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D 2020 076

EXECUTIVE ORDER

Amending and Extending Executive Orders D 2020 003, D 2020 018, D 2020 032, and D 2020 058 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, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order amending and extending Executive Orders D 2020 003, D 2020 018, D 2020 032, and D 2020 058 declaring a state of disaster emergency and providing additional funds for response activities due to the presence of coronavirus disease 2019 (COVID-19) in Colorado.

Further, pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 5 of the Colorado Constitution and C.R.S. § 28-3-104, I hereby authorize the continued employment of the Colorado National Guard to support and provide planning resources to State and local authorities as they respond to the presence of COVID-19 in the State.

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 by Executive Orders D 2020 018, D 2020 032, D 2020 058, and 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, 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 Orders D 2020 003, D 2020 018, D 2020 032, and D 2020 058 to extend the state of disaster emergency and to provide additional funds for response activities due to the presence of COVID-19 in Colorado. This Executive Order also extends the deployment of the Colorado National Guard to support and provide planning resources to State and local authorities as they respond to the presence of COVID-19 in the State.

II. Amendment

Section II.C. of Executive Order D 2020 003, as amended by Executive Orders D 2020 018, D 2020 032, and D 2020 058, is amended by striking the second and third sentences and replacing with the following:

> Pursuant to C.R.S. § 24-33.5-706(4), I order that one hundred five million five hundred thousand dollars ($105,500,000) from the Disaster Emergency Fund be encumbered for response activities related to COVID-19. Of these funds, seventeen million five hundred thousand dollars ($17,500,000) 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, seventeen million dollars ($17,000,000) shall be encumbered and made available to CDPHE for response activities related to COVID-19. These funds shall remain available for expenses incurred during the period that begins on March 1, 2020, and ends on 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, and this Executive Order, shall expire thirty (30) days from May 22, 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 by Executive Orders D 2020 018, D 2020 032, and D 2020 058, shall remain in full force and effect as originally promulgated.

GIVEN under my hand and the Executive Seal of the State of Colorado, this twenty-second day of May, 2020.

Jared Polis
Governor