



D 2021 129

EXECUTIVE ORDER

Colorado COVID-19 Disaster Recovery Order Amending and Extending Executive Orders D 2021 122, D 2021 124, and D 2021 125

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, issue this coronavirus disease 2019 (COVID-19) Executive Order to amend and extend Executive Order D 2021 122, as amended and extended by Executive Orders D 2021 124 and D 2021 125, which refocuses the State's efforts on recovery.

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 for the recovery.

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 Colorado Disaster Emergency Act (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 posed by COVID-19, a respiratory illness that can spread from person to person, constitutes a disaster for purposes of the Act. The Governor has authority to take any action "in prevention of, preparation for, response to, and recovery from disasters." C.R.S. § 24-33.5-702(1)(d). For purposes of the Act, recovery is "the short, intermediate, and long-term actions taken to restore community functions, services, vital resources, facilities, programs, continuity of local government services and functions, and infrastructure to the affected area." C.R.S. § 24-33.5-703(7.3).

We have lost over 7,000 Coloradans to COVID-19. Hundreds of thousands of Coloradans have become ill, and our healthcare professionals continue to work tirelessly to ensure that COVID-19 patients are treated with the best medical care we can offer. This pandemic has required extraordinary sacrifices from each and every resident of our State. I thank all Coloradans for rising to meet this moment in world history. Every aspect of our lives has changed, but despite the enormous challenges, we undertook these actions to protect ourselves, our friends, our families, and our community.

Thanks to the efforts of all Coloradans, the moment for extraordinary executive action has passed. The State has made tremendous progress in terms of containing and treating infection and distributing the COVID-19 vaccine. Over seventy percent of Colorado's adults have now received at least one dose of the lifesaving COVID-19 vaccine, and we are beginning to see life return to a new normal. I therefore rescinded all previous Executive Orders issued due to COVID-19 and amended Executive Order D 2021 122 to focus only on those measures related to the State's recovery from the COVID-19 pandemic emergency.

This Executive Order amends and extends Executive Orders D 2021 122, D 2021 124, and D 2021 125 to further refocus our efforts on recovery, facilitate administration of the lifesaving COVID-19 vaccine, ensure that our healthcare facilities have sufficient resources to treat COVID-19 patients, improve our economic recovery, maintain access to additional federal funding, and continue the State's disaster declaration and essential directives for response and continuity of State government. Together, these directives ensure agency access to State and federal funding and enable the State to continue COVID-19 response and recovery activities. Additionally, this Executive Order reduces the Colorado Department of Public Health and Environment's (CDPHE) allocation from the Disaster Emergency Fund by \$16,104,806 and rescinds directives related to unemployment insurance.

II. Amendments

Executive Order D 2021 122, as amended and extended by Executive Orders D 2021 124 and D 2021 125, is amended as follows:

1. Section II.iv.C is amended to include the following:

I order that sixteen million one hundred four thousand eight hundred six dollars (\$16,104,806) in funds originally allocated to CDPHE be returned to the Disaster Emergency Fund.

2. Strike the following Sections:

- a. II.iii.B;
- b. II.iii.B.1;
- c. II.iii.B.2; and
- d. II.iii.B.4.

III. Duration

Executive Order D 2021 122, as amended and extended by Executive Orders D 2021 124, D 2021 125, and this Executive Order, shall expire thirty (30) days from September 4, 2021, unless extended further by Executive Order, except that the funds described in subsection II.iv.C

of Executive Order D 2021 122, as amended and extended, shall remain available for the described purposes and the described time period stated in subsection II.iv.C. In all other respects, Executive Order D 2021 122, as amended and extended, shall remain in full force and effect as originally promulgated.



GIVEN under my hand and
the Executive Seal of the
State of Colorado, this fourth
day of September 2021.

A handwritten signature in blue ink that reads "Jared Polis".

Jared Polis
Governor