



VIEW FROM THE BAR

by Marc Resiman, Esq.



Rules Change For Social Gatherings of Minors

Effective May 8, 2003, the provisions in the Pennsylvania Liquor Code dealing with social gatherings of minors on licensed premises were modified in important ways. The changes can be summarized as follows:

- A “social gathering” for minors is now defined as events “marketed to or catering to minors in whole or part” for which the Bureau of Liquor Control Enforcement has been given 48 hours written advance notice. All alcohol at the premises must either be removed or locked up, and minors must be under “proper supervision.”
- “Proper supervision” is now considered to be one person at least 25 years old for every 20 minors at the licensed premises who is directly responsible for them (except in Philadelphia where the ratio is one supervisor for every 5 minors). This person

can be a paid employee of the licensee, provided that such person must be fully dedicated to the care and conduct of the minors and therefore not on regular work duty.

- If the gathering is “part of a school-endorsed function,” the supervisor/minor ratio drops to one supervisor for every 50 minors.

Note that a minor is still permitted to be in a licensed premises if he/she is in the care of a parent or legal guardian or if the licensed premises has 50% or more of its gross sales in food and non-alcoholic beverages. Additional conditions apply in such cases.

I expect that the Bureau of Liquor Control Enforcement will be watching these functions closely. The above is merely a summary of the new rules. You should consult an attorney who practices in the area of liquor law if you wish to host such a gathering at your licensed premises.

(This column is brought to you as a public service by Marc Reisman, a partner in the law firm of Gelman & Reisman. If you have an issue you would like to see addressed, or if you would like a reprint of a previous column, write to him at 1701 Law & Finance Building, Pittsburgh, PA 15219, or call 1-800-883-1LAW. This column is intended for informational purposes only - consult Mr. Reisman for legal advice specific to your situation.)

