



Executive Orders Issued Monday, March 23, 2020

Summary

Today, March 23, 2020, the Governor issued two additional Executive Orders regarding COVID-19. Order 20-08 requires the public to “shelter in place.” Order 20-09, issues revised parameters for governing bodies to hold public meetings and address public records requests.

Shelter in Place

Under Order 20-08, all individuals living in Indiana are required to stay home unless leaving home meets a listed exception. All non-essential business operations must cease. Gatherings of ten or more people are prohibited. Travel is limited to only essential activities. If you must leave home for essential activities, essential governmental functions or essential business operations, you are to maintain a distance of at least six feet from any other person with the exception for family or household members.

Essential Activities include matters of health and safety, to obtain necessary supplies and services, to engage in outdoor activity such as walking, hiking, running or biking, to take care of others, or to seek medical care. Individuals may leave their homes to work for or seek services from human services providers such as long-term care facilities, day care centers, day care homes, and places that care for individuals with physical, intellectual or developmental disabilities or the needy. Individuals may leave home in order to provide services or perform work for essential infrastructure, such as food production/distribution, construction, building management, airport operation, maintenance of utilities and telecommunications. Any governmental worker who supports essential business operations is also exempted such as law enforcement, emergency personnel, legislators, court personnel, and child protection personnel. **Each governmental body shall determine its essential governmental functions and the identify employees and/or contractors necessary to the performance of those functions.** Essential business that may continue include stores that sell groceries and medicine, laundry services, restaurants for consumption off-premises (alcohol may now be carried out), suppliers of items needed to work from home, manufacturers and suppliers of essential products, transportation providers, home based care providers, residential facility employees, and those providing professional services (legal, accounting, insurance and real estate), hotel workers, and funeral service providers.

State and local law enforcement is required to enforce the orders, however, the Alcohol Tobacco Commission will also enforce the in-person dining prohibition.

Revisions to the Open Door Law and Access to Records Act

Order 20-09 now allows public meetings to be held without a physical location for the meeting. Meetings can be held electronically via teleconference or videoconference by all members of the governing body for purposes of establishing a quorum and taking final action, so long as members of the public and the media can access the electronic meeting. Notice of the meeting can be provided by electronic means. The electronic meeting revisions apply to public meetings, but not to public hearings. State statute must still be followed for public hearings.

Until April 7, public records requests may only be submitted electronically or by mail. Public agencies will have a reasonable time after this two-week period to acknowledge receipt of the public records request.

Other

Order 20-09 also suspends the depository rule for public funds. Local units may now reduce deposits to no less than twice weekly. Due to the closure of the Indiana Law Enforcement Academy, officers who have completed the pre-basic course may exercise powers before the completion of basic training.