



498458

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2013	.	
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	.	
	.	

The Committee on Commerce and Tourism (Hays) recommended the following:

1 **Senate Substitute for Amendment (528392) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Section 817.355, Florida Statutes, is amended to
7 read:

8 817.355 Fraudulent creation or possession of admission
9 ticket.—

10 (1) Except as provided in subsections (2) and (3), a ~~Any~~
11 person who counterfeits, forges, alters, or possesses a ~~any~~
12 ticket, token, or paper designed for admission to or the



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13 rendering of services by any sports, amusement, concert, or
14 other facility offering services to the general public, with the
15 intent to defraud such facility, commits is guilty of a
16 misdemeanor of the first degree, punishable as provided in s.
17 775.082 or s. 775.083.

18 (2) A person who commits a second or subsequent violation
19 of subsection (1) commits a felony of the third degree,
20 punishable as provided in s. 775.082 or s. 775.084 or by a fine
21 of up to \$10,000.

22 (3) A person who counterfeits, forges, alters, or possesses
23 10 or more tickets, tokens, or papers designed for admission to
24 or the rendering of services by any sports, amusement, concert,
25 or other facility offering services to the general public with
26 the intent to defraud such facility commits a felony of the
27 third degree, punishable as provided in s. 775.082 or s. 775.084
28 or by a fine of up to \$10,000.

29 Section 2. Section 817.361, Florida Statutes, is amended to
30 read:

31 817.361 Resale or repurchase of multiuse ~~multiday or~~
32 ~~multievent~~ ticket.-

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

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

36 (b) "Multiuse ticket" means a ticket, other medium, or
37 right designed for admission to more than one amusement location
38 or other facility in a theme park complex, or for admission for
39 more than 1 day to one or more such locations or facilities in a
40 theme park complex.

41 (c) "Theme park complex" means any area comprised of at



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42 least 25 acres owned by the same business entity which contains
43 rides or other recreational activities.

44 (2) A person who ~~Whoever~~ offers for sale, sells, or
45 transfers, or, intending to defraud, purchases or offers to
46 purchase, in connection with a commercial transaction, with or
47 without consideration, any nontransferable multiuse ticket ~~or~~
48 ~~other nontransferable medium designed for admission to more than~~
49 ~~one amusement location or other facility offering entertainment~~
50 ~~to the general public, or for admission for more than 1 day~~
51 ~~thereto,~~ after the multiuse ~~said~~ ticket ~~or other medium~~ has been
52 used at least once for admission, commits a violation of this
53 subsection. For purposes of this subsection, a multiuse ticket
54 is nontransferable unless the phrase "may be used by more than
55 one person" is printed clearly on the multiuse ticket by the
56 issuer or the issuer explicitly states on its website that the
57 multiuse ticket may be used by more than one person ~~is guilty of~~
58 ~~a misdemeanor of the second degree, punishable as provided in s.~~
59 ~~775.082 or s. 775.083. A nontransferable ticket or other~~
60 ~~nontransferable medium is one on which is clearly printed the~~
61 ~~phrase: "Nontransferable; must be used by the same person on all~~
62 ~~days" or words of similar import.~~

63 (3) (a) Except as provided in paragraph (b), a person who
64 violates subsection (2) commits a misdemeanor of the first
65 degree, punishable as provided in s. 775.082 or s. 775.084 or by
66 a fine of up to \$10,000.

67 (b) A person who commits ~~Upon conviction for~~ a second or
68 subsequent violation of ~~this~~ subsection (2) commits, ~~such person~~
69 ~~is guilty of a~~ felony ~~misdemeanor~~ of the third ~~first~~ degree,
70 punishable as provided in s. 775.082 or s. 775.084 or by a fine



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71 of up to \$10,000 ~~775.083~~.

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

73

74 ===== T I T L E A M E N D M E N T =====

75 And the title is amended as follows:

76 Delete everything before the enacting clause
77 and insert:

78 A bill to be entitled
79 An act relating to ticket sales; amending s. 817.355,
80 F.S.; providing enhanced criminal penalties for second
81 and subsequent violations concerning fraudulent
82 creation or possession of an admission ticket;
83 providing criminal penalties for persons who commit
84 such violations involving more than a specified number
85 of tickets; amending s. 817.361, F.S.; providing
86 definitions; prohibiting the fraudulent repurchase of
87 a multiuse ticket; providing enhanced criminal
88 penalties for second or subsequent violations of
89 provisions relating to the resale or repurchase of
90 multiuse tickets; providing an effective date.