# STATE OF INDIANA

## EXECUTIVE DEPARTMENT
## INDIANAPOLIS

**EXECUTIVE ORDER** 20-07

**FOR:** **RESCHEDULING THE PRIMARY ELECTION DUE TO PUBLIC HEALTH EMERGENCY**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

**WHEREAS,** on March 6, 2020, I issued Executive Order 20-02, which declared that a public health emergency exists in our State as result of the coronavirus disease 2019 ("COVID-19"), and, since that time, the virus has spread to more than twenty (20) counties in Indiana and caused several deaths, with these numbers expected to increase in the days ahead;

**WHEREAS,** on March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic, and, several days later, on March 13, 2020, the President of the United States declared a national emergency with respect to this virus;

**WHEREAS,** despite significant steps being taken in our State, this virus remains a serious threat to the health, safety, and welfare of all residents of Indiana, and further efforts are needed to address, control, and reduce the evolving threat posed by COVID-19;

**WHEREAS,** pursuant to Ind. Code § 3-10-1-3, Indiana's next primary election is currently scheduled to occur in approximately six (6) weeks (on May 5, 2020);

**WHEREAS,** Indiana Secretary of State Connie Lawson (the "Secretary"), with the agreement of the leaders of both major political parties in our State, has made known to me the extreme difficulty of completing the necessary preparations and successfully conducting the election while complying with the necessary actions to cope with this emergency, such that strict compliance with the statutorily regulated date for the upcoming primary election will prevent, hinder, or delay the actions necessary to cope with this ongoing public health emergency;

**WHEREAS,** the Secretary and leaders of both major political parties are in agreement that the primary election should be postponed to June 2, 2020, and the Secretary has recommended that I declare this change by executive order;

**WHEREAS,** as set forth and provided in Indiana's Emergency Management and Disaster Law, Ind. Code ch. 10-14-3, it was declared to be the purpose of this law, and the policy of our State, to clarify and strengthen the role of the governor in responding to disasters and public health emergencies, and to confer upon the governor those emergency powers and legal authority as provided therein, all of which is in addition to, and not a limitation upon, the authority or powers of the governor under the constitution, statutes, or common law of the State of Indiana;

**WHEREAS,** on March 19, 2020, I announced that I would be extending the public health emergency beyond the upcoming expiration date of April 5, 2020; and

**WHEREAS,** in light of the above, it is necessary and proper to take action(s) to protect the health and well-being of all Hoosiers in connection with the continuing and evolving threat posed to public health by COVID-19;

**NOW, THEREFORE,** I, Eric J. Holcomb, by virtue of the authority vested in me as Governor by the Indiana Constitution and the laws of the State of Indiana, do hereby:

1. Suspend the provisions of Ind. Code § 3-10-1-3, which requires "[a] primary election shall be held on the first Tuesday after the first Monday in May of each year in which a general election is held";

2. Order that the primary election be postponed until June 2, 2020; and

3. Request that the Secretary of State and the Indiana Election Commission take any and all necessary actions in connection with this Order.

This Executive Order is a supplement to, and deemed to be part of, Executive Order 20-02, and, therefore, shall expire at the same time as Executive Order 20-02, unless extended.

IT IS SO ORDERED.

Connie Lawson

ATTEST: Connie Lawson
Secretary of State

**IN TESTIMONY WHEREOF,** I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 20th day of March, 2020.

Eric J. Holcomb
Governor of Indiana