



D 2022 043

EXECUTIVE ORDER

Colorado COVID-19 Disaster Recovery Order to Maximize Federal Benefits and Secure Healthcare Staffing

Amending and Extending Executive Orders D 2021 122, D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, and D 2022 040

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 amending and extending Executive Order D 2021 122, as amended and extended by D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, and D 2022 040, which refocuses the State's efforts on recovery to maximize federal benefits.

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).

This Executive Order ensures that the State maintains access to federal funding and that our healthcare facilities have access to additional resources. Together, the few remaining directives in this Executive Order ensure agency access to State and federal funding and enable the State to continue recovery activities.

This Executive Order amends and extends Executive Orders D 2021 122, D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, and D 2022 040. The amendment rescinds allocations required to be spent on or before September 30, 2022 and allows for final accounting of federal funds received due to the COVID-19 declared disaster emergency.

II. Amendment

Executive Order D 2021 122, as amended and extended by D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, and D 2022 040, is amended as follows:

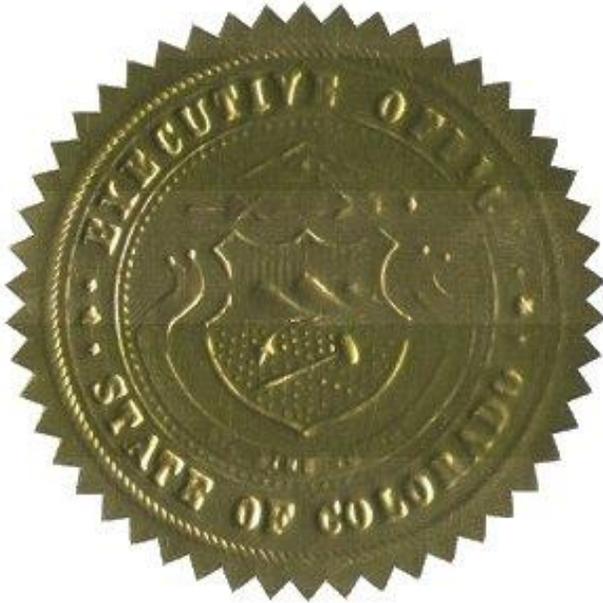
1. Subsection II.iv.C. is amended to include the following:

On November 8, 2022, all remaining Coronavirus Relief Funds (CRF) pursuant to 42 U.S.C.A. § 801(d), not subject to C.R.S. § 24-75-225, are rescinded. From the rescinded allocations, one hundred forty four thousand three hundred seventy five dollars (\$144,375) is reallocated to the Department of Personnel and Administration, and one million four hundred twenty four thousand four hundred twenty four dollars and ninety seven cents (\$1,424,424.97) is reallocated to the Department of Labor and Employment. The reallocations are limited to expenditures incurred due to the COVID-19 declared disaster emergency, were not accounted for in the State budget approved as of March 27, 2020, and were encumbered during the period that began on March 1, 2020 and ended on December 31, 2021.

I further direct the State Controller to authorize any final close-out adjustments, if necessary.

III. Duration

Executive Order D 2021 122, as amended and extended by Executive Orders D 2021 124, D 2021 125, D 2021 129, D 2021 132, D 2021 136, D 2021 139, D 2021 141, D 2022 003, D 2022 010, D 2022 013, D 2022 017, D 2022 020, D 2022 028, D 2022 035, D 2022 037, D 2022 038, D 2022 040, and this Executive Order, shall expire thirty (30) days from November 8, 2022, 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 eighth
day of November 2022.

A handwritten signature in blue ink that reads "Jared Polis". The signature is written in a cursive, flowing style.

Jared Polis
Governor