

HB 571

2010

1 A bill to be entitled
 2 An act relating to the sale of event tickets; creating s.
 3 817.358, F.S.; providing legislative intent and purpose;
 4 defining terms; requiring the original seller of event
 5 tickets to keep all charges from the ticket sales until
 6 the event occurs and return the charges to the purchaser
 7 under certain circumstances; providing exceptions;
 8 providing an effective date.

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

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 12 Section 1. Section 817.358, Florida Statutes, is created
 13 to read:

14 817.358 Sale of event tickets; refund of charges for
 15 canceled events.-

16 (1) It is the intent of the Legislature that the state
 17 remains consumer friendly for all citizens and visitors who
 18 attend events in this state. The purpose of this section is to
 19 ensure that venues retain the capacity to refund all charges
 20 from ticket sales upon the cancellation of an event, thereby
 21 giving an assurance to ticket purchasers that a venue will
 22 protect them from financial loss.

23 (2) As used in this section, the term:

24 (a) "Educational institution" means a school, college, or
 25 university, whether public, private, or religious, that conducts
 26 regular classes and courses of study required for accreditation
 27 by or membership in an accrediting agency recognized by the
 28 United States Department of Education.

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29 (b) "Event" means a sporting exhibition, athletic contest,
30 musical or theatrical performance, public entertainment or
31 amusement of any kind, or any other exhibition for which an
32 admission price is charged.

33 (c) "Original seller" means a venue or the issuer of event
34 tickets pursuant to a contract with the venue. The term may
35 include a person or firm that provides distribution services or
36 ticket sales services pursuant to a contract with the venue.

37 (d) "Venue" means a facility that offers services to the
38 general public. The term includes, but is not limited to, an
39 auditorium, theater, concert hall, performing arts center, civic
40 center, convention or exhibition hall, stadium, arena, coliseum,
41 amphitheater, or publicly owned recreational facility.

42 (3) An original seller of a ticket for admission to an
43 event occurring at a venue on or after July 1, 2010, must:

44 (a) Keep all charges from the sale of the ticket,
45 including the admission price and any taxes, surcharges, and
46 service charges, until the event occurs.

47 (b) If the event is canceled, upon the request of a
48 purchaser for a refund, return to the purchaser all charges from
49 the sale of the ticket, including the admission price and any
50 taxes, surcharges, and service charges.

51 (4) This section does not apply to a ticket:

52 (a) That has the word "nonrefundable" conspicuously
53 printed on the face of the ticket.

54 (b) For a professional sports event.

55 (c) For an amateur sports event sanctioned by the Amateur
56 Athletic Union of the USA, Inc.

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57 (d) For a motorsports event as defined in s. 288.1171 or
58 s. 549.10.

59 (e) For an event promoted exclusively by an educational
60 institution.

61 (f) For a postseason collegiate sporting exhibition or
62 athletic contest sanctioned by the National Collegiate Athletic
63 Association.

64 Section 2. This act shall take effect July 1, 2010.