PLCB Club Licensee Seminar

August 22, 2018
# Club Licensee Seminar Agenda

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tr>
<td>9:00 a.m. – 11:00 a.m.</td>
<td>Panel Introduction&lt;br&gt;PLCB Bureau of Licensing &amp; PSP Bureau of Liquor Control Enforcement Presentation&lt;br&gt;PLCB Office of Chief Counsel &amp; PSP Bureau of Liquor Control Enforcement Presentation&lt;br&gt;PSP Bureau of Liquor Control Enforcement</td>
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<tr>
<td>11:00 a.m. – 11:30 a.m.</td>
<td>Break</td>
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<td>11:30 a.m. – 12:30 p.m.</td>
<td>RAMP Presentation</td>
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<td>12:30 p.m. – 2:00 p.m.</td>
<td>Q &amp; A</td>
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Topics

License Types & Requirements

Club License Privileges

PLCB+: Amendment Types & How to File

Resources
The Liquor Code defines a **club**, in part, as:

“any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit, entertainment, fellowship or lawful convenience, having some primary interest and activity to which the sale of liquor or malt and brewed beverages shall be only secondary...”
Elements of a Bona Fide Club

- Community oriented, non-profit organization operated for the benefit of the entire membership.
- Sales of alcohol is secondary to other purposes.
- Follows provisions of its bylaws and/or constitution.
- Properly admits members by application, investigation and ballot.
- Maintains proper records, i.e. copy of the charter.
- Holds regular meetings to review club business.
- Has regular election of officers.
- Collects dues.
- Profits go back to the club or are used for charitable purposes.
- Must maintain a non-profit status.
Club License Types & Requirements

- Types of Club Licenses:
  - Club (C)
  - Catering Club (CC)
  - Club Malt Beverage (O)
  - Privately Owned Private Golf Course Liquor (PGC)
  - Privately Owned Private Golf Course Catering Club Liquor (GCC)
Club licenses (C) are exchangeable to a Catering Club (CC) license and vice versa.

- Club (C), Catering Club (CC) and Club Malt Beverage (O) licenses are subject to quota restrictions. Club Golf Course licenses (PGC & GCC) are exempt.

- Incorporated units of a National Veterans Organization are exempt from quota restrictions and are eligible for NEW club licenses
  - Transferrable to affiliated organization only (i.e. home association, auxiliaries, etc.)
Club Requirements (C, CC, O, PGC, GCC):

- A non-profit organization in continuous operation and incorporated for at least one year, or if unincorporated, in existence for at least 10 years.
- The club premises must be sufficient in size to accommodate membership.
- Clubs must maintain at least two years of records in the English language that include:
  - Membership Records
    - Dates, dues, status, sponsors (if applicable)
  - Bylaws/Constitution/Charter
  - Minute Book
    - All meetings must be recorded with special emphasis on dates of meetings, new member balloting, club officer elections, financial reports, member benefit functions, etc.
  - Financial Records
    - Income records, expenditure records, bank account statements (separate SGOC account), invoices, receipts.
- **Catering Clubs (CC)** require a valid health license and a log of catered events.
  - Log must include the date/time arranged, who organized the event and the number of people expected.

- **Golf Course Club licenses (PGC & GCC)** require the premises to house at least nine holes at a distance of 2,500 yards.
Club License Privileges

- All club licenses:
  - Member sales from 7 a.m. to 3 a.m. Monday-Sunday
  - Reciprocal membership sales if active members of same organization.

- **Club Liquor (C & PGC)** includes all above privileges and:
  - Non-member sales at club events (Act 39 of 2016)
    - Sales to both participants of the club’s membership and participants from another licensed entity. The event must be scheduled at least 24 hours in advance and non-member participants are listed on a roster. (i.e. dart league, bowling league, etc.)
Catering Club (CC & GCC) includes all above privileges and:
  - Catered events
    - Must be events with food, arranged at least 24 hours in advance, and must be paid for by non-members.
  - Self-Sponsored Catered Events
    - Maximum of 12 per licensing term (two years); one event in any calendar month (Act 39)
    - Event can be for members AND non-members.
Club License Privileges

- Extended Hours Food Permit (EHF)
  - Clubs with this permit may serve food from 3:30 a.m. to 7 a.m.
  - This permit may be issued for **only 6 days** during the license term.

