



D 2023 002

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to Extreme Cold Temperatures Throughout Colorado and Authorizing Deployment of the Colorado National Guard

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 declaring a state of disaster emergency due to extreme winter weather throughout the State of Colorado, enabling State agencies to coordinate response, recovery, and mitigation activities.

Further, pursuant to Article IV, Section 5 of the Colorado Constitution and pursuant to C.R.S. § 28-3-104, I hereby authorize deploying the Colorado National Guard in an unarmed capacity for the purpose of responding to extreme winter weather and providing support.

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 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...” C.R.S. § 24-33.5-703(3).

On December 20, 2022, the National Weather Service predicted an arctic blast that would impact Colorado, with a dangerous mix of sub-zero temperatures and strong wind and snow right before the beginning of the holiday travel season. With these dangerous conditions, children, the elderly, people with disabilities, people with special medical needs, and unhoused individuals are especially vulnerable. The Colorado National Guard is the most effective available resource to support extreme winter weather response, including assisting local communities to help keep people safe during dangerously cold temperatures.

On December 20, 2022, at approximately 11:40 AM, I verbally declared a disaster emergency for the State of Colorado, activating the State Emergency Operations Plan and directing the Office of Emergency Management (OEM) to take all necessary and appropriate State actions to assist the affected jurisdictions with their response, recovery, and mitigation efforts. This declaration also authorized the use of funds and permits of the Special Delegation of the State Controller’s Contract Signature Authority, and allowed OEM to mobilize State resources and contracts and awards using Emergency Procurement Procedures, and encumbered and expended those funds as determined by the Director of OEM or his delegate. At the same

time, I verbally authorized deployment and use of the Colorado National Guard in an unarmed capacity for extreme winter weather response and support.

II. Declarations and Directives

- A. The extreme winter weather and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* My verbal order of December 20, 2022, declaring a disaster emergency, is hereby memorialized by this Executive Order and shall have full force and effect of law as if it were contained within this Executive Order.
- B. Further, pursuant to C.R.S. § 28-3-104, my verbal order of December 20, 2022, authorizing deployment and use of the Colorado National Guard in an unarmed capacity for extreme winter weather response and support is hereby memorialized by this Executive Order and shall have the full force and effect of law as if it were contained within this Executive Order.
- C. My verbal order of December 20, 2022, activated the State Emergency Operations Plan. All State departments and agencies were authorized to take whatever actions may be required and requested by the Director or his delegate of the OEM pursuant to the Emergency Support Function 5 Annex of the State Emergency Operations Plan, including provision of appropriate staff and equipment as necessary.
- D. To ensure timely reimbursement to the Colorado National Guard, I order that one hundred twenty thousand dollars (\$120,000) be transferred from the State Emergency Reserve Cash Fund (SER) to the Disaster Emergency Fund (DEF), established in C.R.S. § 24-33.5-706(2)(a). I further order that one hundred twenty thousand dollars (\$120,000) be encumbered from the DEF to pay the Colorado National Guard for costs associated with personnel.
- E. Pursuant to C.R.S. § 24-33.5-705.4(5), the Director of the OEM is hereby authorized and directed to allocate funding to the Colorado National Guard and execute awards, purchase orders, or other mechanisms to effect the allocation of funds. The funds described in Section II(D) above shall remain available for this purpose for six (6) months from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

This Executive Order shall expire thirty (30) days from December 20, 2022, unless extended further by Executive Order, except that the funds described in Section II(D) above shall remain available for the described purposes for six (6) months from the date of this Executive Order.



GIVEN under my hand and the Executive Seal of the State of Colorado, this thirteenth day of January, 2023.

A handwritten signature in blue ink that reads "Jared Polis". The signature is fluid and cursive, written over a light-colored rectangular background.

Jared Polis
Governor