



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 has issued Orders allowing a limited resumption of certain gaming activities, subject to several conditions.

As the Commonwealth of Kentucky continues the transition from Healthy at Home to Healthy at Work, the Public Protection Cabinet has determined it is advisable to amend and clarify its prior Orders concerning Charitable Gaming. Accordingly, I, Kerry B. Harvey, Secretary of the Public Protection Cabinet, hereby ORDER as follows:

1. Effective immediately, all prior Orders of the Secretary of the Public Protection Cabinet concerning charitable gaming, including the March 18, 2020 Order, the March 25, 2020 Order, and June 2, 2020 Order, are hereby RESCINDED in whole.
2. Effective immediately, all licenses for charitable organizations and charitable gaming facilities and all certificates of exemption that would be active but for prior Public Protection Cabinet Orders are hereby REINSTATED.
3. Licensees that have not filed the first quarter 2020 financial report and the fee due with the report pursuant to KRS 238.570 shall file the report and submit payment of the fee no later than 4:30 PM ET on June 30, 2020.
4. Charitable organizations exempt from licensure are permitted to sell “raffle tickets” and conduct raffles, and licensed charitable organizations are permitted to conduct charitable gaming involving the sale and redemption of charity game tickets (“pulltabs”) and use of “electronic pulltab devices,” and are further permitted to sell “raffle tickets” and conduct raffles, subject to the following conditions:

- a. All licenses and organizations exempt from licensure that elect to resume the gaming activities listed above shall comply with the minimum requirements for all entities in the Commonwealth of Kentucky and the specific requirements for the business, entity, or location in which the charitable gaming activity is conducted. All licensees shall further comply with all current and future Executive Orders and Orders from the Cabinet for Health and Family Services and Public Protection Cabinet. Gaming activities may only occur at locations that are otherwise permitted to be open pursuant to Executive Orders and Orders of the Cabinet for Health and Family Services.
 - b. Organizations shall install barriers between volunteers and players at counters and cashier stations.
 - c. 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.
5. Charitable organizations are permitted to continue the sale of raffle tickets and conduct of raffles online in accord with 820 KAR 1:050E.
 6. Charitable organizations shall not conduct bingo at this time. It is anticipated that a subsequent Order permitting the resumption of bingo will be entered on or before June 29, 2020.
 7. Charitable organizations shall not conduct charity fundraising events or special limited charity fundraising events at this time. A subsequent Order will be issued when these events are permitted to resume.
 8. 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.
 9. 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.
 10. This Order shall take effect on June 12, 2020, at 8:00 a.m. EDT.

So ORDERED on June 11, 2020.



Kerry B Harvey, Secretary
Public Protection Cabinet