

Bill No. CS for SB 1168

Barcode 211036

CHAMBER ACTION

Senate

House

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Comm: WD  
04/18/2006 06:05 PM

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The Committee on General Government Appropriations (Baker)  
recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 1, line 31, through  
page 4, line 27, delete those lines

and insert: themselves violates ss. 501.201-501.213, the  
Deceptive and Unfair Trade Practices Act. A person or firm is  
not liable under this section with respect to tickets for  
which that person or firm is the original ticket seller or for  
which that person or firm provides contracted services for  
such original ticket seller in connection with such sales.

Section 2. Section 817.36, Florida Statutes, is  
amended to read:

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

~~(1)(a)~~ Whoever shall offer for sale or sell any ticket  
good for passage or accommodations on any common carrier in  
this state and request or receive a price in excess of \$1  
above the retail price charged therefor by the original seller

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1 of said ticket shall be guilty of a misdemeanor of the second  
2 degree, punishable as provided in s. 775.082 or s. 775.083.

3 ~~(b) The provisions of this subsection shall~~ This  
4 section may not apply to travel agencies that have an  
5 established place of business in this state, which place of  
6 business is required to pay state, county, and city  
7 occupational license taxes.

8 ~~(2)(a) Whoever shall offer for sale or sell any ticket~~  
9 ~~good for admission to any sporting exhibition, athletic~~  
10 ~~contest, theater, or any exhibition where an admission price~~  
11 ~~is charged and request or receive a price in excess of \$1~~  
12 ~~above the retail admission price charged therefor by the~~  
13 ~~original seller of said ticket shall be guilty of a~~  
14 ~~misdemeanor of the second degree, punishable as provided in s.~~  
15 ~~775.082 or s. 775.083.~~

16 ~~(b) The provisions of this subsection shall apply to~~  
17 ~~travel agencies that have an established place of business in~~  
18 ~~this state, which place of business is required to pay state,~~  
19 ~~county, and city occupational license taxes, unless such~~  
20 ~~agencies are registered sellers of travel pursuant to part XI~~  
21 ~~of chapter 559 and adhere to the restriction of selling said~~  
22 ~~tickets as part of the travel packages specified in that part,~~  
23 ~~and such travel agencies are reselling said tickets on behalf~~  
24 ~~of the original sellers of said tickets. When any original~~  
25 ~~seller of tickets provides a travel agency with tickets in~~  
26 ~~bulk, the travel agent shall be deemed to be reselling the~~  
27 ~~tickets on behalf of the original seller.~~

28  
29 (Redesignate subsequent sections.)  
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1 ===== T I T L E    A M E N D M E N T =====

2 And the title is amended as follows:

3            On page 1, lines 1-20, delete those lines

4

5 and insert:

6                            A bill to be entitled

7            An act relating to resale of tickets; creating

8            s. 817.357, F.S.; providing that purchasing

9            tickets in excess of the maximum number allowed

10           with the intent to resell those tickets is a

11           violation of the Deceptive and Unfair Trade

12           Practice Act; amending s. 817.36, F.S.;

13           deleting the prohibition on the resale of

14           tickets; providing an effective date.

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