INDIANA COVID-19 Directive for Hoosiers to Stay at Home – Issued 03/23/20

**GENERAL TOPIC** | **SUMMARY** | **SECTION #**
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Effective Period | 3/24/20 11:59 pm through 4/6/20 at 11:59 pm | §2

**Intent** | The intent of the order is to ensure max number of people self-isolate in residences, while enabling essential services to continue, to slow the spread of the virus. When leaving residence, should at all times feasibly possible do Social Distancing. | §18

**Failure to Comply** | Failure to comply can result in various administrative and regulatory penalties (including those contained in Executive Order 20-10). | §19

**Shelter in Place** | All individuals currently living in Indiana ordered to shelter in place in their residences. When using “shared or outdoor spaces” must at all times reasonably possible maintain social distancing of at least 6’. May only leave residences for Essential Activities, Essential Gov’t Functions, or to operate Essential Businesses and Operations (defined in §14). But…people who are sick or at high risk are urged to stay in their home as much as possible except to seek medical care (§8). | §3, §14

**Businesses in Indiana** | All businesses and operations in Indiana, except Essential Businesses and Operations, are required to cease all activities within the State, other than Minimum Basic Operations (see definitions). It is permitted to operate if all employees are working from home. Essential Businesses and Operations are urged to stay open. Must use Social Distancing to extent feasible, including for customers standing in line. | §4

**Public and Private Gatherings** | All public and private gatherings outside a single living unit are prohibited, except for the limited purposes permitted in §75. Permitted for members of a household or living unit to gather. Any gatherings of more than ten people are prohibited, unless otherwise exempted by the Order. | §5

**Travel** | All travel (including foot, bike, car, public transit, etc) prohibited, except for Essential Travel and Essential Activities. Use Social Distancing on public transit to greatest extent feasible. May travel into or outside of Indiana to maintain Essential Businesses and Operations and Minimum Basic Operations (see definitions). | §6

**Can I walk my dog or go for a walk?** | Yes, it is permitted to engage in outdoor activity, using Social Distancing | §7c

**Can I travel to work?** | Yes, if travel is related to the provision of or access to Essential Activities, Essential Government Functions, Essential Business and Operations, or Minimum Basic Operations | §16

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<tr>
<td>Can my kids go to the park or ride bikes?</td>
<td>It is permitted to engage in outdoor activity, using Social Distancing. It’s also okay to go to public parks and outdoor recreation areas. However, playgrounds will be closed.</td>
<td>§7c</td>
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<td>Can we have playdates?</td>
<td>No, no gatherings, although it is permitted to engage in outdoor activity, using Social Distancing.</td>
<td>§3, §7</td>
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<td>Can I visit my elderly parents?</td>
<td>You can care for a family member in another household, and travel to do that.</td>
<td>§7e</td>
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<td>Exemptions</td>
<td>Certain persons are exempt from the Order: police dept personnel, fire dept personnel, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others working for or to support Essential Businesses and Operations. Nothing in this Order shall prohibit any person from performing or accessing any Essential Gov’t Functions (see definitions)</td>
<td>§12</td>
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<td>Businesses Covered</td>
<td>Covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.</td>
<td>§13</td>
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<td>Other</td>
<td>All businesses and employers, whether or not essential, have to take certain actions, including allowing as many employees as possible to work from home, encourage sick employees to stay home until they are fever-free, ensure that sick leave policies are flexible and current, etc.</td>
<td>§20</td>
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**DEFINITIONS (SUMMARY)**

- **Essential Activities – See Full Definition**
  - Activities essential to health and safety (and of family, household members, pets), such as medical visits, obtaining medical supplies, or obtaining supplies needed to work from home.
  - Obtain necessary supplies/services for selves, family and household members, or to deliver those to others, such as food, household consumer products, and products necessary for safety, sanitation and essential operation of residence.
  - Engage in outdoor activity (using Social Distancing), such as walking, running, hiking.
  - Perform work providing essential products/services at an Essential Business or Operations, or otherwise carry out activities permitted in this Order.
  - Care for a family member or pet in another household.
  - §7

- **Essential Gov’t Functions – See Full Definition**
  - All services provided by the State or any municipal, township, county, subdivision or agency of the government and needed to ensure the operation of gov’t agencies and provide for health, safety, and welfare of the public, and all agencies that provide for health, safety and welfare of the public.
  - §12

- **Essential Businesses and Operations**
  - All workers identified on the CISA List published on March 19, 2020.
  - §14

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| – See Full Definition | • Healthcare and Public Health Operations (see §9). Includes vets, dentists, mental health, pharmacies, etc.) (Does not include fitness or exercise gyms, spas, salons, etc.)  
• Human Services Operations (see §10). Includes long-term care facilities, all entities licensed under Child Care Act except day care centers, day care homes, ground day care homes, etc.  
• Essential Government Functions (see §12)  
• Essential Infrastructure (see §11). Includes construction, utilities, etc.  
• Grocery stores, food stores, pet supply, household consumer products (such as cleaning and personal care products), etc (see §12a)  
• Businesses and organizations providing food, shelter, services to the economically disadvantaged  
• Media  
• Religious institutions  
• Gas stations, auto supply, auto repair, etc  
• Banks and related financial institutions  
• Hardware stores  
• Plumbers, electricians, exterminators, and other service providers who provide services necessary for maintaining safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations  
• Mailing and shipping services  
• Educational institutions – for purposes of distance learning and other essential functions (requires Social Distancing to greatest extent possible)  
• Laundromats, dry cleaners, laundry services  
• Restaurants and other facilities that prepare and serve food– food for delivery or carry out only. Special requirements for schools and other facilities that typically provide free food  
• Businesses that supply products needed for working at home  
• Businesses that sell, manufacture, or supply other Essential Businesses and Operations with support or materials necessary to operate  
• Airlines, taxis, other private transportation necessary for Essential Activities and other activities permitted by the Order  
• Home based care for seniors, adults, or children  
• Residential facilities/shelters for seniors, adults or children  
• Professional services (eg legal, accounting, etc) | | |
| Minimum Basic Operations | • Minimum necessary operations to maintain the value of inventory, ensure security, process payroll and employee benefits, or related functions  
• Minimum necessary operations to facilitate employees being able to work from home | §15 |
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| Essential Travel | • Must comply with Social Distancing  
• Travel related to provision of or access to Essential Activities, Essential Gov’t Functions, Essential Businesses and Operations, or Minimum Basic Operations  
• Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons  
• Travel to/from educational institutions for receiving distance learning materials, meals, and other related services  
• Travel to return to a place of residence from outside Indiana  
• Travel required by law enforcement or court order  
• Travel required for non-residents to return to their place of residence outside Indiana  
• Must comply with Social Distancing | §16 |
| Social Distancing Requirements | • Maintain at least 6’ distance  
• Washing hands for at least 20 secs with soap and water as frequently as possible, or use hand sanitizer  
• Covering cough (into elbow or sleeve, not hands)  
• Regularly cleaning high touch surfaces  
• No shaking hands  
• Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must where possible designate six-foot areas to indicate appropriate distances, provide hand sanitizer, and separate operating hours for elderly and vulnerable customers. | §17 |
| Residences | Deemed to include hotels, motels, shared units, and similar facilities | §3 |

**DISCLAIMER:** This information is provided for convenience only, and should not be relied upon in making decisions for your business. As this is a rapidly changing area, reference should always be made to the official order and related interpretative guidance. If you have specific questions about how any particular jurisdiction’s Order affects your business, or other COVID-19 topics, please contact a member of the Holland & Knight’s COVID-19 Response Team – State and Local Orders and Regulations.