- Food Concessions
  - Club officers or employees cannot operate the concessionaire.
  - Club officers or employees cannot be employed by the concessionaire.
  - Food operations must be handled exclusively by the concessionaire.
  - Liquor and malt or brewed beverages must be handled exclusively by the club.
Amendments

- All changes to any issued liquor license are handled through the PLCB+ system and filed online.
  - Called “amendments” to amend the current license.
  - Replaces paper applications.
Amendments

- Extension of Premises
  - Must be filed any time additional licensed areas are being added.
  - May be temporary or permanent, but must be contiguous.
  - Includes indoor or outdoor areas.
  - Must have full time and exclusive right to occupy space being used.
  - No other business is allowed within the extension or any other licensed area without prior board approval.
  - Full investigation will be conducted including verification of finances, and property ownership verification.

- **30 day posting required** for all extension requests.
  - PLCB-1296 placard MUST be posted a minimum of 30 days up until final approval.
  - Placard must be at or near the main entrance and clearly visible to the passing public.
- Placard cannot be posted prior to application being submitted.
Notice to public allows for protests or petition to intervene.
Amendments

- **Change of Manager/Club Steward**
  - Required to notify the PLCB at the time of renewal/validation.
  - Only one person may be appointed at any one time.
  - A club manager or steward may engage in employment outside his duties as manager or steward except as provided in section 4-493(11) of the Liquor Code.
  - A background check is required with this change along with appropriate fees.
  - RAMP owner/manager training is required within 180 days.

- **Change of Club Officers**
  - Required to notify the PLCB at the time of renewal/validation.
  - Posting is **not required**.
Amendments

- Special Occasion Permits (SOP)
  - Eligible entities include:
    - Bona-fide sportsmen’s clubs (10 year existence).
    - Nationally chartered veteran’s organizations and its affiliates.
    - Fraternal benefit societies and its affiliates.
    - Unit of a nationally chartered club which has a club liquor license.
  - May sell alcohol during fundraising events.
  - Must be filed at least 10 days prior to the event.
  - May apply for up to 10 consecutive days or six non-consecutive days.
  - Liability of violations
Amendments

- **Safekeeping**
  - Required if the licensed establishment is not in operation for 15 consecutive days.
  - Period not to exceed two consecutive years.
  - Must continue to renew and validate license.
  - PLCB may revoke the license after two years if the license is not transferred, reissued or extended in safekeeping.
  - Amendment must be filed to reissue from safekeeping and activate the license.
PLCB+

- How to Request an Amendment

✓ Log into your PLCB+ account:

![PLCB+ Online Regulatory System]

Login to your account:
Email: 
Password: 
Forgot password?

Login
Need an account? Register here

Pennsylvania Liquor Control Board
Click on Other License Changes/Amendments:
Renewals and Validations:

- Automatically appears on your profile page
- All payments made through credit card
Resources

- Trouble filing anything online?
  - Call 844.707.5475
  - Email RA-LBLICENSINGMOD@pa.gov

- Status check after filed?
  - Call 717.783.8250
  - Email RA-LBLICENSING@pa.gov

- Contact information is provided on the reference card in your bag.

- Resource materials will be published online in the near future – monitor your email for details.
### Topics

- Small Games of Chance
- Bylaws and Constitution
- Act 39 of 2016
- Act 166 of 2016
- Act 75 of 2017

### Resources
Small Games of Chance

- Small Games of Chance

  - The PLCB does not regulate the Local Option Small Games of Chance ("SGOC") Act, 10 P.S. §§ 311-327, and as such, the interpretation of this law falls outside of the scope of the PLCB’s authority. To determine exactly what activities are allowable pursuant to a SGOC permit, you are advised to contact the Department of Revenue, Miscellaneous Tax Division at (717) 787-8275.
Bylaws and Constitution

Section 5.81 of the PLCB’s Regulations requires a club licensee to adhere to the provisions of its constitution and/or bylaws. 40 Pa. Code § 5.81. If a club fails to do so, the club may be subject to a citation by the Pennsylvania State Police, Bureau of Liquor Control Enforcement.

Articles of Incorporation
The number of incorporated units of national veterans’ organizations that may be eligible to apply for a catering club or a club license outside of the quota has increased because Act 39 changed the requirement that the minimum number of paid members of such units from at least 100 to at least 50. 47 P.S. § 4-461.1(b).

License Surcharge

- All licenses that are renewed or validated under the authority of section 470 are now subject to a $700 surcharge. 47 P.S. § 4-470(a).
- This includes all Article IV licenses, such as restaurants, hotels, clubs, breweries, importing distributors, distributors and eating place retail dispensers.
Act 39 of 2016 Changes Impacting Clubs

- Catering club licensees may hold a maximum of 12 self-sponsored catered events during a two-year licensing term, with no more than one event in any calendar month. 47 P.S. § 4-406(h).

