

HB 0339

2004

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

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

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 14           Section 1. Paragraph (a) of subsection (2) of section  
 15           817.36, Florida Statutes, is amended to read:

16           817.36 Resale of tickets of common carriers, places of  
 17           amusement, etc.--

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

25           2. This paragraph does not apply to any transaction in  
 26           which the ticket is purchased through a credit card, licensed  
 27           money transmitter, or other mechanism that offers partial or  
 28           full reimbursement for fraud, misrepresentation, or  
 29           nonperformance. Any term or condition of the original sale of

CODING: Words **stricken** are deletions; words **underlined** are additions.

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30 the ticket that purports to limit the terms or conditions of  
31 resale of the ticket, including, but not limited to, the resale  
32 price of the ticket, shall be unenforceable, null, and void if  
33 the resale transaction is carried out through a credit card,  
34 licensed money transmitter, or other mechanism that offers  
35 partial or full reimbursement for fraud, misrepresentation, or  
36 nonperformance.

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