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EXECUTIVE ORDER

CHARITABLE CHOICE

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order implementing the “Charitable Choice” provision in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193.

1. Background & Purpose.

The State of Colorado enjoys a rich diversity of private and faith-based charities that deliver effective and focused aid to people in need. These groups achieve impressive results by promoting personal responsibility, transforming lives, and instilling moral and spiritual resources that are beyond government’s know-how. Coloradans recognize that government need not be the first or the only provider of assistance to those in need.

On August 22, 1996, the President signed the Personal Responsibility and Work Opportunity Reconciliation Act (“P.L.104-193” or the “Act”), which transfers welfare program authority to the states and gives Colorado an opportunity to fashion a welfare system that best serves all needy Coloradans. Section 104 of the Act contains a “charitable choice” provision that provides States with the authority to contract directly with private and faith-based providers of services to the needy to administer and deliver services under certain federal welfare programs. By adopting Section 104, Congress placed private and faith-based providers on the same footing as other nongovernmental provider organizations. This section of the Act also expressly protects the religious character of participating providers and the religious freedom of the program assistance recipients.

2. Charitable Choice Implementation.

I direct the Colorado Department of Human Services, the Colorado Department of Corrections, the Colorado Department of Local Affairs, the Colorado Department of Health Care Policy and Finance, the Colorado Department of Public Safety and the Colorado Department of Public Health and Environment to:

- A. Take all necessary steps to implement the “charitable choice” provisions of P.L. 104-193; and

- B. Protect the religious integrity and the functional autonomy of participating faith-based providers and the religious freedom of their beneficiaries consistent with the provisions of P.L.104-193; and
- C. Determine if any Colorado state laws, regulations, or procedures impede the effectiveness of such organizations; and
- D. Provide a written report, limited to five pages, with specific recommendations identifying how Colorado law should best accommodate the programs and activities of the affected community organizations.

3. Duration.

This Executive Order shall remain in force until further modification or rescission by the Governor.

GIVEN under my hand and the
Executive Seal of the State of
Colorado, this 19th day of
October, 2000.

Bill Owens
Governor