- Catering club and club licensees may sell alcohol to non-members at events between participants of the club’s membership and the participants from any other licensed entity, provided that the following conditions are met:
  1. The club sanctions the event;
  2. The event is scheduled more than 24 hours in advance; and
  3. Non-member participants are listed on a roster or registration list provided by a league, organization, or licensed entity prior to the beginning of the event. 47 P.S. § 4-406(i)(1), (2).

- The maximum number of days for which a special occasion permit may be obtained increased with regard to all eligible entities from six consecutive days to 10 consecutive days. 47 P.S. § 4-408.4(i).
Act 39 of 2016 Changes Impacting Clubs

- Retail licensees (e.g., restaurant, club and catering club) and breweries may offer a mug club to their patrons. Such an offer will not be construed as an unlawful inducement. 47 P.S. § 4-493(24)(iii).
  - A “mug club” is defined as a group organized by a retail licensee or a brewery whose members are entitled to discounted malt or brewed beverages. 47 P.S. § 1-102.
  - Membership in the mug club shall be by written application and the licensee must maintain a written list of active members as part of its records.
  - Licensees may charge an annual fee, as well as a renewal fee.
  - No discounted malt or brewed beverages may be provided between 12:00 a.m. and 7:00 a.m.
  - Mug club discounts are not counted against a licensee’s maximum number of hours during which it may offer happy hour pricing. 47 P.S. §§ 4-406(g), 4-442(g).
RAMP Server/Seller Training

All alcohol service personnel must complete RAMP server/seller training within six months of being hired by a licensee, unless the person had successfully completed said training prior to being hired. 47 P.S. § 4-471.1(h).

“Alcohol service personnel” is defined as any employee of a licensee such as a bartender, waiter or, in the case of a distributor or importing distributor, a salesperson whose primary responsibility includes the resale, furnishing or serving of liquor or malt or brewed beverages. It also means any employee, such as a doorperson, whose primary responsibility is to ascertain the age of individuals who are attempting to enter the licensed premises. 47 P.S. § 1-102.
Trans-shipping of Malt or Brewed Beverages

Precludes a distributor from selling or delivering malt or brewed beverages to any licensee whose licensed premises is located within the designated geographical area granted to an importing distributor other than the importing distributor that sold the beer to the distributor. If the licensee purchasing the beer from the distributor holds multiple licenses or operates at more than one location, then the beer may not be consumed or sold at licensed premises located within the designated geographical area granted to an importing distributor other than the importing distributor that sold the beer to the distributor. A licensee accepting delivery and/or transferring malt or brewed beverages in violation of this provision shall be subject to a suspension of at least 30 days. 47 P.S. § 4-431(b).
Act 75 of 2017 Changes Impacting Clubs

- Interlocking Interests

  - Section 411 of the Liquor Code, which, in part, prohibited a person from simultaneously holding an interest in both a retail license, like a hotel, club, catering club or restaurant, and acting as a landlord to a manufacturing license, like a brewery or limited winery; however, Act 75 removed this restriction. Now, the holder of a retail license (e.g., hotel, restaurant, club or catering club) and/or its officers, directors and stockholders are permitted to lease land or buildings to the holder of a manufacturer license. 47 P.S. § 4-411(d), (e).

- Sections 411(e) and 493 of the Liquor Code were also amended by Act 75 to allow a person who has an ownership interest in a limited winery license to be employed by an entity that holds a hotel, restaurant, eating place or club license, so long as the person is not employed as alcohol service personnel or as manager. 47 P.S. §§ 4-411(e), 4-493(11).
Act 75 of 2017 Changes Impacting Clubs

- Compliance Checks (47 P.S. § 2-211(g)).
  - Authorizes the BLCE to use minors to purchase, attempt to purchase, possess or transport liquor or malt or brewed beverages as part of compliance checks at licensed establishments, under certain conditions.
  - The minor may not consume liquor or malt or brewed beverages.
  - The Pennsylvania State Police is required to promulgate regulations defining how the compliance checks will be conducted. These regulations must at least include the certain requirements.
  - Expires on December 31, 2022.
  - The BLCE has been conducting minor compliance checks since 2002 when such checks were first authorized by the Crimes Code. Provisions regarding minor compliance checks were found previously in sections 6308(e) and 6310(c) of the Crimes Code. [18 Pa. C.S. §§ 6308(e), 6310(c)]. These two provisions have been repealed by Act 75.
Resources – Office of Chief Counsel

- Frequently Asked Questions:
  - www.lcb.pa.gov, click on “LEGAL” at top of page, click “LEGAL FAQS”

