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EXECUTIVE ORDER

Amending and Extending Executive Orders D 2020 003, D 2020 018, D 2020 032, D 2020 058, D 2020 076, and D 2020 109 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 and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701 *et seq.* (Act), 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, D 2020 058, D 2020 076, and D 2020 109 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, D 2020 076, D 2020 109 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, tribal, 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, D 2020 058, D 2020 076, and D 2020 109, to extend the state of disaster emergency and 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. Additionally, this Executive Order amends Executive Orders D 2020 003, D 2020 018, D 2020 032, D 2020 058, D 2020 076 and D 2020 109 to increase the amount of funds previously made available to CDPHE by eighty-two million six hundred seventy-five thousand three hundred sixty-four dollars ($82,675,364); increase the amount of funds previously made available to the Colorado Department of Public Safety by fifteen million nine hundred sixty-nine thousand four hundred twenty-six dollars ($15,969,426); increase the amount of funds made available to the Colorado Governor's Office of Information and Technology by nine-hundred five thousand four hundred fifty dollars ($905,450); and increase the amount of funds made available to the Colorado Department of Agriculture by one million six hundred eighty-eight thousand four hundred eight dollars ($1,688,408) for COVID-19 response activities. The funds made available for response activities in this Executive Order were transferred to the Coronavirus Relief Fund sub-account of the Disaster Emergency Fund by Executive Order D 2020 070. Executive Order D 2020 070 transferred forty-eight million dollars ($48,000,000) in FY 2019-20 and one hundred and fifty-seven million dollars ($157,000,000) at the beginning of FY 2020-21 from the CARES Act Fund to the Disaster Emergency Fund Coronavirus Relief Fund sub-account.

II. Amendment

Section II.C. of 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 is amended and restated as follows:

On April 8, 2020, the funds in the Disaster Emergency Fund were deemed insufficient pursuant to C.R.S. § 24-33.5-706(4)(b), and twenty-three million dollars ($23,000,000) was transferred from the Controlled Maintenance Trust Fund to the Disaster Emergency Fund. Pursuant to C.R.S. § 24-33.5-706(4), I order that two hundred twenty-six million thirty-eight thousand six hundred forty-eight dollars ($226,038,648) from the Disaster Emergency Fund be encumbered for response activities related to COVID-19. Of these funds, one hundred thirty-eight million thirty-eight thousand six hundred forty-eight dollars ($138,038,648) 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, one hundred twelve million two hundred seventy-five thousand three hundred sixty-four dollars ($112,275,364) shall be encumbered and made available to CDPHE for response activities related to COVID-19; twenty-three million one hundred sixty-nine thousand four hundred twenty-six dollars ($23,169,426) shall be encumbered and made available to the Department of Public Safety for response activities related to COVID-19; nine-hundred five thousand four hundred fifty dollars ($905,450) shall be encumbered and

made available to the Colorado Governor's Office of Information and Technology for response activities related to COVID-19; and one million six hundred eighty-eight thousand four hundred eight dollars ($1,688,408) shall be encumbered and made available to the Colorado Department of Agriculture for response activities related to COVID-19. These funds shall remain available for expenses incurred from March 1, 2020 to 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, D 2020 076, D 2020 109 and this Executive Order, shall expire thirty (30) days from July 6, 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, D 2020 058, D 2020 076, and D 2020 109 shall remain in full force and effect as originally promulgated.

GIVEN under my hand and the Executive Seal of the State of Colorado, this sixth day of July, 2020

Jared Polis
Governor