

May 5, 2016

David A. Swanson
Webb Winery
2531 South Hermitage Road
Hermitage, PA 16148
VIA E-MAIL

RE: Small Games of Chance

Dear Mr. Swanson:

ISSUE: This is in response to your e-mail of April 4, 2016, wherein you inquire if signed in guests are able to purchase pull tab style tickets under the Small Games of Chance Act (“SGOCA”).

Records of the Pennsylvania Liquor Control Board (“PLCB”) indicate that Kane Veterans Home Association holds Catering Club Liquor License No. CC- 5587 (LID 2557) for use by it at 95 Wetmore Avenue, Kane, Pennsylvania.

OPINION: Please be advised that the PLCB does not regulate the SGOCA, 10 P.S. §§ 311-327, and as such, the interpretation of this law falls outside of the scope of the Board’s authority. Therefore, it is recommended that you contact your County Treasurer’s Office and/or the Department of Revenue, Miscellaneous Tax Division, at (717) 787-8275 with any questions about small games of chance. You may also wish to contact the Bureau of Liquor Control Enforcement, at (800) 932-0602, as it enforces such laws and the Liquor Code.

In addition, please note that the Pennsylvania Department of Revenue publishes a “Small Games of Chance Overview” that may be helpful to you. This overview can be obtained through the Department of Revenue’s website, located at www.revenue.pa.gov or through the Pennsylvania State Police website at www.psp.pa.gov/LCE/Pages/Small-Games-of-Chance.aspx.

Should you have any other questions and/or issues related to the Liquor Code or the PLCB’s Regulations, please feel free to once again contact this office.

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THIS OPINION APPLIES ONLY TO THE FACTUAL SITUATION DESCRIBED HEREIN AND DOES NOT INSULATE THE LICENSEE OR OTHERS FROM CONSEQUENCES OF CONDUCT OCCURRING PRIOR TO ITS ISSUANCE. THE PROPRIETY OF THE PROPOSED CONDUCT HAS BEEN ADDRESSED ONLY UNDER THE LIQUOR CODE AND REGULATIONS. THE LAWS AND POLICIES ON WHICH THIS OPINION IS BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rodrigo J. Diaz".

RODRIGO J. DIAZ
CHIEF COUNSEL

cc: Pennsylvania State Police, Bureau of Liquor Control Enforcement
Jerry W. Waters, Director of Office of Regulatory Affairs
Tisha Albert, Director, Bureau of Licensing
Jeffrey Lawrence, Assistant Director, Bureau of Licensing

LCB Advisory Opinion No. 16-147