



PUBLIC PROTECTION CABINET

Andy Beshear
Governor

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Kerry B. Harvey
Secretary

ORDER

Effective: May 1, 2020 at 5:00 p.m.

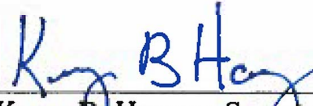
On March 6, 2020, Governor Andy Beshear signed Executive Order 2020-215, declaring a state of emergency in the Commonwealth of Kentucky due to the outbreak of COVID-19 virus, a public health emergency. As part of continuing efforts to prevent the spread of the COVID-19 virus through in-person contact,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

Food and beverage businesses and restaurants for consumption off-premises are deemed life-sustaining businesses under the Healthy at Home Order and allowed to remain open. The impact of the Order and prior orders, together with the burdens associated with the need to maintain social distancing, has had negative economic and logistical hardships on all aspects of the food and beverage industries, including malt beverage distributors and wine and spirits wholesalers. Distributors and wholesalers are required to make in-person deliveries to retail businesses during hours prescribed by state statute and local ordinances, which correspond to normal business hours when the most customers and most retailer business employees are present.


Pursuant to authority in KRS Chapter 39A, KRS 241.020, KRS 241.120, and Executive Orders 2020-215 and 2020-257, the Public Protection Cabinet, Department of Alcoholic Beverage Control ("Department"), hereby orders the following directives while Executive Order 2020-215 remains in effect, to reduce and slow the spread of COVID-19, by permitting distributor and wholesaler deliveries during times when there are no customers and the fewest number of retailer business employees:

1. Notwithstanding the provisions of KRS 244.480 or any local ordinance to the contrary, licensed malt beverage distributors and wine and spirits wholesalers may deliver their products to the premises of a retailer business at any time of the day that the retailer is ready, able and voluntarily willing to accept deliveries of the products.
2. All other statutes and regulations governing the sale and delivery of malt beverages and wine and spirits at wholesale shall remain in full force and effect.
3. Nothing in this Order permits the delivery or sale of alcoholic beverages in dry territories; and

4. The Department's enforcement division may take appropriate action to enforce this Order.



Kerry B. Harvey, Secretary
Public Protection Cabinet



Allyson Taylor, Commissioner
Department of Alcoholic Beverage Control