

August 9, 2016

Paul C. Adolini
Proprietor, Breakaway Sports Lounge
VIA E-MAIL

RE: Billiards Tournament

Dear Mr. Adolini:

ISSUE: This is in response to your e-mail of June 21, 2016, wherein you request an advisory opinion as to the legality of holding a billiards tournament in which the total payout limits would exceed the current maximum amount. You state that the current limit of \$500.00 would not attract the best players in the area. You further inquire why your license is subject to limits, unlike other businesses, citing examples of golf tournaments and casino operations. You have participated in tournaments held in Maryland, West Virginia, Virginia, and Delaware that have entry fees of \$30.00 to \$100.00. It is your intention to draw some business to Pennsylvania by conducting events with exceptional players which would add to the state revenue. You request guidance so that you are able to accomplish your goals.

Records of the Pennsylvania Liquor Control Board ("PLCB") indicate that Breakaway Sports Lounge, Inc., holds Restaurant Liquor License No. R-18107 (LID 46746) for use by it at 810 South Potomac Street, Waynesboro, Pennsylvania.

OPINION: As you are aware, section 5.32 of the PLCB's Regulations permits retail licensees to hold self-sponsored events, tournaments, or contests on their licensed premises. 40 Pa. Code § 5.32. Please note that the total value of prizes for any given event, tournament, or contest on retail licensed premises may not exceed \$1,000.00; the total value of all prizes awarded in any seven-day period may not exceed \$25,000.00. 40 Pa. Code § 5.32(e)(7). Further, as set forth in section 5.32(e)(8) of the PLCB's Regulations, 40 Pa. Code § 5.32(e)(8), golf, skiing, tennis, pocket billiards or bowling events, tournaments, contests, and events sanctioned by the State Athletic Commission are exempted from the prize value restrictions.

Please note that it is the responsibility of this office to issue a legal opinion based upon the language of the Liquor Code and the PLCB's Regulations. 47 P.S. § 2-

211.1. This office does not have the authority to revise the Liquor Code; that responsibility is afforded to the General Assembly and the Governor. You may wish to contact your legislator and/or the Governor to voice your concerns.

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.

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

LCB Advisory Opinion No. 16-293