By Senator Lynn

7-1494-05

1	A bill to be entitled
2	An act relating to the resale of tickets to
3	college or professional sporting events;
4	amending s. 817.36, F.S.; exempting such
5	resales from "scalping" prohibitions in certain
6	situations; providing an effective date.
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8	Be It Enacted by the Legislature of the State of Florida:
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10	Section 1. Subsection (2) of section 817.36, Florida
11	Statutes, is amended to read:
12	817.36 Resale of tickets of common carriers, places of
13	amusement, etc
14	(2)(a) Whoever shall offer for sale or sell any ticket
15	good for admission to any sporting exhibition, athletic
16	contest, theater, or any exhibition where an admission price
17	is charged and request or receive a price in excess of \$1
18	above the retail admission price charged therefor by the
19	original seller of <u>the</u> said ticket <u>is</u> shall be guilty of a
20	misdemeanor of the second degree, punishable as provided in s.
21	775.082 or s. 775.083.
22	(b) However, this subsection does not apply to the
23	offer or sale of an admission ticket to a professional or
24	<pre>college sporting event if:</pre>
25	1. The ticket is offered through an Internet website;
26	2. The seller has written permission from the
27	management of the team or league, the producer of the event,
28	or the manager of the building where the event is held to be
29	an original seller of tickets to the event;
30	3. The website operates in a manner consistent with
31	pricing and sale requirements imposed by such management; and

1	4. The website prominently discloses that it is
2	authorized by such management to conduct the resale of the
3	tickets.
4	$\frac{(c)}{(b)}$ The provisions of this subsection shall apply
5	to travel agencies that have an established place of business
6	in this state, which place of business is required to pay
7	state, county, and city occupational license taxes, unless
8	such agencies are registered sellers of travel pursuant to
9	part XI of chapter 559 and adhere to the restriction of
10	selling said tickets as part of the travel packages specified
11	in that part, and such travel agencies are reselling said
12	tickets on behalf of the original sellers of said tickets.
13	When any original seller of tickets provides a travel agency
14	with tickets in bulk, the travel agent shall be deemed to be
15	reselling the tickets on behalf of the original seller.
16	Section 2. This act shall take effect July 1, 2005.
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19	SENATE SUMMARY
20	Exempts the Internet sale of tickets to college or
21	<pre>professional sporting events from "scalping" prohibitions under certain circumstances.</pre>
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