

On June 11, 2020, Public Protection Cabinet Secretary Kerry B. Harvey signed an Order that reinstated all charitable gaming licenses and certificates of exemption and rescinded three previous Orders related to charitable gaming, effective June 12, 2020. This Order allows organizations to resume charitable gaming activities involving pulltabs and raffles immediately. Organizations may resume conducting bingo games once an Order is issued permitting resumption, which is expected to be issued on or before June 29, 2020. Organizations may not yet resume hosting charity fundraising events or special limited charity fundraising. All charitable gaming must take place at a business or entity allowed to be open by Order of the Governor or Cabinet for Health & Family Services, and all organizations and facilities must comply with all Healthy at Work minimum requirements, all industry-specific requirements for the business or entity where the gaming will be conducted, and other terms set out in the Order.

Below you will find what we anticipate will be frequently asked questions about this Order. Please read through this list, and if you have additional questions, please contact your licensing specialist.

1. What does our organization have to do to get our license reinstated?

A. Nothing. If you have a charitable gaming license or facility license that was suspended by the March 18, 2020, Order, it will be automatically reinstated on June 12, 2020.

2. What if our license has expired since March 18, 2020?

A. If your license has expired, you will need to go through the ordinary process of renewing your license before you may resume charitable gaming. Fill out the CG-1 form and submit it to your licensing specialist. Contact your licensing specialist if you have any questions about the renewal process. In order to process your request more quickly, please include your license number on any correspondence with the Department.

3. Our organization has not yet filed its first quarter financial report or paid the first quarter charitable gaming fee. When are those due? Do we have to file the report and submit the payment before we can resume gaming?

A. The deadline for all licensees to file the first quarter financial report and fee is now June 30, 2020. Your organization may resume gaming even if you haven't filed the quarterly report and fee. Organizations that fail to submit the report or fee prior to June 30, 2020, could face administrative action, such as a fine or license suspension. The regular quarterly report and fee deadline schedule will resume with second quarter 2020 reports and fees due on July 31, 2020.

4. Where can we conduct charitable gaming?

A. Charitable gaming must be conducted at a business or entity that is allowed to be open by Order of the Governor or the Cabinet for Health & Family Services. The most common such businesses or entities for DCG licensees that are currently allowed to be open include places of worship, office-based businesses, government offices/agencies, restaurants, bowling alleys, and museums. Bars are scheduled to reopen on June 29.

5. Our organization is a booster club or a similar charity that does not have a public business or office. Can we resume gaming?

A. Yes, if your gaming is conducted at a business that is allowed to be open. It does not matter if your organization's office is allowed to be open, just whether the location where you conduct charitable gaming is allowed to be open.

6. Are licensed charitable gaming facilities allowed to be open?

A. Yes, licensed facilities may be open for organizations to conduct gaming involving only raffles and pulltabs and only if the facility is also a type of business that is allowed to be open. There is no order that specifically permits a licensed charitable gaming facility to be open, so these facilities must qualify as a type of business or entity that is allowed to be open, such as a restaurant. A licensed facility that has a food service permit to operate a snack bar on the premises would be allowed to be open as a restaurant and would be subject to the industry-specific requirements for restaurants.

7. Do I have to submit documentation proving that the location where we conduct gaming is an entity that is allowed to be open in order to get our license reinstated?

A. No. All licenses that were suspended by the March 18, 2020, Order are reinstated. Although this was required by the June 2, 2020, Order, an organization no longer has to send the Department a copy of a food service permit, alcohol license, certificate of occupancy, or other such documentation in order to get its license reinstated. Charitable gaming must occur at a business or entity allowed to be open, but the Department is no longer requiring submission of this documentation in order for your license to be reinstated. We do strongly recommend that you have this documentation available to produce for a compliance officer or other state inspector who may visit your location.

8. Is our charity allowed to reopen?

A. We can't answer that question. The Department of Charitable Gaming only has authority to regulate charitable gaming. Whether your charity is allowed to be open is subject to Orders of the Governor, Cabinet for Health & Family Services, and Department of Public Health. Please consult the [Healthy at Work website](#) and email healthyatwork@ky.gov if you have additional questions.

9. What about raffle tickets? Where can we sell them?

A. Just like other forms of charitable gaming, raffle tickets must be sold and drawings must be conducted at businesses or entities that are allowed to be open by Order of the Governor or CHFS. Thus, raffle tickets may be sold at locations such as places of worship, office-based businesses, government offices/agencies, restaurants, bowling alleys, and museums. They are no longer required to be exclusively sold online. Raffle tickets should not be sold door-to-door at this time. Laws concerning the sale of raffle tickets vary from state to state, so use caution if you intend to sell tickets to purchasers outside Kentucky.

10. Can we continue to sell raffle tickets online and use a random number generator instead of printing out paper tickets?

A. Yes. The terms of the Order allowing organizations to sell raffle tickets online and live-stream the drawing online were incorporated into an emergency regulation ([820 KAR 1:050E](#))

that remains in effect. This emergency regulation also allows organizations to utilize a web-based, publicly accessible random number generator instead of printing paper tickets and drawing the winning ticket from a physical receptacle. Laws concerning the sale of raffle tickets vary from state to state, so use caution if you intend to sell tickets to purchasers outside Kentucky.

11. Can we sell raffle tickets through the mail?

A. No. Federal law prohibits the selling of raffle tickets through the mail.

12. What should organizations do about progressive raffles or pulltab games that were begun prior to the suspension Order of March 18?

A. Organizations should immediately resume and complete those games in compliance with 820 KAR 1:050 and 820 KAR 1:042, Section 7.

13. What are the Healthy at Work minimum requirements that we have to follow?

A. There are several requirements that your organization must follow in order to conduct charitable gaming. Some of these include enforcing social distancing, providing hand sanitizer, conducting daily temperature and health checks, designating a Healthy at Work officer, and wearing masks. You can find the [full list of Healthy at Work requirements here](#). **Your organization should thoroughly and carefully review this list of requirements before you decide to resume charitable gaming.**

14. What are the industry-specific requirements that we have to follow?

A. These vary depending on the type of business of entity. If your organization conducts gaming in a restaurant, for example, it must currently limit capacity to 33%. A full list of industry-specific requirements can be found on the [Healthy at Work website](#). **Your organization should thoroughly and carefully review this list of requirements specific to the business or entity where you plan to conduct before you decide to resume charitable gaming.**

15. Are there any other requirements?

A. Yes. In addition to the Healthy at Work minimum requirements and the industry-specific requirements, organizations and facilities are required to disinfect all electronic gaming devices after each use, install barriers between volunteers and players at counters and cashier stations, and ensure that electronic pulltab device stations are six feet apart.

16. Our organization is not ready to resume gaming yet. Do we need to modify our license?

A. Yes. Your license will be reinstated exactly as it was on March 18, 2020, when the suspension Order was entered. If your organization does not intend to resume gaming right away, or if your organization wants to change the date, time, or location of your charitable gaming, contact your licensing specialist. The Department will waive the \$25 change request processing fee once for any organization that needs to modify its license.