- Advisory Opinions:
  - www.lcb.pa.gov, click on “LEGAL” at top of page, click “ADVISORY OPINIONS”

- Legislative Updates:
  - www.lcb.pa.gov, click on “LEGAL” at top of page, click “LEGISLATIVE UPDATES”
Small Games of Chance
Title 40 Section 5.85
Inspection of clubhouse or club quarters:

Authorized representatives shall be admitted immediately to the clubhouse or club quarters and permitted without hindrance or delay to inspect completely the premises at any time during which the club is open for the transaction of business.
Unlawful acts relative to liquor, malt and brewed beverages and licensees:

(12) Failure to Have Records on Premises. For any liquor licensee, or any importing distributor, distributor or retail dispenser, to fail to keep for a period of at least two years complete and truthful records covering the operation of his licensed business, particularly showing the date of all purchases of liquor and malt or brewed beverages, the actual price paid therefor, and the name of the vendor, including State Store receipts, or for any licensee, his servants, agents or employes, to refuse the board or an authorized employe of the board or the enforcement bureau access thereto or the opportunity to make copies of the same when the request is made during business hours. The records from the most recent six-month period must be maintained on the licensed premises. Records for the remainder of the two-year period may be kept off the licensed premises so long as the records are returned to the licensed premises within twenty-four hours of a request by the board or enforcement bureau. A licensee may remove the records for the most recent six-month period from the licensed premises only for a lawful business purpose provided that they are returned to the premises when that business is completed.
Title 40 Section 5.73
Financial records:

- **(a) Income record.** A cashbook currently showing income in detail shall be maintained and posted. It shall be separated into dues, income from malt or brewed beverages and liquor, income from food and a miscellaneous column. This cashbook shall be totaled each month and used when the bank account is reconciled by the treasurer. The total entries under “dues” should balance with the dues recorded in the membership records. The record shall be maintained in columnar form.

- **(b) Expenditures record.** An expense ledger or record showing expenditures, separated by payments for malt or brewed beverages, liquor, food, detailed payroll, entertainment, rent, heat, light, water, equipment and other expenditures, shall be maintained. The record shall be in columnar form with the proper headings at the top, and balanced each month with the bank account and the records of the treasurer. Every expenditure must be supported by delivery tickets, invoices, receipted bills, cancelled checks, petty cash vouchers or other sustaining data or memoranda.

- **(c) Bank account.** A bank or cash account shall be maintained which shows income and expenditures as a control account on the income and expenditures records. The account shall be balanced each month by the treasurer with proper record made in the minutes of the recording secretary.
Small Games of Chance Act Section 103

Definitions:

A **club licensee** is a specific type of eligible organization. Any organization that is an “exempt organization” under the Internal Revenue Code Section 501(c) or 527, which is licensed to sell liquor under Section 404 of the Pennsylvania Liquor Code, is a “club.” If it obtains a games of chance license from the county treasurer, it is a “club licensee” for small games of chance purposes. Club licensees, unlike other licensed eligible organizations that can only use games of chance proceeds for public interest purposes, can use some games of chance proceeds for operating expenses. Annual reporting requirements apply for club licensees.
**Is operating a bar, restaurant or game room for members an exempt activity?**

**NO.** Operating a bar, restaurant or game room is not a social welfare purpose. Such activities are social and recreational and may be considered business activities. They do not benefit the community as a whole. If activities that do not further social welfare become an organization’s primary activities, they may jeopardize tax exemption.
If a post has “bar and grill members” who are not veterans, would the bar and grill operation have an adverse impact on exempt status?

Membership is not a factor under IRC 501(c)(4). The operation of the bar is a business activity. The income from this activity may be subject to the tax on unrelated business income. [See Chapter 7 on UBIT] If this activity is the primary activity, the organization will not qualify for exemption under IRC 501(c)(4).
In order to understand legal GAMBLING, you first need to understand GAMBLING.
Elements of Gambling

- Consideration
- Chance
- Reward

All three elements **must** be present to establish that an activity constitutes gambling.
Consideration

- COST TO BEGIN PLAY OR EVENT
  - Bet
  - Wager

- EXAMPLES
  - Block purchase in pool
  - “Buy-in” in poker tournament
  - Purchase of pull tab
  - Money in slot machine
Small Games of Chance

Chance

- EVENT OUTCOME BASED WHOLLY OR PREDOMINANTLY ON CHANCE
  - “Dominant Factor Test”
  - Individual has little to no effect over outcome

- EXAMPLES
  - Roll of dice or turn of card
  - Result of race or sporting event

- SKILL
  - To be considered a skill, a person would have to be able to master the game
  - Darts, billiards, etc.
  - Poker may involve some skill or knowledge, however the cards are still dealt randomly
Reward

- Return to player for winning event
  - May be cash, merchandise, service or anything of value
  - For video games, free games DO NOT constitute reward.

