ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-243
March 18, 2020

STATE OF EMERGENCY RELATING TO SOCIAL DISTANCING

WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease causing illness that can range from very mild to severe, including illness resulting in death; and

WHEREAS, on March 6, 2020, a case of COVID-19 was confirmed in the Commonwealth; and

WHEREAS, since that time, more cases of COVID-19 have been confirmed in the Commonwealth, with cases appearing in multiple counties, including cases that indicate the virus is community spread; and

WHEREAS, the Kentucky Department of Public Health has recommended that the public practice social distancing, meaning staying home when possible and otherwise maintaining six feet of distance from other individuals, to minimize the transmission of the coronavirus; and

WHEREAS, this condition continues to endanger public health and safety and, if not contained, threatens to overwhelm the Commonwealth's healthcare resources; and

WHEREAS, statutes and regulations requiring in-person meetings or appearances conflict with the need to practice social distancing, creating a threat to public health and safety; and

WHEREAS, I, Andy Beshear, Governor of the Commonwealth of Kentucky, did declare by Executive Order 2020-215 on March 6, 2020, that a State of Emergency for public health exists in the Commonwealth of Kentucky; and

WHEREAS, under such circumstances, I am further empowered by KRS Chapter 39A to exercise all other powers deemed necessary to promote and secure the safety and protection of the civilian population, including the power to suspend existing Kentucky

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laws and administrative regulations, and to command individuals to disperse from the location of an emergency:

NOW THEREFORE, I Andy Beshear, by virtue of authority vested in me pursuant to the Constitution of Kentucky and by KRS Chapter 39A, do hereby Order and Direct as follows:

1. During the state of emergency herein referenced, all citizens of Kentucky are encouraged to take all feasible measures to engage in appropriate social distancing to prevent the spread of disease, in accordance with guidance from the Centers for Disease Control and Prevention (CDC) and the Kentucky Department of Public Health.

2. Consistent with this Order, state agencies, including all cabinets, departments, boards, and commissions, shall take all reasonable and necessary steps to ensure appropriate social distancing, while ensuring the continued provision of services to the public. These steps may include, but are not limited to:

    a. providing services and conducting operations by mail, internet, telephone, and video teleconferences, to the extent practicable;

    b. extending licenses, credentials, or certificates that require in-person appearances or education for renewal; and

    c. permitting education and continuing education requirements to be satisfied through online courses, to the extent practicable; and

    d. extending deadlines for statutory or regulatory reporting requirements; and

    e. extending deadlines for payments of fees, taxes, and assessments, and waiving late payment penalties incurred because of the emergency.

3. Pursuant to KRS 39A.180, any state statute or regulation that conflicts with the provisions of this Order is hereby suspended. This suspension includes, but is not limited to, Kentucky statutes or regulations mandating in-person meetings or interactions, such as the provisions of the Open Meetings Act or other statutes or regulations requiring the physical presence of participants in meetings, and the provisions of the Open Meetings Act requiring a primary physical location for public attendance of meetings conducted by video teleconference. Public agencies shall instead make meetings available for public viewing, listening, and, as appropriate, participation, through the internet and/or television.

4. All state agencies, including cabinets, departments, boards, commissions, and other Executive Branch entities charged with enforcing statutes or regulations,

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shall issue any orders or memoranda necessary to clarify the suspension of any statutory or regulatory provision that is suspended pursuant to this Order, subject to the approval by the Office of the Governor or the Cabinet Secretary to which the state agency is administratively attached under KRS 12.020.

This Order is effective as of March 13, 2020, and shall be in effect for the duration of the State of Emergency herein referenced, or until this Executive Order is rescinded by further order or by operation of law.

ANDY BESHEAR, Governor
Commonwealth of Kentucky

MICHAEL G. ADAMS
Secretary of State