

1 A bill to be entitled
 2 An act relating to ticket sales; amending s. 817.355,
 3 F.S.; providing enhanced criminal penalties for second
 4 and subsequent violations concerning fraudulent
 5 creation or possession of an admission ticket;
 6 providing criminal penalties for persons who commit
 7 such violations involving more than a specified number
 8 of tickets; amending s. 817.361, F.S.; providing
 9 definitions; prohibiting the purchase, sale, and
 10 transfer of certain multiuse tickets; prohibiting the
 11 sale and transfer of certain cards, wristbands, and
 12 media that access or are associated with multiuse
 13 tickets; providing enhanced criminal penalties for
 14 second or subsequent violations of provisions relating
 15 to the purchase, sale, or transfer of certain multiuse
 16 tickets and the sale and transfer of certain cards
 17 wristbands, and media that access or are associated
 18 with multiuse tickets; providing an effective date.

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 20 Be It Enacted by the Legislature of the State of Florida:

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 22 Section 1. Section 817.355, Florida Statutes, is amended
 23 to read:

24 817.355 Fraudulent creation or possession of admission
 25 ticket.—

26 (1) Except as provided in subsections (2) and (3), a ~~Any~~
 27 person who counterfeits, forges, alters, or possesses a ~~any~~
 28 ticket, token, or paper designed for admission to or the

29 rendering of services by a any sports, amusement, concert, or
 30 other facility offering services to the general public, with the
 31 intent to defraud such facility, commits ~~is guilty of~~ a
 32 misdemeanor of the first degree, punishable as provided in s.
 33 775.082 or s. 775.083.

34 (2) A person who commits a second or subsequent violation
 35 of subsection (1) commits a felony of the third degree,
 36 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

37 (3) A person who counterfeits, forges, alters, or
 38 possesses 10 or more tickets, tokens, or papers designed for
 39 admission to or the rendering of services by a sports,
 40 amusement, concert, or other facility offering services to the
 41 general public with the intent to defraud such facility commits
 42 a felony of the third degree, punishable as provided in s.
 43 775.082, s. 775.083, or s. 775.084.

44 Section 2. Section 817.361, Florida Statutes, is amended
 45 to read:

46 817.361 Purchase, sale, or transfer ~~Resale of~~ multiuse
 47 tickets; sale or transfer of cards, wristbands, and media that
 48 access or are associated with multiuse tickets ~~multiday or~~
 49 ~~multievent ticket.~~

50 (1) As used in this section, the term:

51 (a) "Issuer" means the person or entity that created a
 52 multiuse ticket and is obligated to allow admission thereunder.

53 (b) "Multiuse ticket" means a ticket, other medium, or
 54 right designed for admission to more than one theme park
 55 complex, or to more than one amusement location or other
 56 facility in a theme park complex, or for admission for more than

57 | 1 day or more than once in the same day to one or more such
 58 | locations or facilities in a theme park complex.

59 | (c) "Theme park complex" means an area comprised of at
 60 | least 25 acres of land owned by the same business entity and
 61 | which contains rides or other recreational activities.

62 | (2) A person who purchases, offers to purchase, ~~whoever~~
 63 | offers for sale, sells, or transfers in connection with a
 64 | commercial transaction, with or without consideration, ~~a~~ any
 65 | nontransferable multiuse ticket or a card, wristband, or other
 66 | medium that accesses or is associated with any nontransferable
 67 | multiuse ticket ~~or other nontransferable medium~~ designed for
 68 | admission to more than one amusement location or other facility
 69 | offering entertainment to the general public, or for admission
 70 | for more than 1 day thereto, after the nontransferable multiuse
 71 | said ticket ~~or other medium~~ has been used at least once for
 72 | admission, commits a violation of this subsection. For purposes
 73 | of this subsection, a multiuse ticket is nontransferable unless
 74 | the phrase "may be used by more than one person" is printed
 75 | clearly on the multiuse ticket by the issuer or the issuer
 76 | explicitly states on its website that the multiuse ticket may be
 77 | used by more than one person ~~is guilty of a misdemeanor of the~~
 78 | second degree, punishable as provided in s. 775.082 or s.
 79 | 775.083. A nontransferable ticket ~~or other nontransferable~~
 80 | medium is one on which is clearly printed the phrase:
 81 | "Nontransferable; must be used by the same person on all days"
 82 | or words of similar import.

83 | (3) A person who purchases, offers to purchase, offers for
 84 | sale, sells, or transfers from or to any person in connection

HB 1057

2014

85 with a commercial transaction, with or without consideration, a
86 card, wristband, or other medium that accesses or is associated
87 with a multiuse ticket with the knowledge that another person
88 possesses a card, wristband, or other medium that accesses or is
89 associated with the same multiuse ticket commits a violation of
90 this subsection.

91 (4) (a) Except as provided in paragraph (b), a person who
92 violates subsection (2) or subsection (3) commits a misdemeanor
93 of the first degree, punishable as provided in s. 775.082 or s.
94 775.083.

95 (b) A person who commits ~~Upon conviction for~~ a second or
96 subsequent violation of this subsection (2) or subsection (3) or
97 who commits a violation of subsection (2) after committing a
98 violation of subsection (3) or who commits a violation of
99 subsection (3) after committing a violation of subsection (2)
100 commits, such person is guilty of a felony misdemeanor of the
101 third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~ s.
102 775.083, or s. 775.084.

103 Section 3. This act shall take effect July 1, 2014.