CS/HB 1127 2016

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A bill to be entitled

An act relating to the resale of tickets; amending s. 817.36, F.S.; defining the term "ticket"; prohibiting an operator of a place of entertainment or the operator's agent from restricting the resale of tickets or denying access to a holder of a resold ticket; providing for construction; authorizing an operator or an operator's agent to revoke or restrict tickets under certain circumstances; providing an effective date.

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

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Section 1. Subsections (1) through (5) of section 817.36, Florida Statutes, are renumbered as subsections (2) through (6), respectively, present subsection (6) of that section is amended, and subsection (7) is added to that section, to read:

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817.36 Resale of tickets.-

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

(a) "Software" means computer programs that are primarily

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designed or produced for the purpose of interfering with the operation of any person or entity that sells, over the Internet, tickets of admission to a sporting event, theater, musical performance, or place of public entertainment or amusement of any kind.

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(b) "Ticket" means a license, issued by the operator of a

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place of entertainment, for admission to the place of
entertainment at the date and time specified on the ticket,
subject to the terms and conditions as specified by the
operator.

- (7) Notwithstanding any other provision of law, an operator of a place of entertainment or the operator's agent is prohibited from:
- (a) Restricting, by any means, the resale or transfer of any ticket.
- (b) Denying a person access to a place of entertainment who possesses a resold ticket, based solely on the grounds that such ticket has been resold.

This subsection may not be construed to prohibit an operator of a place of entertainment or the operator's agent from maintaining and enforcing any policies regarding conduct or behavior at or in connection with his or her place of entertainment. An operator or an operator's agent may restrict the resale of tickets that are offered to specific individuals or groups of individuals as part of a targeted promotion, which may be sold at a discounted price or provided free of charge because of the individual's or group of individual's status or membership in a specific community, including, but not limited to, persons with disabilities, students, religious or civic organizations, or persons demonstrating economic hardship; however, the resale may not be restricted for tickets that are

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offered promotionally to the general public. Any promotionally discounted or free tickets for which the operator or the operator's agent restricts resale must be clearly marked as such. An operator or the operator's agent may revoke or restrict tickets, or the resale of those tickets, for reasons relating to violations of policies at the place of entertainment to the extent the operator or agent may deem necessary for the protection and the safety of patrons or to address fraud or misconduct, including, but not limited to, attempts by two or more persons to gain admission to a place of entertainment with both a canceled ticket and the originally issued ticket or a reissued ticket.

Section 2. This act shall take effect July 1, 2016.