



# THE STATE OF GEORGIA

## EXECUTIVE ORDER

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BY THE GOVERNOR:

### EXECUTIVE ORDER NO. 02.08.21.01

- WHEREAS:** On July 6, 2020, due to the unlawful assemblage and violence taking place in the State of Georgia, I issued Executive Order 07.06.20.01, declaring a State of Emergency for the State of Georgia; and
- WHEREAS:** On July 13, 2020, I renewed the State of Emergency until July 27, 2020 by issuing Executive Order 07.13.20.01; and
- WHEREAS:** On July 24, 2020, I renewed the State of Emergency until August 10, 2020 by issuing Executive Order 07.24.20.01; and
- WHEREAS:** On August 10, 2020, I renewed the State of Emergency until August 24, 2020 by issuing Executive Order 08.10.20.01; and
- WHEREAS:** On August 24, 2020, I renewed the State of Emergency until September 21, 2020 by issuing Executive Order 08.24.20.01; and
- WHEREAS:** On September 21, 2020, I renewed the State of Emergency until October 19, 2020 by issuing Executive Order 09.21.20.01; and
- WHEREAS:** On October 19, 2020, I renewed the State of Emergency until November 16, 2020 by issuing Executive Order 10.19.20.01; and
- WHEREAS:** On November 13, 2020, I renewed the State of Emergency until December 14, 2020 by issuing Executive Order 11.13.20.02; and
- WHEREAS:** On December 14, 2020, I renewed the State of Emergency until January 11, 2021 by issuing Executive Order 12.14.20.01; and
- WHEREAS:** On January 11, 2021, I renewed the State of Emergency until February 8, 2021 by issuing Executive Order 01.11.21.01; and

- WHEREAS:** Executive Order 07.06.20.01 authorized one thousand (1,000) Georgia National Guard troops to be called up for State Active Duty; and
- WHEREAS:** Continued assistance from the Georgia National Guard is necessary to protect public peace and provide for the security of Georgia's residents, visitors, and property; and
- WHEREAS:** Code Section 38-2-6 grants the Governor the authority to empower the Georgia National Guard to subdue riot and unlawful assembly as well as arrest and apprehend persons when called to active duty to respond to emergencies; and
- WHEREAS:** Code Section 38-2-307 vests the Governor with the authority to empower the Georgia National Guard to arrest and apprehend persons when called to active duty to respond to emergencies; and
- WHEREAS:** Code Section 45-12-30 vests the Governor with the authority to order and direct any person, corporation, association, or group of persons to do any act or to refrain from any act which would, in his opinion, prevent danger to life, limb, or property or prevent a breach of the peace; and
- WHEREAS:** Code Section 45-12-31 vests the Governor with the authority to call out the Georgia National Guard and order and direct said forces to take such action as in his judgment may be necessary to avert the threatened danger and to maintain peace and good order in the particular circumstances; order any sheriff or sheriffs of this state to exercise fully the powers granted them and to do all things necessary to maintain peace and good order; order and direct the Department of Public Safety and each and every officer thereof to do and perform such acts and services as he may direct and as in his judgment may be necessary to maintain peace and good order in the circumstances; and authorize, order, or direct any state, county, or city official to enforce such proclamation by injunction, mandamus, or other appropriate legal action in any and all courts of the state; and
- WHEREAS:** On March 14, 2020, due to the impact of COVID-19 on the State of Georgia, I issued Executive Order No. 03.14.20.01, declaring a Public Health State of Emergency in Georgia; and
- WHEREAS:** The Georgia General Assembly concurred with Executive Order 03.14.20.01 by joint resolution on March 16, 2020; and
- WHEREAS:** On April 8, 2020, I renewed the Public Health State of Emergency until May 13, 2020 by issuing Executive Order 04.08.20.02; and

