STATE OF INDIANA

EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 20-31

FOR: **ADDITIONAL EXTENSIONS OF TIME IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, on March 6, 2020, I issued Executive Order 20-02 which declared a public health emergency exists throughout the State of Indiana as result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and a confirmed report of the disease in our state;

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

WHEREAS, the virus has now spread to every county throughout Indiana. On March 6th, the ISDH confirmed the first case of COVID-19 and on March 16th, the ISDH reported the first death in Indiana due to COVID-19. Within the span of 12 weeks, Indiana now has over 35,700 confirmed cases with over 2,000 deaths. On April 3, 2020, on May 1, 2020, and again on this date, June 3, 2020, I extended the declaration of a public health emergency for an additional thirty (30) days each time;

WHEREAS, the financial impact on Hoosiers has been significant and severe with over 600,000 Hoosiers applying for unemployment benefits in the first 2 months of the public health emergency;

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;

WHEREAS, as Governor, under Indiana's Emergency Management and Disaster Law, Ind. Code ch. 10-14-3 ("Emergency Disaster Law"), I have been given broad authority to take actions necessary to prepare for and respond to the prompt and efficient rescue, care and treatment of persons victimized or threatened by disasters, which include an epidemic, public health emergency and any other public calamity requiring emergency action; and

WHEREAS, as Governor, my authority and powers under the Emergency Disaster Law to declare and respond to public health emergencies on behalf of our State, specifically include:

- making, amending and rescinding the necessary orders, rules and regulations to carry out the response to a disaster; and
- suspending the provisions of any regulatory statute prescribing the procedures for conduct of state business, including the orders, rules or regulations of any state agency if strict compliance with any of these provisions would in any way prevent, hinder or delay necessary action in coping with the emergency.

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 order:

1. **Continuation of Collaborative Care Services for Older Youth in Foster Care**

   The relevant provision of Ind. Code § 31-28-5.8-5(a) pertaining to the continuation of collaborative care services after reaching the age of eighteen (18) is suspended to

allow the Department of Child Services to continue providing collaborative care services to individuals who are presently participating in these services and who have exceeded the age of twenty-one (21) years and consent to continued services, for the duration of this public health emergency.

2. **Renewals of Professional Licenses, Certificates & Permits**

The expiration of any state agency-issued license, certification or permit which has expired during, or is set to expire during, this public health emergency shall be further extended automatically to June 30, 2020, from the prior extension of June 4, 2020, as provided in Executive Order 20-27. This suspension and extension of expiration dates applies to, among other things, occupational, professional and firearms licenses held by Hoosiers.

This extension does not suspend or change any other renewal requirement for any license, certification or permit.

3. **Extension of Certain Tax Deadlines**

As the filing deadline for annual state income tax returns or amended returns has been extended to July 15, 2020, pursuant to Executive Order 20-05, the deadline for the calculation of local income tax revenue available for distribution to local governments should also be extended or adjusted accordingly. Therefore, the following deadlines are extended:

a. The relevant provision of Ind. Code § 6-3.6-9-5(a) is suspended to the extent necessary to extend the deadline of August 2, 2020, to September 15, 2020, for the State Budget Agency to provide estimates of the amount of local income tax revenue to be distributed to Indiana counties.

b. The relevant provision of Ind. Code § 6-3.6-9-5(b) is suspended to the extent necessary to extend the deadline of October 1, 2020, to October 15, 2020, for the State Budget Agency to provide certifications of the amounts of local income tax revenue to be distributed to Indiana counties.

c. The relevant provision of Ind. Code § 6-3.6-9-4 is suspended to the extent necessary to authorize the State Budget Agency to include all tax revenue reported on an annual return or amended return processed by the Department of Revenue during the period beginning July 1, 2019, and ending August 31, 2020, when determining the amount of local income tax revenue that is to be distributed to a county in calendar year 2021.

d. The relevant provision of Ind. Code § 6-3.6-9-4 is suspended to the extent necessary to authorize the State Budget Agency to include all tax revenue reported on an annual return or amended return processed by the Department of Revenue during the period beginning September 1, 2020, and ending June 30, 2021, when determining the amount of local income tax revenue that is to be distributed to a county in calendar year 2022.

4. **Deadlines Pertaining to Permits Issued by the Alcohol Tobacco Commission**

a. *Gross Food Sales:*

The relevant provisions of the following statutes are suspended to the extent necessary to lower the statutorily-required annual food sales amounts for alcoholic beverage permittees whose businesses were required to close and/or reduce in-person dining to an amount proportional to the length of the public health emergency, as follows:

i) For permittees required to provide gross food sales pursuant to Ind. Code § 7.1-3-20-14, gross food sales must be $66,600;

ii) For permittees required to provide gross food sales pursuant to Ind. Code § 7.1-3-20-17, gross food sales must be $66,600;

iii) For permittees required to provide gross food sales pursuant to Ind. Code § 7.1-3-21-6(a)(10)(B)(i), gross food sales must be $66,600;

iv) For permittees required to provide gross food sales pursuant to Ind. Code § 7.1-3-21-6(a)(10)(B)(ii), those permittees whose permits were issued in the two months immediately preceding or during the public health emergency should begin their gross food sales projections in August 2020;

v) For permittees required to provide gross food sales pursuant to Ind. Code § 7.1-3-20-12(3), for the year 2020, gross food sales must be at least $66,600;

vi) For permittees required to provide gross food sales pursuant to Ind. Code § 7.1-3-20-12(4), average monthly sales during the public health crisis may be $4,250; and

vii) For permittees required to provide gross food sales pursuant to Ind. Code § 7.1-3-20-13, permittees whose permits were issued in the two months immediately preceding or during the public health emergency should begin their gross food sales projections in August 2020.

b. *Reversion of Permits:*

The relevant provision of Ind. Code § 7.1-3-1-3.5(c) is suspended to the extent necessary to extend the time to October 1, 2020, from July 1, 2020, in which an alcoholic beverage permittee who deposited a permit with the commission before July 1, 2016 must activate the permit and prevent the permit from reverting to the commission.

5. Extension of Time for Completion of Energy Study by the Indiana Utility Regulatory Commission

The relevant provisions of Ind. Code § 8-1-8.5-3.1 are suspended with respect to the July 1, 2020, deadline for the Indiana Utility Regulatory Commission (IURC) to submit a study of fuel source transitions and emerging technologies to the Governor, the legislative council and the 21st century energy policy development task force. The IURC shall submit the study on or before August 14, 2020.

IT IS SO ORDERED.

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 3rd day of June, 2020.

Eric J. Holcomb
Governor of Indiana

ATTEST: Connie Lawson
Secretary of State