- If the value of the available prize(s) for an individual chance is less than the cost of the chance (consideration), then the contest is not gambling
  - E.G. Duck pond game
  - Chuck E. Cheese
Legal vs. Illegal Gambling

Currently, the only forms of gambling authorized by statute in Pennsylvania are:

- Gambling activities conducted pursuant to the Horse Racing Industry Reform Act.
- Pennsylvania Lottery
- Bingo conducted pursuant to the Bingo Law
- Gambling activities conducted pursuant to the Local Option Small Games of Chance Act (including Tavern Games)
- Gambling activities conducted pursuant to the Pennsylvania Race Horse Development and Gaming Act (casinos).
Permitted Games Under the SGOC Act:

The Act is very specific as to the games of chance that are permitted. They are:

- Punchboards
- Pull-Tabs
- Raffles
- Daily Drawings
- Weekly Drawings
- 50/50 Drawings (as of 12/24/2013)
- (Major League Sports Drawing)
- Race Night Games (as of 1/27/2014)
- Pools, excluding sports pools (as of 1/27/2014)
Small Games of Chance
Common Unlawful Gambling Activities

- Texas Hold’em Tournaments
- Paddle Auctions
- Casino Nights
- Pools – football, basketball, NASCAR, etc.
- Vertical wheel or “Chuck-a-luck Wheel”
- Video gambling devices - video poker or slots

NONE OF THESE ACTIVITIES ARE AUTHORIZED BY THE SMALL GAMES OF CHANCE ACT
Legislative Intent

102. Legislative intent
The General Assembly hereby declares that the playing of small games of chance for the purpose of raising funds, by certain nonprofit associations, for the promotion of charitable or civic purposes, is in the public interest. In some cases the proceeds from games of chance may be utilized to support certain operating expenses of certain organizations.

The General Assembly hereby declares that raising public funds from games of chance in licensed restaurants and protecting the competitiveness of these restaurants is also in the public interest.

It is hereby declared to be the policy of the General Assembly that all phases of licensing, operation and regulation of games of chance be strictly controlled, and that all laws and regulations with respect thereto as well as all gambling laws should be strictly construed and rigidly enforced.

The General Assembly recognizes the possibility of association between commercial gambling and organized crime, and wishes to discourage commercialization of small games of chance, prevent participation by organized crime and prevent the diversion of funds from the purposes herein authorized.
Eligible Organizations

- A charitable, religious, fraternal or veterans' organization, club, club licensee or civic and service association. In order to qualify as an eligible organization for purposes of this act, an organization shall have been in existence and fulfilling its purposes for one year prior to the date of application for a license. The term shall include an affiliated nonprofit organization licensed under section 307.
Auxiliary Groups

- Are eligible to conduct SGOC using the license issued to the eligible organization, provided that the auxiliary group is listed on the license and the application.
Operation Of Games

- Only licensed eligible organizations or auxiliary group managers, officers, directors, bar personnel or bona fide members of the licensed eligible organization may conduct games of chance.
- A person may not be compensated for conducting games of chance.

Except the sale of raffle tickets.
Small Games of Chance

Operation Of Games

- No person under the age of 18 may operate or participate in S.G.O.C.

- A person visibly intoxicated may not purchase or sell a punchboard or pull-tab chance.
Small Games of Chance

Types of Licenses

▪ Regular License - An annual license, term runs for a calendar year from the date of issuance. The fee is $125. CLUBS License - Liquor license and a SGOC license.

▪ Monthly License - Valid for 30 consecutive days from the date of issuance. No restriction on the number of monthly licenses an eligible organization may obtain but the licenses may not overlap. The fee is $25. (12 months X $25 = $300)

▪ Special Raffle Permits - Available to regular and monthly licenses, authorizes a holder to conduct a raffle that exceeds the normal prize limits.
  ▪ 10 occasions for a total of $150,000 a year.
  ▪ 12 occasions for a total of $250,000 a year for volunteer fire, ambulance, rescue or conservation organizations.
FALSE OR FRAUDULENT APPLICATION IS PUNISHABLE BY A FINE OF $1,000, IMPRISONMENT FOR ONE YEAR OR BOTH.