- WHEREAS:** On April 30, 2020, I renewed the Public Health State of Emergency until June 12, 2020 by issuing Executive Order 04.30.20.01; and
- WHEREAS:** On May 28, 2020, I renewed the Public Health State of Emergency until July 12, 2020 by issuing Executive Order 05.28.20.01; and
- WHEREAS:** On June 29, 2020, I renewed the Public Health State of Emergency until August 11, 2020 by issuing Executive Order 06.29.20.01; and
- WHEREAS:** On July 31, 2020, I renewed the Public Health State of Emergency until September 10, 2020 by issuing Executive Order 07.31.20.01; and
- WHEREAS:** On August 31, 2020, I renewed the Public Health State of Emergency until October 10, 2020 by issuing Executive Order 08.31.20.01; and
- WHEREAS:** On September 30, 2020, I renewed the Public Health State of Emergency until November 9, 2020 by issuing Executive Order 09.30.20.01; and
- WHEREAS:** On October 30, 2020, I renewed the Public Health State of Emergency until December 9, 2020 by issuing Executive Order 10.30.20.01; and
- WHEREAS:** On November 30, 2020, I renewed the Public Health State of Emergency until January 8, 2021 by issuing Executive Order 11.30.20.01; and
- WHEREAS:** On December 30, 2020, I renewed the Public Health State of Emergency until February 7, 2021 by issuing Executive Order 12.30.20.01; and
- WHEREAS:** On January 29, 2021, I renewed the Public Health State of Emergency until March 7, 2021 by issuing Executive Order 01.29.21.01; and
- WHEREAS:** This Order shall renew the coexisting state of emergency declared by Executive Order 07.06.20.01 and the Public Health State of Emergency described in the immediately preceding paragraphs; and
- WHEREAS:** The responses by the State to this State of Emergency and the Public Health State of Emergency should continue to both proceed simultaneously, without one impeding the other; and
- WHEREAS:** In consultation with public safety officials, community leaders, and emergency preparedness officials, I have determined that the following actions are necessary and appropriate to protect public

peace and provide for the safety and welfare of Georgia's citizens, visitors, and property.

**NOW, THEREFORE, PURSUANT TO THE AFOREMENTIONED GEORGIA LAW, CODE SECTION 38-3-51, CODE SECTION 45-12-29, AND THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY**

**ORDERED:** That the State of Emergency declared by Executive Order 07.06.20.01, and renewed by Executive Orders 07.13.20.01, 07.24.20.01, 08.10.20.01, 08.24.20.01, 09.21.20.01, 10.19.20.01, 11.13.20.02, 12.14.20.01, and 01.11.21.01, which is set to expire on February 8, 2021 at 11:59 P.M., shall be renewed for twenty-eight (28) days.

**IT IS FURTHER**

**ORDERED:** That the State of Emergency shall terminate on Monday, March 8, 2021, at 11:59 P.M., unless it is renewed by the Governor.

**IT IS FURTHER**

**ORDERED:** That the terms of Executive Orders 07.06.20.01, 07.13.20.01, 07.24.20.01, 08.10.20.01, 08.24.20.01, 09.21.20.01, 10.19.20.01, 11.13.20.02, 12.14.20.01, and 01.11.21.01 are hereby adopted by reference.

**IT IS FURTHER**

**ORDERED:** That pursuant to Code Section 38-2-307, the Georgia Department of Defense troops called to respond to this State of Emergency shall have the same powers of arrest and apprehension as do law enforcement officers to be exercised with caution and only if the circumstances demand the exercise of such powers to protect the safety of persons or property.

**IT IS FURTHER**

**ORDERED:** That all resources of the State of Georgia be made available to assist in the ongoing response to this State of Emergency.

**IT IS FURTHER**

**ORDERED:** That if one or more provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of

this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

**IT IS FURTHER**

**ORDERED:** That this Order shall be effective upon signature.

This 8<sup>th</sup> day of February, 2021, at 3:51 P.M.

  
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GOVERNOR