

July 12, 2016

Gloria Shultz
Legion Home Association of Danville, PA
Northumberland Street
P.O. Box 222
Danville, PA 17821
VIA E-MAIL

RE: Daily Book Drawings in Clubs

Dear Ms. Shultz:

ISSUE: This correspondence is in response to your e-mail dated June 21, 2016, wherein you ask whether membership numbers must also be disclosed in the “membership book next to the name” of the “daily book winner.”

Records of the Pennsylvania Liquor Control Board (“PLCB”) indicate that Legion Home Association of Danville, PA, holds Catering Club Liquor License No. CC-4085 (LID 3584) for the premises located at Northumberland Street, Danville, Pennsylvania.

OPINION: Please be advised that the PLCB does not regulate the Local Option Small Games of Chance (“SGOC”) Act, and the interpretation of laws regarding SGOC Act falls outside the PLCB’s scope of authority. 10 P.S. §§ 311-327. Accordingly, the PLCB is unable to address your question regarding the posting requirements of daily book winners, insofar as it falls under the authority of the SGOC Act.

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. 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 <http://www.revenue.state.pa.us/SGOC>.

Further, the PLCB’s Regulations requires a club licensee to adhere to the provisions of its constitution and/or bylaws. 40 Pa. Code § 5.81. Thus, if the club’s constitution and/or

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bylaws address the daily book drawings, the club must follow those provisions. Failure to do so may subject the club to a citation by the Bureau.

Please do not hesitate to contact this office should you have additional questions.

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,



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

PLCB Advisory Opinion No. 16-243