

December 1, 1998

Mr. John Molnar, Steward

HOME ASSOCIATION CHARLES J. HANLEY POST

1103 CATHOLIC WAR VETERANS

128 Jackson Street

Johnstown, PA 15901-2134

Dear Mr. Molnar:

ISSUE: This is in response to your letter of October 23, 1998 in which you ask whether someone may serve as a paid treasurer at your licensed club and as an unpaid treasurer of another club. Although you do not specify, it is assumed that both clubs in question hold liquor licenses.

OPINION: Recent amendments to the Liquor Code would allow such a situation. Section 493(11) of the Liquor Code [47 P.S. Section 4-493(11)] was amended by Act 86 of 1998, effective August 17, 1998. The section prohibits dual employment in certain situations, but does not contain in its prohibition any language forbidding a person from being an officer of more than one licensed club. After careful review, it is the current opinion of this office that such practice is permissible.

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.

Very truly yours,

FAITH S. DIEHL

Chief Counsel

c.c. Pennsylvania State Police

Bureau of Liquor Control Enforcement

Refer to: (717) 783-9454

FAX: (717) 787-8820

LCB Advisory Opinion No. 98-384