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EXECUTIVE ORDER

Amending and Extending Executive Orders D 2020 011, D 2020 029, D 2020 052, D 2020 084, D 2020 093, D 2020 118, and D 2020 147 Concerning the Temporary Suspension of Certain Regulatory Statutes Due to the Presence of COVID-19

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 Orders D 2020 011, D 2020 029, D 2020 052, D 2020 084, D 2020 093, D 2020 118, and D 2020 147 concerning the temporary suspension of certain regulatory statutes 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 widespread 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.

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 the practice of "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.

The economic impacts of COVID-19 are significant, and threaten to undermine the economic stability of many Coloradans and local businesses. The risk of contamination posed by COVID-19 has necessitated closure of multiple businesses. Employers and employees in

virtually all sectors of the economy have been hard hit. We must take action to shore up economic security, employment, community cohesion, and community recovery.

This Executive Order amends and extends Executive Order D 2020 011 for an additional thirty (30) days, as amended and extended by Executive Orders D 2020 029, D 2020 052, D 2020 084, D 2020 093, D 2020 118, and D 2020 147, so that the following provisions expire: Section II.D, concerning vehicle gross weight provisions; and Section II.P, concerning applications for temporary modification of liquor licenses. This Executive Order also adds provisions to enable casinos open pursuant to county variances to implement social distancing measures that will promote public health.

II. Amendments

Section II of Executive Order D 2020 011, as amended and extended by Executive Orders D 2020 029, D 2020 052, D 2020 084, D 2020 093, D 2020 118, and D 2020 147 is amended as follows:

i. Section II.D is deleted.

ii. Section II.P is deleted.

iii. Add the following to Section II:

R. I temporarily suspend the portion of C.R.S. § 44-30-508(3) that prevents a casino operator from dividing its lawful gaming space into more than two noncontiguous spaces. I authorize the Director of the Colorado Division of Gaming to approve additional noncontiguous gaming areas, while maintaining constitutional, statutory, and regulatory requirements.

S. I temporarily suspend C.R.S. § 44-30-103(6), which limits the definition of "Blackjack" to a maximum of seven players, to allow electronic blackjack games to be played with more than seven players, as approved by the Colorado Limited Gaming Control Commission.

T. I authorize the Colorado Limited Gaming Control Commission to promulgate and issue emergency rules as necessary, if such authority does not already exist, to establish procedures to achieve the objectives set forth in Sections II.R and II.S of this Executive Order, while still maintaining the constitutional limit of 35% of total space being dedicated to limited gaming within any one gaming facility.

III. Duration

Executive Order D 2020 011, as amended and extended by Executive Orders D 2020 029, D 2020 052, D 2020 084, D 2020 093, D 2020 118, D 2020 147, and this Executive Order, shall expire thirty (30) days from August 24, 2020, unless extended further by Executive Order. In all other respects, Executive Order D 2020 011, as amended and extended by Executive Orders D 2020 029, D 2020 052, D 2020 084, D 2020 093, D 2020 118, and D 2020 147, 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-fourth day of August, 2020.

Jared Polis
Governor