

By Senator Bennett

21-00371-11

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1                   A bill to be entitled  
2           An act relating to the sale of event tickets; creating  
3           s. 255.0471, F.S.; providing legislative intent and  
4           purpose; defining terms; requiring the original seller  
5           of tickets to an event held at a publicly owned venue  
6           to keep all receipts from the ticket sales until the  
7           event occurs or to require a person or entity seeking  
8           an advance release of ticket sales to post a surety  
9           bond; providing that a ticket purchaser is entitled to  
10          a refund for a cancelled event; providing exceptions;  
11          providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. Section 255.0471, Florida Statutes, is created  
16 to read:

17           255.0471 Refund of receipts for canceled events.-

18           (1) It is the intent of the Legislature that the state  
19 remain consumer friendly for residents and visitors who attend  
20 events in this state by protecting ticket purchasers and  
21 publicly owned facilities from financial loss. The purpose of  
22 this section is to ensure that publicly owned venues are able to  
23 refund receipts from ticket sales if an event is cancelled,  
24 regardless of whether tickets are sold by the venue or pursuant  
25 to a contract to distribute or sell tickets on behalf of the  
26 venue.

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

28           (a) "Educational institution" means a school, college, or  
29 university, public or private, which conducts regular classes

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30 and courses of study required for accreditation by or membership  
31 in an accrediting agency recognized by the United States  
32 Department of Education.

33 (b) "Event" means a sporting exhibition, athletic contest,  
34 musical or theatrical performance, public entertainment or  
35 amusement of any kind, or any other exhibition for which an  
36 admission price is charged.

37 (c) "Original seller" means a venue, or issuer of event  
38 tickets pursuant to a contract with the venue, which collects  
39 the purchase price from the ticket purchaser. The term may  
40 include a person or firm that provides distribution services or  
41 ticket sales services pursuant to a contract with the venue.

42 (d) "Venue" means a facility owned by the state, a county,  
43 a municipality, or other governmental entity which offers  
44 services to the general public. The term includes, but is not  
45 limited to, an auditorium, theater, concert hall, performing  
46 arts center, civic center, convention or exhibition hall,  
47 stadium, arena, coliseum, amphitheater, or publicly owned  
48 recreational facility.

49 (3) An original seller of a ticket for admission to an  
50 event occurring at a venue on or after July 1, 2011, must:

51 (a) Keep all receipts from the sale of tickets for an  
52 event, including the admission price and any taxes, surcharges,  
53 and service charges, until the event occurs. The original seller  
54 or its agents are not required to deposit into an escrow account  
55 or segregate receipts from the sale of the tickets; or

56 (b) Require any person or entity seeking an advance release  
57 of funds from ticket sales to an event to provide a surety bond  
58 to the venue for that event in an amount equal to the greatest

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59 amount the person or entity is seeking to have advanced before  
60 releasing such funds.

61 (4) If an event is canceled, the ticket purchaser is  
62 entitled to a refund of all receipts from the sale of the  
63 ticket, including the admission price and any taxes, surcharges,  
64 and service charges.

65 (5) This section does not apply to a ticket:

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

68 (b) For a professional sports event.

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

71 (d) For a motorsports event as defined in s. 288.1171 or s.  
72 549.10.

73 (e) For an event promoted exclusively by an educational  
74 institution.

75 (f) For a postseason collegiate sporting exhibition or  
76 athletic contest sanctioned by the National Collegiate Athletic  
77 Association.

78 (g) For a pugilistic exhibition regulated under chapter  
79 548.

80 Section 2. This act shall take effect July 1, 2011.