



**ANDY BESHEAR**  
**GOVERNOR**

**EXECUTIVE ORDER**

**Secretary of State**  
**Frankfort**  
**Kentucky**

**2020-398**  
**May 20, 2020**

**STATE OF EMERGENCY**

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 many cases of COVID-19 have been confirmed in the Commonwealth.

The Kentucky Constitution and Kentucky Revised Statutes, including KRS Chapter 39A, empower me to exercise all powers necessary to promote and secure the safety and protection of the civilian population, including the power to suspend state statutes and regulations, and to command individuals to disperse from the scene of an emergency. Under those powers, I declared by Executive Order 2020-215 on March 6, 2020, that a State of Emergency exists in the Commonwealth. On March 22, 2020, I signed Executive Order 2020-246, ordering all in-person retail businesses that are not life-sustaining to close. On March 25, 2020, I signed Executive Order 202-257, requiring businesses that are not life-sustaining to close except as needed to conduct Minimum Basic Operations as defined in that Order.

Kentuckians are encouraged to remain Healthy at Home, which will continue to help protect our community from the spread of COVID-19. For the same reason, as the Kentucky economy reopens through phases Kentuckians and Kentucky businesses must be Healthy at Work. Continuing with the Healthy at Work reopening in Kentucky, it is appropriate that retail businesses be permitted to reopen, subject to specific requirements for retail businesses, in addition to the minimum requirements for all entities in the Commonwealth.

**Order**

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:



ANDY BESHEAR  
GOVERNOR

EXECUTIVE ORDER

Secretary of State  
Frankfort  
Kentucky

2020-398  
May 20, 2020

1. All in-person retail businesses in the Commonwealth of Kentucky, including retail businesses that were required to close under Executive Order 2020-246, are permitted to reopen and remain open on May 20, 2020.
2. All in-person retail businesses permitted to reopen on May 20, 2020 shall implement and comply with the minimum requirements for all entities in the Commonwealth of Kentucky under Executive Order 2020-323 and implemented by the May 11, 2020 Order of the Cabinet for Health and Family Services. The Cabinet Order and the minimum requirements for all entities may be found at <https://healthyatwork.ky.gov>.
3. In addition to the minimum requirements for all entities in the Commonwealth under the May 11, 2020 Order of the Cabinet for Health and Family Services, all in-person retail businesses permitted to reopen on May 20, 2020 shall, pursuant to Orders of the Cabinet for Health and Family Services implementing this Executive Order, implement and comply with the specific Requirements for Retail Businesses detailed at <https://healthyatwork.ky.gov>.
4. All uninvited, in-person solicitation for any purpose occurring at a residence or physical business location remains prohibited.
5. Executive Order 2020-246 and Executive Order 2020-275 are hereby rescinded and superseded and are no longer in effect.
6. **Other Prior Orders Remain In Effect.** All other prior Executive Orders, and Orders issued by Cabinets pursuant to Executive Order 2020-215, shall remain in full force and effect, except to the extent they conflict with this Order. For the avoidance of doubt March 17, 2020 Order of the Cabinet for Health and Family Services closing public-facing, non-retail businesses that encourage public congregation shall remain in full force and effect.
7. **Additional Orders.** The following designees may provide guidance, clarification or modification of this Order to industries or businesses, and may otherwise issue orders necessary to the operation of government during the State of Emergency: the Governor's Executive Cabinet, as set forth in KRS 11.065; the Commissioner of Public Health; the Director of the Division of Emergency Management; and the Director of the Kentucky Office of Homeland Security.
8. Failure to follow the requirements provided in this Order and any other Executive Order and any Cabinet Order, including but not limited to the Orders of the Cabinet for Health and Family Services implementing this Executive Order, is a violation of the Orders issued under KRS Chapter 39A, and could subject said business to closure or additional penalties as authorized by law.



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This Order 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.

A handwritten signature in black ink, appearing to read "CJB", written over a horizontal line.

ANDY BESHEAR, Governor  
Commonwealth of Kentucky

A handwritten signature in black ink, appearing to read "Michael G. Adams", written over a horizontal line.

MICHAEL G. ADAMS  
Secretary of State

RECEIVED AND FILED

DATE 5/20/2020

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MICHAEL G. ADAMS

SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY

BY *PM*