JARED POLIS
GOVERNOR

136 STATE CAPITOL
DENVER, COLORADO 80203

TEL 303-866-2471
FAX 303-866-2003

# D 2021 051

## EXECUTIVE ORDER

**Extending Executive Orders D 2020 294 and D 2021 027 Temporarily Suspending Certain Deadlines to Allow the Continued Use of Federal Funds from the Coronavirus Aid, Relief, and Economic Security Act of 2020**

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 294 and D 2021 027, temporarily suspending certain deadlines to allow the continued use of federal funds from Coronavirus Aid, Relief, and Economic Security Act of 2020, Public Law 116-136 (CARES Act) 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, D 2020 152, D 2020 176, D 2020 205, D 2020 234, D 2020 258, D 2020 264, D 2020 268, D 2020 284, D 2020 290, D 2020 296, D 2021 009, D 2021 022, D 2021 028, and D 2021 045. 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.

On March 27, 2020, the federal CARES Act was enacted to provide emergency assistance in response to the COVID-19 pandemic. The CARES Act established the Coronavirus Relief Fund, which provides payments to state, local, and tribal governments navigating the impact of COVID-19. On May 18, 2020, I issued Executive Order D 2020 070, as amended and extended, to direct the expenditure of these funds. In Executive Order D 2020 070, I allocated seventy million dollars to the General Fund for eligible expenditures pursuant to the CARES Act Coronavirus Relief Fund. The CARES Act originally required these funds only cover expenses incurred from March 1, 2020 until December 30, 2020. The Consolidated Appropriations Act, 2021, which was signed into law on December 28, 2020, extends the time period during which states can incur expenses covered by the CARES Act Coronavirus Relief Fund from December

30, 2020 to December 31, 2021. A number of Colorado state statutes and enacted legislation appropriating CARES Act Coronavirus Relief Fund dollars conformed to the previous federal deadline. These deadlines were imposed by the General Assembly to comply with the original CARES Act deadline. This deadline was extended by the Consolidated Appropriations Act, 2021.

This Executive Order extends Executive Orders D 2020 294 and D 2021 027 for an additional thirty (30) days to temporarily suspend certain deadlines to allow the continued use of Coronavirus Relief Fund dollars from the CARES Act.

## II. Duration

Executive Order D 2020 294, as extended by Executive Order D 2021 027 and this Executive Order, shall expire thirty (30) days from February 26, 2021 unless extended further by Executive Order. In all other respects, Executive Order D 2020 294, as extended by Executive Order D 2021 027, 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-sixth day of February, 2021.

Jared Polis
Governor