

By Senator Lynn

7-868-04

See HB

1                                   A bill to be entitled  
2           An act relating to resales of admission  
3           tickets; amending s. 817.36, F.S.; providing  
4           for nonapplication of a criminal penalty for  
5           sales of certain admission tickets through a  
6           credit card, licensed money transmitter, or  
7           other mechanism that offers reimbursement for  
8           fraud, misrepresentation, or nonperformance;  
9           providing for unenforceability of resale  
10          limiting terms or conditions of original sales  
11          of such tickets by such means; providing an  
12          effective date.

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

16           Section 1. Paragraph (a) of subsection (2) of section  
17 817.36, Florida Statutes, is amended to read:

18           817.36 Resale of tickets of common carriers, places of  
19 amusement, etc.--

20           (2)(a)1. Whoever shall offer for sale or sell any  
21 ticket good for admission to any sporting exhibition, athletic  
22 contest, theater, or any exhibition where an admission price  
23 is charged and request or receive a price in excess of \$1  
24 above the retail admission price charged therefor by the  
25 original seller of said ticket commits ~~shall be guilty of~~ a  
26 misdemeanor of the second degree, punishable as provided in s.  
27 775.082 or s. 775.083.

28           2. This paragraph does not apply to any transaction in  
29 which the ticket is purchased through a credit card, licensed  
30 money transmitter, or other mechanism that offers partial or  
31 full reimbursement for fraud, misrepresentation, or

1 nonperformance. Any term or condition of the original sale of  
2 the ticket that purports to limit the terms or conditions of  
3 resale of the ticket, including, but not limited to, the  
4 resale price of the ticket, shall be unenforceable, null, and  
5 void if the resale transaction is carried out through a credit  
6 card, licensed money transmitter, or other mechanism that  
7 offers partial or full reimbursement for fraud,  
8 misrepresentation, or nonperformance.

9           Section 2. This act shall take effect upon becoming a  
10 law.

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