

March 12, 1999

George R. Farling
Colonial Lounge
580 North Mountain Road
Harrisburg, Pennsylvania

RE: 35th Anniversary Sweepstakes

Dear Mr. Farling:

ISSUE: This office is in receipt of your March 12, 1999 facsimile transmission to Darryl Stackhouse, which has been forwarded to this office for a response. You request an advisory opinion for a self-sponsored sweepstakes to be conducted on your premises on March 29, 30 and 31, 1999. On March 29, 1999, you plan to award prizes with an aggregate value not to exceed \$350.00. On March 30, 1999, you plan to provide any person under the age of eighteen years old with a free 20-ounce Coca Cola drink and/or movie or amusement pass. You also plan to offer free Coca Cola and ice cream for each family member. Prizes will not exceed an aggregate value of \$350.00. On March 31, 1999, you will have a grand prize drawing for a 25" color television and other prizes with an aggregate value not to exceed \$500.00.

OPINION: Generally, retail licensed establishments of the Board are permitted to conduct self-sponsored tournaments, events or contests on their own licensed premises so long as they comply with the provisions of section 5.32(f) of the Board's Regulations. [40 Pa. Code §5.32(e)]. Those restrictions provide that they may not have lewd, immoral or improper conduct during those events; there can be neither unlawful gambling nor consumption of alcoholic beverages by participants; prizes cannot exceed \$500.00 for any given event, tournament or contest, or \$5,000.00 per seven-day period; and they must keep records concerning the event, tournament or contest, including its participants and prizes, for two years, [40 Pa. Code §5.32(f)], and retail licensees may not offer alcoholic beverages as prizes.

Based upon this office's review of your proposed sweepstakes, these promotions are permissible although it appears that you will need to keep each day's events separate. This means that if you intend to use entry forms for awarding prizes, your patrons will need to fill out a separate entry form for each day's events so that the total value of the prizes will not exceed the maximum amount allowed for each day.

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

George R. Farling
March 12, 1999
Page Two

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

cc: Pennsylvania State Police-
Bureau of Liquor Control Enforcement

Refer to: (717) 783-9454
FAX: (717) 787-8820

LCB Advisory Opinion No. 99-085