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David L. Herndon, Bank Commissioner

Laura Kelly, Governor

DATE: May 11, 2020  
TO: Kansas State Chartered Banks  
FROM: David L. Herndon, Kansas State Bank Commissioner  
RE: Re-Opening of closed bank lobbies and branches due to COVID-19

In accordance with Governor Kelly's Executive Order (EO) 20-29 implementing a phased re-opening of businesses and gatherings in Kansas, the Office of the State Bank Commissioner (OSBC) will also expect bank lobbies and bank branches that were closed due to the COVID-19 pandemic to begin a gradual re-opening aligning with the statewide phased approach. The goal is for all bank branches and lobbies to be fully re-opened by June 15, 2020. Therefore, OSBC's guidance for the re-openings will be closely aligned to the following:

- Executive Order 20-29 implements Phase 1 of the state's re-opening plan and became effective May 4, 2020. Included in the EO is a call for the avoidance of gatherings of more than 10 individuals where social distancing protocols cannot be maintained except for infrequent or incidental moments. It allows employees to return to on-site duties if maintaining a six feet distance between employee workstations. Banks should follow this guidance in their re-opening plans.
- At a date determined by the Governor based on the overall progress of the State on outlined health metrics, the Governor will issue a series of subsequent EOs to move the state through the re-opening phases. The EO to begin Phase 2 will occur no sooner than May 18, 2020. It is anticipated the gathering limit of individuals will be raised to 30 during this phase if social distancing protocols and a minimum six feet of distance between individuals can be maintained. Banks should begin a gradual re-opening during this Phase 2.
- At a date determined by the Governor based on the overall progress of the State on outlined health metrics, the Governor will issue an EO to move the state to Phase 3. This will occur no sooner than June 1, 2020. It is anticipated that this phase will allow employees to return to on-site work in larger numbers but may require engineering controls such as physical barriers or repositioning staff to enable people to be at least six-feet apart should be in place. Larger gatherings of people, perhaps as many as 90, will be authorized where social distancing protocols can be maintained. OSBC encourages banks to fully re-open during this phase provided work areas and customer contact areas respect the six-foot physical distancing provision.
- The anticipated final re-opening EO the Governor will issue no sooner than June 15, 2020 will be known as the "Phase Out" order and should return operations to their steady state, close to pre-crises levels. Consequently, OSBC expects all bank lobbies and branches to be fully re-opened by June 15, 2020.

It is important to note however, that counties may enact their own re-opening procedures and those procedures may be more stringent. Bankers are encouraged to monitor their respective county designations and for those with branches in multiple counties understand their branch locations may be operating under different procedures.

Notwithstanding this guidance, it is understood also that some branches may not be able to re-open as planned due to accessibility issues. For example, if a branch is located within a building with limited or restricted access (*i.e.* a branch facility in a senior care center) that branch may not be able to re-open. OSBC will address these situations on a case-by-case basis and work with the subject bank to establish a re-opening schedule.

Finally, OSBC understands each bank's re-opening procedures will vary and therefore requests written notice of the effective dates of branch and lobby re-openings even if those re-openings are staggered within the organization.

The temporary closures of bank lobbies and branches approved by OSBC during the COVID-19 pandemic were an effort to keep Kansas bank employees and customers safe while continuing to provide access to banking services through alternative methods. The goal to have all bank lobbies and branches open by June 15, 2020 should allow enough time to ensure each bank location will have safety features and policies in place that will continue to provide those protections from undue health risks. The efforts put forth by Kansas bankers demonstrate, once again, their commitment to serving their customers and communities and is indeed appreciated.

Thank you. Stay safe.