



719812

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/24/2014	.	
	.	
	.	
	.	

The Committee on Commerce and Tourism (Stargel) 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, clones, or possesses a



719812

11 any ticket, card, wristband, or other medium that accesses or is
12 associated with a ticket; or a ticket, token, or paper designed
13 for admission to or the rendering of services by a ~~any~~ sports,
14 amusement, concert, or other facility offering services to the
15 general public, with the intent to defraud such facility,
16 commits ~~is guilty of~~ a misdemeanor of the first degree,
17 punishable as provided in s. 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, s. 775.083, or s. 775.084.

21 (3) A person who counterfeits, forges, alters, clones, or
22 possesses 10 or more tickets, cards, wristbands, or other media
23 that access or are associated with a ticket, token, or paper
24 designed for admission to or the rendering of services by a
25 sports, amusement, concert, or other facility offering services
26 to the general public with the intent to defraud such facility,
27 commits a felony of the third degree, punishable as provided in
28 s. 775.082, s. 775.083, or s. 775.084.

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

31 817.361 Sale or transfer ~~Resale~~ of multiuse tickets
32 ~~multiday or 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 theme park
38 complex, or to more than one amusement location or other
39 facility in a theme park complex, or for admission for more than



719812

40 1 day or more than once in the same day to one or more such
41 locations or facilities in a theme park complex.

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

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

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

68 (b) A person who commits ~~Upon conviction for~~ a second or



719812

69 subsequent violation of ~~this~~ subsection (2) commits, ~~such person~~
70 ~~is guilty of~~ a felony ~~misdemeanor~~ of the third ~~first~~ degree,
71 punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s.
72 775.084.

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

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

76 And the title is amended as follows:

77 Delete everything before the enacting clause
78 and insert:

79 A bill to be entitled
80 An act relating to ticket sales; amending s. 817.355,
81 F.S.; providing that a person who counterfeits,
82 forges, alters, clones, or possesses a ticket, card,
83 wristband, or other medium that accesses or is
84 associated with a specified ticket, token, or paper
85 with the intent to defraud commits a misdemeanor of
86 the first degree; providing enhanced criminal
87 penalties for second and subsequent violations
88 concerning fraudulent creation or possession of an
89 admission ticket; providing criminal penalties for
90 persons who commit such violations involving more than
91 a specified number of tickets, cards, wristbands, or
92 other media that access or are associated with a
93 specified ticket, token, or paper; amending s.
94 817.361, F.S.; defining terms; prohibiting the sale,
95 offer for sale, or transfer of certain multiuse
96 tickets or a card, wristband, or other medium that
97 accesses or is associated with such multiuse ticket;



719812

98 providing criminal penalties; providing enhanced
99 criminal penalties for second or subsequent violations
100 of provisions relating to the sale, offer for sale, or
101 transfer of certain multiuse tickets; providing an
102 effective date.