

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

3 817.36 Resale of tickets of common carriers, ~~places of~~
4 ~~amusement, etc.--~~

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

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

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

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

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

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

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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
8 COMMITTEE SUBSTITUTE FOR
9 CS/SB 1168

10 Repeals subsection 817.36(2), Florida Statutes, part of
11 Florida's ticket scalping law, in order to remove the
12 prohibition against selling admission tickets to theme or
13 amusement parks, sporting events, concerts, theater
14 productions, or entertainment events for more than \$1 above
15 the retail price of the tickets.

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Creates a Florida Deceptive and Unfair Trade Practices Act
violation for anyone who knowingly buys tickets in excess of
retail caps placed on the quantity of tickets that may be
purchased with the intent to resell those tickets.