



PUBLIC PROTECTION CABINET

Andy Beshear
Governor

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Kerry B. Harvey
Secretary

ORDER

On March 6, 2020, Governor Andy Beshear signed Executive Order 2020-215, declaring a state of emergency in the Commonwealth due to the outbreak of the COVID-19 virus, a public health emergency. Pursuant to the authority in KRS Chapter 39A, including but not limited to KRS 39A.100(f), KRS 39A.100(j), and KRS 39A.180(l), and further pursuant to KRS Chapter 238, Executive Order 2020-215, and the Cabinet for Health and Family Services Order of March 17, 2020, the Public Protection Cabinet issued an Order on March 18, 2020, suspending all charitable gaming licenses issued pursuant to KRS Chapter 238, suspending all charitable gaming activity conduct by charitable organizations exempt from licensure pursuant to KRS 238.535, and suspending all charitable gaming facility licenses issued pursuant to KRS Chapter 238. Subsequently, the Public Protection Cabinet issued an Order on March 25, 2020 that stated that a licensed charitable organization, or a charitable organization exempt from licensure pursuant to KRS 238.535, may sell raffle tickets and conduct raffles drawings if all tickets are exclusively sold online and the organization complies with all other relevant requirements of KRS Chapter 238 and 820 KAR. It provided specific directives for organizations to undertake to comply with those provisions of law.

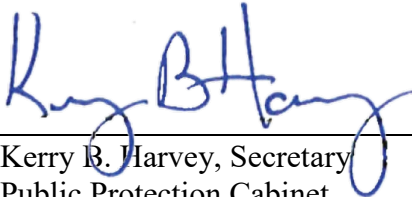
As the Commonwealth of Kentucky transitions from Healthy at Home to Healthy at Work, the Public Protection Cabinet has determined that a limited resumption of charitable gaming activities is permissible. Any resumption of such activities must only be at a business or entity permitted to be open by Executive Order or Order of the Cabinet for Health and Family Services. Such resumption of gaming activities shall be limited for exempt organizations only to the sale and redemption of “raffle” tickets, and for licensed charitable organizations such resumption of gaming activities shall be limited to “charity game tickets,” “raffle” tickets, and the use of “electronic pulltab devices” as those terms are defined in KRS 238.505. Organizations shall not conduct “bingo” or host a “charity fundraising event” or “special limited charity fundraising event” as those terms are defined by KRS 238.505(4), KRS 238.505(8), and KRS 238.505(18), respectively. This resumption of gaming activities is further limited to those organizations that conduct charitable gaming at locations otherwise allowed to reopen and are in compliance with all provisions of the Healthy at Work Orders and guidance. It is also subject to the following provisions:

1. In order to resume the sale and redemption of “charity game tickets,” “raffle tickets,” or the use of “electronic pulltab devices,” all licensees licensed pursuant to KRS Chapter 238, and charitable organizations exempted from licensure pursuant to KRS 238.535, shall contact the Department of Charitable Gaming in writing and indicate their intent to resume charitable gaming activities. Licensees and exempt organizations must also provide documentation, such as a food service permit or alcohol license, that demonstrates that the premises at which the gaming will be conducted has

been allowed to reopen. Once the Department receives this communication and satisfactory documentation, the Department shall reinstate the license of the requesting licensee or grant permission for organizations exempt from licensure to resume the activities permitted by this Order.

2. Licensed charitable organizations that have not yet filed a first quarter 2020 financial report and paid the fee due with the financial report must do so before resuming charitable gaming activities pursuant to this Order.
3. All licensees and organizations exempt from licensure that elect to resume sale and redemption of “charity game tickets,” “raffle tickets,” or the use of “electronic pulltab devices” shall comply with the minimum requirements for all entities in the Commonwealth of Kentucky and the specific requirements for the business or entity in which the charitable gaming may resume under this Order, and shall comply with all Executive Orders and Orders of the Cabinet for Health and Family Services implementing the requirements. The Executive Orders and Orders of the Cabinet for Health and Family Services, and the minimum requirements for all entities and the specific requirements for certain businesses, sectors, and entities are available online at <https://healthyatwork.ky.gov>.
4. Organization shall install barriers between volunteers and players at counters and cashier stations.
5. Organizations shall ensure that all playable electronic pulltab device stations are at least six feet away from the nearest playable station or seating area. All electronic pulltab devices shall be disinfected after each use.
6. Investigators from the Department of Charitable Gaming, and any other duly authorized personnel, are vested with full authority to enforce the requirements of this Order.
7. Violation of this Order shall require an immediate cessation of all charitable gaming activities until the licensee or organization (whether licensed pursuant to KRS Chapter 238 or exempted from licensure pursuant to KRS 238.535) takes all necessary steps to bring their premises and operations in to full compliance with this Order. This shall be in addition to any other applicable penalties.
8. This Order shall take effect on June 8, 2020, at 6:00 a.m. EDT.

So ORDERED on June 2, 2020.


Kerry B. Harvey, Secretary
Public Protection Cabinet