

Bill No. CS for SB 1168

Barcode 420614

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Comm: RCS
04/18/2006 06:06 PM

.
. .
. .
. .
. .
. .

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (8) of section 559.9335, Florida Statutes, is repealed.

Section 2. Section 817.357, Florida Statutes, is created to read:

817.357 Purchase of tickets.--Whoever knowingly purchases from the original seller and intends to resell a quantity of tickets to an event which exceeds the maximum amount posted by or on behalf of the original ticket seller at the point of original sale or printed on the tickets themselves violates ss. 501.201-501.213, the Florida 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

Bill No. CS for SB 1168

Barcode 420614

1 ticket seller in connection with such sales.

2 Section 3. Section 817.36, Florida Statutes, is
3 amended to read:

4 817.36 Resale of tickets of common carriers, ~~places of~~
5 ~~amusement, etc.--~~

6 (1)(a) Whoever shall offer for sale or sell any ticket
7 good for passage or accommodations on any common carrier in
8 this state and request or receive a price in excess of \$1
9 above the retail price charged therefor by the original seller
10 of said ticket shall be guilty of a misdemeanor of the second
11 degree, punishable as provided in s. 775.082 or s. 775.083.

12 ~~(b) The provisions of this subsection shall~~ This
13 section may not apply to travel agencies that have an
14 established place of business in this state, which place of
15 business is required to pay state, county, and city
16 occupational license taxes.

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

25 ~~(b) The provisions of this subsection shall apply to~~
26 ~~travel agencies that have an established place of business in~~
27 ~~this state, which place of business is required to pay state,~~
28 ~~county, and city occupational license taxes, unless such~~
29 ~~agencies are registered sellers of travel pursuant to part XI~~
30 ~~of chapter 559 and adhere to the restriction of selling said~~
31 ~~tickets as part of the travel packages specified in that part,~~

Bill No. CS for SB 1168

Barcode 420614

1 ~~and such travel agencies are reselling said tickets on behalf~~
 2 ~~of the original sellers of said tickets. When any original~~
 3 ~~seller of tickets provides a travel agency with tickets in~~
 4 ~~bulk, the travel agent shall be deemed to be reselling the~~
 5 ~~tickets on behalf of the original seller.~~

6 Section 4. This act shall take effect July 1, 2006.

7
8
9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 Delete everything before the enacting clause

12
13 and insert:

14 A bill to be entitled

15 An act relating to resale of tickets; repealing
 16 s. 559.9335(8), F.S., related to the
 17 prohibition of selling or marketing certain
 18 admissions tickets above their retail value;
 19 creating s. 817.357, F.S.; providing that
 20 purchasing tickets in excess of the maximum
 21 number allowed with the intent to resell those
 22 tickets is a violation of the Deceptive and
 23 Unfair Trade Practice Act; amending s. 817.36,
 24 F.S.; deleting the prohibition on the resale of
 25 tickets; providing an effective date.