

1                                   A bill to be entitled  
 2           An act relating to ticket sales; amending s. 817.355,  
 3           F.S.; providing enhanced criminal penalties for second  
 4           and subsequent violations concerning fraudulent  
 5           creation or possession of an admission ticket;  
 6           providing criminal penalties for persons who commit  
 7           such violations involving more than a specified number  
 8           of tickets; amending s. 817.361, F.S.; providing  
 9           definitions; prohibiting the fraudulent repurchase of  
 10          a multiuse ticket; providing enhanced criminal  
 11          penalties for second or subsequent violations of  
 12          provisions relating to the resale or repurchase of  
 13          multiuse tickets; providing an effective date.

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

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 17          Section 1.   Section 817.355, Florida Statutes, is amended  
 18   to read:

19          817.355   Fraudulent creation or possession of admission  
 20   ticket.—

21          (1) Except as provided in subsections (2) and (3), a ~~Any~~  
 22   person who counterfeits, forges, alters, or possesses a any  
 23   ticket, token, or paper designed for admission to or the  
 24   rendering of services by a any sports, amusement, concert, or  
 25   other facility offering services to the general public, with the  
 26   intent to defraud such facility, commits ~~is guilty of~~ a  
 27   misdemeanor of the first degree, punishable as provided in s.  
 28   775.082 or s. 775.083.

29 (2) A person who commits a second or subsequent violation  
 30 of subsection (1) commits a felony of the third degree,  
 31 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

32 (3) A person who counterfeits, forges, alters, or  
 33 possesses 10 or more tickets, tokens, or papers designed for  
 34 admission to or the rendering of services by a sports,  
 35 amusement, concert, or other facility offering services to the  
 36 general public with the intent to defraud such facility commits  
 37 a felony of the third degree, punishable as provided in s.  
 38 775.082, s. 775.083, or s. 775.084.

39 Section 2. Section 817.361, Florida Statutes, is amended  
 40 to read:

41 817.361 Resale or repurchase of multiuse ~~multiday or~~  
 42 ~~multievent~~ ticket.-

43 (1) As used in this section, the term:

44 (a) "Issuer" means the person or entity that created a  
 45 multiuse ticket and is obligated to allow admission thereunder.

46 (b) "Multiuse ticket" means a ticket, other medium, or  
 47 right designed for admission to more than one amusement location  
 48 or other facility in a theme park complex, or for admission for  
 49 more than 1 day to one or more such locations or facilities in a  
 50 theme park complex.

51 (c) "Theme park complex" means an area comprised of at  
 52 least 25 acres owned by the same business entity that contains  
 53 rides or other recreational activities.

54 (2) A person who purchases or offers to purchase with the  
 55 intent to defraud, ~~whoever~~ offers for sale, sells, or transfers  
 56 in connection with a commercial transaction, with or without

57 | consideration, a any nontransferable multiuse ticket ~~or other~~  
 58 | ~~nontransferable medium designed for admission to more than one~~  
 59 | ~~amusement location or other facility offering entertainment to~~  
 60 | ~~the general public, or for admission for more than 1 day~~  
 61 | ~~thereto,~~ after the multiuse ~~said ticket or other medium~~ has been  
 62 | used at least once for admission, commits a violation of this  
 63 | subsection. For purposes of this subsection, a multiuse ticket  
 64 | is nontransferable unless the phrase "may be used by more than  
 65 | one person" is printed clearly on the multiuse ticket by the  
 66 | issuer or the issuer explicitly states on its website that the  
 67 | multiuse ticket may be used by more than one person ~~is guilty of~~  
 68 | ~~a misdemeanor of the second degree, punishable as provided in s.~~  
 69 | ~~775.082 or s. 775.083. A nontransferable ticket or other~~  
 70 | ~~nontransferable medium is one on which is clearly printed the~~  
 71 | ~~phrase: "Nontransferable; must be used by the same person on all~~  
 72 | ~~days" or words of similar import.~~

73 | (3) (a) Except as provided in paragraph (b), a person who  
 74 | violates subsection (2) commits a misdemeanor of the first  
 75 | degree, punishable as provided in s. 775.082 or s. 775.083.

76 | (b) A person who commits ~~Upon conviction for~~ a second or  
 77 | subsequent violation of ~~this~~ subsection (2) commits, ~~such person~~  
 78 | ~~is guilty of~~ a felony ~~misdemeanor~~ of the third ~~first~~ degree,  
 79 | punishable as provided in s. 775.082, or ~~s. 775.083,~~ or s.  
 80 | 775.084.

81 | Section 3. This act shall take effect July 1, 2013.