



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

RENEWING THE STATE OF EMERGENCY FOR TROPICAL STORM HELENE

- WHEREAS:** On September 24, 2024, due to the potential negative impacts of Tropical Storm Helene on the State of Georgia, I issued Executive Order 09.24.24.01, declaring a State of Emergency for Tropical Storm Helene; and
- WHEREAS:** On October 1, 2024, I renewed the State of Emergency for Tropical Storm Helene through October 9, 2024, by issuing Executive Order 10.01.24.01; and
- WHEREAS:** On October 1, 2024, I suspended the collection of motor fuel and diesel fuel taxes during the State of Emergency for Tropical Storm Helene pursuant to Code Section 45-12-22 by issuing Executive Order 10.01.24.02; and
- WHEREAS:** The Governor is vested with the emergency powers cited herein as the Chief Executive of this State; 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:** 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(c)(1) vests the Governor with the power to enforce all laws, rules, and regulations relating to emergency management and to assume direct operational control of all civil forces and helpers in the state; and
- WHEREAS:** Code Section 38-3-51(c)(4) vests the Governor with the power to perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS: Code Section 38-3-51(d)(1) vests the Governor with the power to suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and

WHEREAS: Code Section 38-3-51 vests the Governor with the power to renew any state of emergency for a period not to exceed thirty (30) days; and

Whereas: Code Section 45-12-22 vests the Governor with the power to suspend the collection of taxes, or any part thereof, due the state until the next meeting of the General Assembly but no longer; and

WHEREAS: In the event the Governor has declared a state of emergency, Code Section 45-12-22 vests him with the power to suspend the collection of state motor fuel taxes, subject to ratification by the General Assembly at its next meeting; and

WHEREAS: In consultation with state emergency preparedness, economic, and transportation officials, I have determined that the following actions are necessary and appropriate to ensure continuation of the State's storm response and recovery efforts, protect the continued strength of Georgia's economy, and provide for the health, safety, and welfare of Georgia's residents and visitors.

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

ORDERED: That the State of Emergency for Tropical Storm Helene declared by Executive Order 09.24.24.01, and renewed by Executive Order 10.01.24.01, which is set to expire on Wednesday, October 9, 2024, at 11:59 P.M., shall be renewed for seven (7) days, for the following counties only:

Appling, Atkinson, Bacon, Baldwin, Ben Hill, Berrien, Bleckley, Brantley, Brooks, Bryan, Bulloch, Burke, Butts, Camden, Candler, Charlton, Chatham, Clinch, Coffee, Colquitt, Columbia, Cook, Echols, Effingham, Elbert, Emanuel, Evans, Glascock, Glynn, Hancock, Irwin, Jeff Davis, Jefferson, Jenkins, Johnson, Lanier, Laurens, Liberty, Lincoln, Long, Lowndes, Madison, McDuffie, McIntosh, Montgomery, Newton, Pierce, Putnam, Rabun, Richmond, Screven, Taliaferro, Tattnall, Telfair, Tift, Toombs, Treutlen, Turner, Ware, Warren, Washington, Wayne, Wheeler, Wilkes, Wilkinson, and Worth.

IT IS FURTHER

ORDERED: That the State of Emergency for Tropical Storm Helene shall terminate on Wednesday, October 16, 2024, at 11:59 P.M., unless otherwise renewed or terminated via subsequent Executive Order.

IT IS FURTHER

ORDERED: That the terms of Executive Order 09.24.24.01, as renewed by Executive Order 10.01.24.01, are hereby adopted by reference.

IT IS FURTHER

ORDERED: That the provisions of Executive Order 10.01.24.02, suspending the collection of motor fuel and diesel fuel taxes during the State of Emergency for Tropical Storm Helene, shall remain effective for the entire State of Georgia until the State of Emergency for Tropical Storm Helene declared by Executive Order 09.24.24.01, and renewed by Executive Order 10.01.24.01, is terminated or ceases to be renewed by the Governor or the provisions are otherwise terminated via subsequent Executive Order.

IT IS FURTHER

ORDERED: That the collection of tax required by Code Section 48-8-30 upon the retail purchase, retail sale, rental, storage, use, or consumption of fuel to a contract or common carrier regulated by the United States Surface Transportation Board for use exclusively in the operation of locomotives by such carrier is hereby suspended for the entire State of Georgia, to be effective upon the effective date of this Order and until the State of Emergency for Tropical Storm Helene declared by Executive Order 09.24.24.01, and renewed by Executive Order 10.01.24.01, is terminated or ceases to be renewed by the Governor or the provisions are otherwise terminated via subsequent Executive Order.

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 8th day of October 2024.

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

GOVERNOR