THE FOLLOWING DOCUMENTS MUST BE ATTACHED TO THE APPLICATION (use 8 1/2” X 11” sheets where possible).

1. Check, cashier’s check or money order in the amount of the total application fee payable to the licensing authority named on Page 1 of this application.

2. Schedule Sheet.

3. If incorporated, a copy of the applicant’s articles of incorporation. If not incorporated, a copy of bylaws or other legal documents that define the organization’s structure and purposes. Documentation indicating the organization has been fulfilling its purpose for one year prior to applying for a license is required.

4. A copy of the applicant’s Internal Revenue Service tax exemption approval letter or official documentation indicating the applicant is a non-profit charitable organization.

5. Details and copies of all written lease or rental arrangements between the applicant and the owner of premises upon which the games of chance will be conducted, if such premises are leased or rented. If premises are owned, provide a copy of the deed.

6. Effective Feb 1, 2015, each application for a club license with proceeds in excess of $20,000 must include the most recent report filed with the department.
## SCHEDULE B

List the following data for all officers, directors, owners and partners. If incorporated, list all officers and shareholders controlling 10 percent or more of outstanding stock. If organized as a partnership, list data for all partners. For all other entities, list data of any other financially responsible person.

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## SCHEDULE C

List all persons who will be responsible for operation of games of chance, including employees, bar personnel and organizational members or auxiliary members who will obtain and coordinate use of games of chance.

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Application – Responsible Persons

- Changes must be reported to the issuing authority within 15 days.

- Information on file with the issuing authority MUST be accurate.
As the executive officer or secretary of the eligible organization, I certify, under penalties of perjury and falsification found in 18 Pa. C.S.A. §4901 et seq., that:

A. No person under 18 years of age shall be permitted to operate or play games of chance.

B. No person who will manage, set up, supervise or participate in the operation of games of chance has been convicted of a felony, a violation of the Bingo Law, or the Local Option Small Games of Chance Act.

C. The facility in which games of chance are to be played has adequate means of ingress and egress and adequate sanitary facilities available in the area and meets all Department of Health and other local or federal sanitary requirements.

D. The eligible organization is the owner of the premises upon which the games of chance are played; or, if it is not, the organization is not leasing such premises from the owner under an oral agreement, nor is it leasing such premises from the owner under a written agreement as a rental which is determined by the amount of receipts realized from the playing of games of chance or by the number of people attending, except for a banquet where a per head charge is applied connecting to the serving of a meal.

E. The organization has not been convicted of a violation of the Act of Dec. 19, 1988 (P.L. 1262, No. 156), known as the Local Option Games of Chance Act.

I have examined this application, including accompanying schedules and statements, and to the best of my knowledge and belief, all information provided is true, correct and accurate.

Signature of Officer Preparing Application

Date of Birth
Title

Date

Print Name
Social Security Number (Optional)
Telephone Number

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

Before me this day personally appeared , who, being duly sworn according to law, deposes and says that the statements contained in the foregoing application are true and correct. Subscribed and sworn to before me this date:

Month    Day    Year
PSP Background Check

- E-Patch - Pennsylvania Access To Criminal History
  - https://epatch.state.pa.us

- Results may take up to two or three weeks.
  - Results may be delayed if an individual with the same or similar name has a criminal history.
Small Games of Chance

Proceeds

Gross Revenue from Game($$$)

- Costs ($)
- Prizes ($)

= PROCEEDS ($)

(If over $40,000, must have a separate SGOC bank account)
Example of Raffle Proceeds

$1000   Sale of 1000 tickets
- $ 100   Printing Costs
- $ 500   Prizes

= $ 400   Proceeds
Use of Proceeds

- Eligible Organizations
  100% Public Interest

- CLUBS - Liquor license and a SGOC license.
  60% Public Interest
  40% Operational expenses
Use of Proceeds

- The proceeds from the operation of small games of chance by an eligible organization may be used for **only** four purposes:
  - Purchase of small games of chance.
  - Public interest purposes.
  - For the payment of the license fee.
  - Operating expenses (club licensees/40%)
Use of Proceeds

PROCEEDS FROM SGOC SHALL NOT BE UTILIZED FOR THE PAYMENT OF ANY FINE LEVIED AGAINST THE CLUB LICENSEE.
Use of Proceeds

Public interest purposes are defined in the Act as:

1. The activities and operations of a nonprofit organization that provides a benevolent, religious, educational, philanthropic, humane, scientific, patriotic, social welfare, social advocacy, public health, public safety, emergency response, environmental or civic objective.

