

By Senator Lee

24-01082-14

20141142__

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 purchase, sale, and
10 transfer of certain multiuse tickets; prohibiting the
11 sale and transfer of certain cards, wristbands, and
12 media that access or are associated with multiuse
13 tickets; providing enhanced criminal penalties for
14 second or subsequent violations of provisions relating
15 to the purchase, sale, or transfer of certain multiuse
16 tickets and the sale and transfer of certain cards,
17 wristbands, and media that access or are associated
18 with multiuse tickets; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Section 817.355, Florida Statutes, is amended to
23 read:

24 817.355 Fraudulent creation or possession of admission
25 ticket.—

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

24-01082-14

20141142__

30 other facility offering services to the general public, with the
31 intent to defraud such facility, commits ~~is guilty of~~ a
32 misdemeanor of the first degree, punishable as provided in s.
33 775.082 or s. 775.083.

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

37 (3) A person who counterfeits, forges, alters, or possesses
38 10 or more tickets, tokens, or papers designed for admission to
39 or the rendering of services by a sports, amusement, concert, or
40 other facility offering services to the general public with the
41 intent to defraud such facility commits a felony of the third
42 degree, punishable as provided in s. 775.082, s. 775.083, or s.
43 775.084.

44 Section 2. Section 817.361, Florida Statutes, is amended to
45 read:

46 817.361 Purchase, sale, or transfer ~~Resale~~ of multiuse
47 tickets; sale or transfer of cards, wristbands, and media that
48 access or are associated with multiuse tickets ~~multiday or~~
49 ~~multievent ticket.~~

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

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

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

58 (c) "Theme park complex" means an area comprised of at

24-01082-14

20141142__

59 least 25 acres of land owned by the same business entity that
60 contains rides or other recreational activities.

61 (2) A person who purchases, offers to purchase, ~~whoever~~
62 offers for sale, sells, or transfers in connection with a
63 commercial transaction, with or without consideration, a ~~any~~
64 nontransferable multiuse ticket or a card, wristband, or other
65 medium that accesses or is associated with such nontransferable
66 multiuse ticket ~~or other nontransferable medium designed for~~
67 ~~admission to more than one amusement location or other facility~~
68 ~~offering entertainment to the general public, or for admission~~
69 ~~for more than 1 day thereto,~~ after the nontransferable multiuse
70 ~~said ticket or other medium~~ has been used at least once for
71 admission, commits a violation of this subsection. For purposes
72 of this subsection, a multiuse ticket is nontransferable unless
73 the phrase "may be used by more than one person" is printed
74 clearly on the multiuse ticket by the issuer or the issuer
75 explicitly states on its website that the multiuse ticket may be
76 used by more than one person is guilty of a misdemeanor of the
77 second degree, punishable as provided in s. 775.082 or s.
78 775.083. A nontransferable ticket or other nontransferable
79 medium is one on which is clearly printed the phrase:
80 "Nontransferable; must be used by the same person on all days"
81 or words of similar import.

82 (3) A person who offers for sale, sells, or transfers in
83 connection with a commercial transaction, with or without
84 consideration, a card, wristband, or other medium that accesses
85 or is associated with a multiuse ticket with the knowledge that
86 another person possesses a card, wristband, or other medium that
87 accesses or is associated with the same multiuse ticket commits

24-01082-14

20141142__

88 a violation of this subsection.

89 (4) (a) Except as provided in paragraph (b), a person who
90 violates subsection (2) or subsection (3) commits a misdemeanor
91 of the first degree, punishable as provided in s. 775.082 or s.
92 775.083.

93 (b) A person who commits ~~Upon conviction for~~ a second or
94 subsequent violation of this subsection (2) or subsection (3) or
95 who commits a violation of subsection (2) after committing a
96 violation of subsection (3) or who commits a violation of
97 subsection (3) after committing a violation of subsection (2)
98 commits, such person is guilty of a felony misdemeanor of the
99 third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~ s.
100 775.083, or s. 775.084.

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