



# THE STATE OF GEORGIA

## EXECUTIVE ORDER

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BY THE GOVERNOR:

### STATE OF EMERGENCY DECLARATION

- WHEREAS:** On the evening of January 21, 2023, protests turned violent in downtown Atlanta as masked activists threw rocks, launched fireworks, and burned a police vehicle in front of the Atlanta Police Foundation office building; and
- WHEREAS:** Georgians respect peaceful protests, but do not tolerate acts of violence against persons or property; and
- WHEREAS:** The Governor is vested with the emergency powers cited herein as the Chief Executive of this State; and
- WHEREAS:** As Chief Executive, the Governor is tasked with protecting the citizens of this State, including during a state of emergency; and
- WHEREAS:** Code Section 38-3-51 vests the Governor with the authority to bring emergency situations under control by issuing orders, rules, and regulations to protect the safety and welfare of the public; and
- WHEREAS:** Code Section 38-3-28 provides that "[a]ll orders, rules, and regulations promulgated by the Governor" have the force and effect of law; and
- WHEREAS:** Code Section 38-2-6 grants the Governor the authority to empower the Georgia National Guard to subdue riot and unlawful assembly; and
- WHEREAS:** Code Section 38-2-307 vests the Governor with the authority to grant the Georgia National Guard authority 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 April 14, 2022, due to the ongoing severe disruptions to Georgia's supply chain, I issued Executive Order 04.14.22.01, declaring a State of Emergency for Supply Chain Disruptions; and
- WHEREAS:** On May 10, 2022, I renewed the State of Emergency for Supply Chain Disruptions until June 14, 2022, by issuing Executive Order 05.10.22.01; and
- WHEREAS:** On May 26, 2022, I renewed the State of Emergency for Supply Chain Disruptions until July 14, 2022, by issuing Executive Order 05.26.22.01; and
- WHEREAS:** On July 1, 2022, I renewed the State of Emergency for Supply Chain Disruptions until August 13, 2022, by issuing Executive Order 07.01.22.01; and
- WHEREAS:** On August 3, 2022, I renewed the State of Emergency for Supply Chain Disruptions until September 12, 2022, by issuing Executive Order 08.03.22.01; and
- WHEREAS:** On September 1, 2022, I renewed the State of Emergency for Supply Chain Disruptions until October 12, 2022, by issuing Executive Order 09.01.22.01; and
- WHEREAS:** On October 3, 2022, I renewed the State of Emergency for Supply Chain Disruptions until November 11, 2022, by issuing Executive Order 10.03.22.01; and

**WHEREAS:** On November 4, 2022, I renewed the State of Emergency for Supply Chain Disruptions until December 11, 2022, by issuing Executive Order 11.04.22.01; and

**WHEREAS:** On December 8, 2022, I renewed the State of Emergency for Supply Chain Disruptions until January 10, 2023, by issuing Executive Order 12.08.22.01; and

**WHEREAS:** On January 6, 2023, I renewed the State of Emergency for Supply Chain Disruptions until February 9, 2023, by issuing Executive Order 01.06.23.01; and

**WHEREAS:** On January 12, 2023, I issued the State of Emergency for Tornadoes and Severe Storms until January 19, 2023, by issuing Executive Order 01.12.23.02; and

**WHEREAS:** On January 18, 2023, I renewed the State of Emergency for Tornadoes and Severe Storms until January 26, 2023, by issuing Executive Order 01.18.23.01; and

**WHEREAS:** This Order shall create a coexisting state of emergency in the State of Georgia with the State of Emergency for Supply Chain Disruptions and the State of Emergency for Tornadoes and Severe Storms described in the immediately preceding paragraphs; and

**WHEREAS:** The responses by the State to this State of Emergency Declaration, the State of Emergency for Tornadoes and Severe Storms, and the State of Emergency for Supply Chain Disruptions should proceed simultaneously, without one impeding any other; and

**WHEREAS:** In consultation with public safety officials 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 THE GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY**

**ORDERED:** That because of unlawful assemblage, violence, overt threats of violence, disruption of the peace and tranquility of this state and danger existing to persons and property, a State of Emergency is declared in the State of Georgia.

**IT IS FURTHER**

**ORDERED:** That such State of Emergency shall expire on Thursday, February 9, at 11:59 P.M. unless renewed by the Governor.

**IT IS FURTHER**

**ORDERED:** That the Georgia Department of Defense provide up to one thousand (1,000) Georgia National Guard troops to be used in response to this State of Emergency.

**IT IS FURTHER**

**ORDERED:** That these Georgia National Guard troops be called up to State Active Duty as necessary by the Adjutant General.

**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 the State of Emergency.

**IT IS FURTHER**

**ORDERED:** That if one or more of the 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**

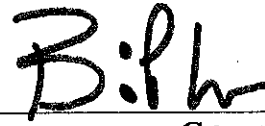
**ORDERED:** The Office of the Governor may continue to issue guidance on the scope of this Order as needed through communication media, including social media, without need for further Executive Orders.

**IT IS FURTHER**

**ORDERED:**

That all provisions of this Order shall become effective upon signature.

This 26<sup>th</sup> day of January 2023.

A handwritten signature in black ink, appearing to read "Bill", written over a horizontal line.

GOVERNOR