2. Initiating, performing or fostering worthy public works or enabling or furthering the erection or maintenance of public structures.
Use of Proceeds

3. Lessening the burdens borne by government or voluntarily supporting, augmenting or supplementing services which the government would normally render to the people.

4. Improving, expanding, maintaining or repairing real property owned or leased by an eligible organization and relating operational expenses used for purposes specified in paragraphs (1), (2) and (3). -The term does not include the erection or acquisition of any real property unless the property will be used exclusively for one or more of the purposes specified in this definition.
Use of Proceeds

5. Nonprofit youth sports activities.

6. Activities related to the provision of volunteer fire, ambulance or rescue services.

7. Activities conducted by a veterans organization, whether or not the veterans organization holds a CLUB license:
   - Scholarships
   - Services to economically or socially support veterans.
   - Activities to honor veterans
   - Other activities that qualify under paragraphs 1, 2, 3, 4, 5, and 6.
Examples of “Public Interest Purpose” Expenses

- Support of youth programs
  - e.g. sports, youth centers, etc.
- Donations to food pantries
- Community projects
- Donation to certain charitable or non-profit organizations
  - “Non-profit” does not necessarily indicate an organization serves a “public interest purpose.”
- Purchase of fire and rescue equipment
Affiliated Club

- An organization that is affiliated and connected to a veterans organization or volunteer fire company may receive funds from a CLUBS 60% portion of SGOC proceeds to be used for public interest activities.
Bank Account

- An eligible organization with proceeds from games of chance that exceed $40,000 per year shall maintain a bank account, which shall be separate from all other funds belonging to the licensed eligible organization.
Prize Limits

- **General Prize limits:**
  - $2,000 for single chance.
  - $35,000 total for operating week.
    - Listed in the Act as the “Aggregate Prize Limit”

- **Prize limit for raffles:**
  - $15,000 per calendar month.
  - Exception – Special Permit Raffle
    - $150,000 per year. ($250,000 for certain organizations)
    - No $2,000 limit on individual chance.
    - Prizes not included when calculating weekly total.
Questions

- For general information regarding Small Games of Chance provided by the Department of Revenue go to: http://www.revenue.state.pa.us/sgoc

- This Power Point presentation and the schedules developed by the Bureau of Liquor Control Enforcement to aid eligible organizations in meeting their record-keeping requirements and instruction for their use can be found at: http://www.lce.state.pa.us
Break
Topics

RAMP Certification

RAMP and PLCB+

Mandated Licensed Establishments

Mandated RAMP Components
What is RAMP Certification?

- RAMP was created as a voluntary certification that applies to the licensed establishment.

- Consists of five components – owner/manager training, server/seller training, new employee orientation, signage and request for RAMP certification.

- Must complete all five components for the establishment to become RAMP-certified. Certification is valid for two years, providing the licensee remains in compliance with all components.

- Licensees may also be mandated to complete the program.
RAMP Certification – The Five Parts:

1. Owner/Manager Training
2. Server/Seller Training
3. New Employee Orientation
4. Signage
5. Request for RAMP Certification

RAMP certification is granted to the licensed premises upon successful completion of all five required components. Completing either the owner/manager or server/seller training alone does not grant certification to the establishment or the person completing the training.
Owner/Manager Training

- At least one owner or the PLCB-approved manager must complete the training.

- May be completed online or in-class.

- Access the course online in PLCB+.

- In-class dates & locations also available in PLCB+.

- Training is valid for two years.
Server/Seller Training

- At least 50% of all alcohol service personnel must complete this training. (This includes anyone who serves alcohol or checks IDs.)

- Provided in class and online by PLCB-approved instructors for a fee.

- Licensee is responsible for scheduling training.

- Instructor is required to give one week notice to the PLCB for classroom training.

- Training is valid for two years, providing the trainee scores an 80% or better on the written exam.
The PLCB will provide the licensee with NEO forms.

Forms must be jointly reviewed & completed by each alcohol service personnel and signed by the owner/manager.

Original forms should be kept on file for the duration of employment, and maintained for at least two years thereafter.

Alcohol Server Responsibility (#91), House Policies (#93), Licensees, Minors & the Law (#94), and Fake ID (#95) brochures accompany the NEO form.
Signage shall at a minimum include the following information: Acceptable forms of identification, refusal of service to minors and VIPs.

Signage will be provided by the PLCB and must be prominently displayed and easily observed by patrons.

A licensed establishment may use other signage providing that it is at least 8.5” x 11” in size and is equivalent to the content of the PLCBs. You are not permitted to use the PLCB or RAMP logos.

