



# State of North Carolina

**ROY COOPER**  
GOVERNOR

**December 21, 2023**

**EXECUTIVE ORDER NO. 298**

## **CONTINUITY OF OPERATIONS PLANNING**

**WHEREAS**, natural, man-made, public health, technological and cybersecurity incidents, emergencies and disasters can hinder the ability of State agencies to deliver essential services to the people of North Carolina; and

**WHEREAS**, protecting against emergencies and disasters of all kinds demands planning effort in government as well as in the private sector; and

**WHEREAS**, the purpose of Continuity of Operations and Continuity of Government Planning is to ensure survival of a constitutional form of government and the continuity of essential State functions under all circumstances; and

**WHEREAS**, effective State agency planning is vital to the implementation and operation of coordinated and well-managed Continuity of Operations and Continuity of Government Plans; and

**WHEREAS**, it is imperative that all State agencies have in place a viable Continuity of Operations Plan which is executable and ensures the performance of their essential functions during any emergency or situation that may disrupt normal operations; and

**WHEREAS**, the Governor is the state's chief executive and is responsible for the supervision of State agencies; see N.C. Const. art III, §§ 1, 5(4), (10); N.C. Gen. Stat. §§ 143B-1, *et seq.*, and 147-12.

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor by the Constitution and laws of North Carolina, **IT IS ORDERED:**

### **Section 1.**

Each North Carolina Executive Branch agency shall prepare a Continuity of Operations Plan to ensure the State's ability to deliver essential services under any circumstances. Existing business continuity plans and disaster recovery plans for information technology pursuant to N.C. Gen. Stat. § 143B-1331 should be incorporated into the overall agency plan.

The Continuity of Operations plans for essential services and operations shall include at minimum the following:

1. Essential Functions
2. Alternate Locations and Telework

3. Devolution
4. Human Resources
5. Orders of Succession
6. Delegations of Authority
7. Essential Records
8. Communications
9. Critical Systems
10. Reconstitution
11. Testing, Training and Exercising
12. Multi-Year Strategic Planning

**Section 2.**

Each North Carolina Executive Branch agency shall include in its Continuity of Operations Plan provisions to address the emergencies and disasters most likely to occur and the resultant impacts on the agency's ability to perform its mission. Plans shall be developed using applicable state and federal agency guidance.

**Section 3.**

Each Executive Branch agency shall conduct an annual review of its Continuity of Operations Plans. Continuity of Operations Plans are to be updated as necessary. Compliance with this requirement should be documented by attestation submitted by November 1<sup>st</sup> each year from Executive Branch agency heads to the Director of Emergency Management. North Carolina Emergency Management ("NCEM") is directed to provide advice and assistance to all State agencies developing Continuity of Operations Plans and to maintain the Continuity of Operations Plan for the function of the State Emergency Response Team.

**Section 4.**

The North Carolina Department of Public Safety ("DPS"), NCEM is designated as the lead agency for the North Carolina statewide Continuity of Government Plan, and shall coordinate with other State agencies as necessary. DPS and NCEM shall ensure it is reviewed at least annually and updated as necessary.

**Section 5.**

Agencies and organizations outside the Executive Branch not directly subject to this Executive Order are invited and encouraged to comply with this Executive Order and to participate fully in the North Carolina Continuity of Operations planning effort.

**Section 6.**

This Executive Order supersedes and replaces Exec. Order No. 78, 30 N.C. Reg. 715-719 (October 1, 2015). It shall remain in effect until rescinded.

**IN WITNESS WHEREOF**, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this the 21<sup>st</sup> day of December in the year of our Lord two thousand and twenty-three.



Roy Cooper  
Governor

**ATTEST:**



Elaine F. Marshall  
Secretary of State

