



PUBLIC PROTECTION CABINET

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Kerry B. Harvey
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ORDER


Effective: June 9, 2020 at 5:00 p.m.

On March 6, 2020, Governor Andy Beshear signed Executive Order 2020-215, declaring a state of emergency in the Commonwealth of Kentucky due to the outbreak of the COVID-19 virus, a public health emergency. As part of continuing efforts to prevent the spread of COVID-19 virus through in-person contact, Governor Beshear's "Healthy at Home" Executive Order 2020-257 signed March 25, 2020, only permits life-sustaining businesses to remain open.

Consequently, many licensed establishments offering only on-premises alcoholic beverage consumption were required to close until further notice. Although Executive Order 2020-257(1)(k) permitted restaurants to remain open, they may only sell food and alcoholic beverages by carry-out, delivery, and drive-thru services. (See March 16, 2020 Order of the Cabinet for Health and Family Services, Department of Public Health, and Public Protection Cabinet, Alcoholic Beverage Control, and the March 19, 2020 Order of the Department of Alcoholic Beverage Control ("Department")). Pursuant to Executive Order 2020-323, on May 11, 2020 the Cabinet for Health and Family Services issued an Order requiring all entities in the Commonwealth of Kentucky to implement and follow the minimum requirements for all entities. On May 22, 2020, the Cabinet for Health and Family Services issued an Order allowing restaurants with a food service permit in good standing and table seating to reopen, and requiring restaurants to implement and follow the specific Requirements for Restaurants, in addition to the minimum requirements for all entities.

Previously, the Department ordered that alcoholic beverage licenses expiring on April 31, 2020, shall remain in effect until June 30, 2020. (See May 18, 2020 Public Protection Cabinet Order). However, in order to diminish the economic hardship on alcoholic beverage licensees that may continue beyond June 30, 2020, and pursuant to KRS 39A.180, the Department hereby orders the following supplemental rule:

1. All alcoholic beverage licenses expiring on or before July 30, 2020, shall remain in effect until August 31, 2020. Annual licensees must submit license renewal applications to continue alcoholic beverage sales thereafter.
2. This Order replaces all licensure extensions previously granted and shall be the final extension granted barring exigent circumstances.


Kerry B. Harvey, Secretary
Public Protection Cabinet