



528392

LEGISLATIVE ACTION

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

817.355 Fraudulent creation or possession of admission
ticket.—

(1) Except as provided in subsections (2) and (3), a ~~Any~~
person who counterfeits, forges, alters, or possesses a any
ticket, token, or paper designed for admission to or the
rendering of services by any sports, amusement, concert, or



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

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

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

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

30 817.361 Resale of multiuse ~~multiday or multievent~~ ticket.-

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

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

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

39 (c) "Theme park complex" means any area comprised of at
40 least 25 acres owned by the same business entity which contains
41 rides or other recreational activities.



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

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

63 (b) A person who commits ~~Upon conviction for~~ a second or
64 subsequent violation of ~~this~~ subsection (2) commits, ~~such person~~
65 ~~is guilty of a felony~~ misdemeanor of the third ~~first~~ degree,
66 punishable as provided in s. 775.082 or s. 775.084 or by a fine
67 of up to \$10,000 ~~775.083.~~

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

69
70 ===== T I T L E A M E N D M E N T =====



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71 And the title is amended as follows:

72 Delete everything before the enacting clause
73 and insert:

74 A bill to be entitled

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