

1 A bill to be entitled

2 An act relating to ticket sales; amending s. 817.355,
3 F.S.; providing that a person who counterfeits,
4 forges, alters, clones, or possesses a ticket, card
5 wristband, or other medium that accesses or is
6 associated with a ticket, token, or paper designed for
7 admission or the rendering of services by certain
8 facilities commits a misdemeanor of the first degree;
9 providing enhanced criminal penalties for second or
10 subsequent violations; providing criminal penalties
11 for persons who commit such violations involving more
12 than a specified number of tickets or other media;
13 amending s. 817.361, F.S.; providing definitions;
14 prohibiting the sale and transfer of certain multiuse
15 tickets and certain cards, wristbands, and media that
16 access or are associated with multiuse tickets;
17 providing criminal penalties; providing enhanced
18 criminal penalties for second or subsequent
19 violations; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:
22

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

25 817.355 Fraudulent creation or possession of admission
26 ticket.—

27 (1) Except as provided in subsections (2) and (3), a ~~Any~~
 28 ~~person who counterfeits, forges, alters, clones, or possesses a~~
 29 ~~any ticket, card, wristband, or other medium that accesses or is~~
 30 ~~associated with a ticket; or a ticket,~~ token, or paper designed
 31 for admission to or the rendering of services by a ~~any~~ sports,
 32 amusement, concert, or other facility offering services to the
 33 general public, with the intent to defraud such facility,
 34 ~~commits is guilty of~~ a misdemeanor of the first degree,
 35 punishable as provided in s. 775.082 or s. 775.083.

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

39 (3) A person who counterfeits, forges, alters, clones, or
 40 possesses 10 or more tickets, cards, wristbands, or other media
 41 that accesses or is associated with a ticket; or tickets,
 42 tokens, or papers designed for admission to or the rendering of
 43 services by a sports, amusement, concert, or other facility
 44 offering services to the general public with the intent to
 45 defraud such facility commits a felony of the third degree,
 46 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

47 Section 2. Section 817.361, Florida Statutes, is amended
 48 to read:

49 817.361 Sale, or transfer ~~Resale~~ of multiuse tickets
 50 ~~multiday or multievent ticket.~~

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

52 (a) "Issuer" means the person or entity that created a

53 multiuse ticket and is obligated to allow admission thereunder.

54 (b) "Multiuse ticket" means a ticket, other medium, or
 55 right designed for admission to more than one theme park
 56 complex, or to more than one amusement location or other
 57 facility in a theme park complex, or for admission for more than
 58 1 day or more than once in the same day to one or more such
 59 locations or facilities in a theme park complex.

60 (c) "Theme park complex" means an area comprised of at
 61 least 25 acres of land owned by the same business entity and
 62 which contains rides or other recreational activities.

63 (2) A person who ~~whoever~~ offers for sale, sells, or
 64 transfers in connection with a commercial transaction, with or
 65 without consideration, a ~~any~~ nontransferable multiuse ticket or
 66 a card, wristband, or other medium that accesses or is
 67 associated with any nontransferable multiuse ticket ~~or other~~
 68 ~~nontransferable medium designed for admission to more than one~~
 69 ~~amusement location or other facility offering entertainment to~~
 70 ~~the general public, or for admission for more than 1 day~~
 71 ~~thereto,~~ after the nontransferable multiuse said ticket or other
 72 ~~medium~~ has been used at least once for admission, commits a
 73 violation of this subsection. For purposes of this subsection, a
 74 multiuse ticket is nontransferable unless the phrase "may be
 75 used by more than one person" is printed clearly on the multiuse
 76 ticket by the issuer or the issuer explicitly states on its
 77 website that the multiuse ticket may be used by more than one
 78 person ~~is guilty of a misdemeanor of the second degree,~~

79 ~~punishable as provided in s. 775.082 or s. 775.083. A~~
80 ~~nontransferable ticket or other nontransferable medium is one on~~
81 ~~which is clearly printed the phrase: "Nontransferable; must be~~
82 ~~used by the same person on all days" or words of similar import.~~

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

86 (b) A person who commits ~~Upon conviction for~~ a second or
87 subsequent violation of ~~this~~ subsection (2) commits, ~~such person~~
88 ~~is guilty of~~ a felony ~~misdemeanor~~ of the third ~~first~~ degree,
89 punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s.
90 775.084.

91 Section 3. This act shall take effect July 1, 2014.