The licensee shall be responsible for posting and maintaining the signage at all times.
After successful completion of the four previously listed requirements:

- The licensee must apply for RAMP certification online through PLCB+.
- The licensee will receive certification providing all requirements are met.

The establishment is not considered RAMP-certified until this request for certification has been received and approved.
Login or register for a PLCB+ account.

Login to your account:
Email: 
Password: 
Forgot password?

Login 
Need an account? Register here
Online Application for RAMP Certification

Please read the entire menu before making your selections.

To add a licensee to your account, please go to "My Profile" and scroll to the bottom of the page where you can add your access code. Please contact the PLCB help desk at 1-844-707-5475 or email ra-lblicensingmod@pa.gov if you need an access code.

If you are attempting to renew or validate an existing license and it does not show or appear on the bottom right corner of this page, please do not apply for a new license. Please contact the PLCB help desk at 1-844-707-5475 or email ra-lblicensingmod@pa.gov for help with renewing or validating your license.

NEW APPLICATIONS

Apply for a New License

BRAND REGISTRATION

Apply for / Manage / Renew Brands
Click on the Owner/Manager tab. If you do not have an Owner/Manager tab, you must contact RAMP (866-275-8237) and request the premises manager access code.

- Click on the My Profile tab and enter the access code at the bottom of the screen.

Once you click on the Owner/Manager tab you should see a list of all of the licenses you own or can manage. From the Owner/Manager tab you can manage your staff roster and apply for RAMP certification.
Managing Your Staff Roster

Select the Manage Staff/Roster link for the premises you wish to manage.
Managing Your Staff Roster

You must list all members of your alcohol service staff.

You will be able to add and remove staff members.

Click on the employee’s name to update staff employment information.
Apply for RAMP Certification

After successful submission of the RAMP certification application you will be presented with a confirmation page that summarizes the application details. Your application has now been sent to the PLCB to process.

You will see the details of the application under **My Certification Applications Under Review** until it is fully processed by the PLCB.

Once the application is approved, you can print your RAMP certificate found under **My Approved Certification Applications**.
Once the establishment is RAMP–certified:

- If the owner or manager who completed owner/manager training changes, the new owner or manager has 60 days to complete training.

- If server/seller trained individuals falls below 50%, additional individuals must be trained within 60 days.

- New Employee Orientation Forms must be completed by all new hires within 30 days of being hired.

- Maintain posting of VIP and minor signs at all times.

- Add/delete employees to the Alcohol Service Staff Roster.
Benefits of RAMP Certification to the Licensee

- Knowledgeable, well-trained staff and management.
- Recognition as a responsible licensee in your community.
- Possible reduction in fines and penalties.
- Less likelihood of dram shop liability.
- Possible liquor liability insurance discount.
When is a licensee required to complete all five RAMP components?

- An Administrative Law Judge (ALJ) can order a licensee to become RAMP-certified when they are found guilty of the following Liquor Code violations:
  - Service to minors
  - Service to Visibly Intoxicated Patrons

- A licensee may also be required to complete RAMP certification as part of a conditional licensing agreement (CLA).

- Prior to obtaining a wine expanded permit (licensee must maintain compliance).
When are RAMP training components required, without being mandated to become RAMP-certified?

**Owner/Manager Training:**

- Act 113 of 2011 requires newly approved managers of certain license types to complete this training within 180 days of approval by the PLCB. (effective 2-20-12)
When are RAMP training components required, without being mandated to become RAMP-certified?

Server/Seller Training:

- For all staff serving alcohol at an off-premises catering event.
- For all cashiers selling wine at an establishment with a wine expanded permit.
- For all new alcohol service personnel hired on/after 8-8-16 who are not RAMP server/seller trained must be trained w/in six months of being hired and be re-trained before their current training expires.
- For all new alcohol service personnel hired on/after 8-8-16 who are already RAMP server/seller trained must be re-trained before their current training expires.
- For all employees hired before 8-8-16 who are not RAMP server/seller trained, but transfer into an alcohol service position on/after 8-8-16, need to be trained w/in six months of assuming their new duties.
Register for Training in PLCB+

PLCB+
Online Regulatory System

LICENSING  R.A.M.P.  GRANTS  ALC. ED. MATERIALS  MY PROFILE  SIGN OUT

R.A.M.P.

EDUCATION

Student

Register for a Course
(Search for and register for Education course offerings)

My Rosters
(View and manage which rosters you appear on)
To Review……

A licensed establishment must complete all five components to become RAMP-certified.

1. Owner/Manager Training
2. Server/Seller Training
3. New Employee Orientation
4. Signage
5. Request for RAMP Certification
Q & A