COVID-19 expires, whichever is earlier.

THE GOVERNOR'S OFFICE BY THE GOVERNOR Laura Kelly

DATED 4.30.2020

Scott J. Schwab
Secretary of State

Assistant Secretary of State

RECEIVED
APR 30 2020
SCOTT SCHWAB
SECRETARY OF STATE