

By the Committee on Regulated Industries; and Senator Hukill

580-03262-18

20181024c1

1 A bill to be entitled
2 An act relating to ticket websites; creating s.
3 501.9735, F.S.; defining terms; prohibiting website
4 operators from using specified information in the sale
5 of certain tickets; providing an exception; providing
6 civil penalties; providing for construction;
7 specifying that certain entities are immune from
8 liability under this act under certain circumstances;
9 providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Section 501.9735, Florida Statutes, is created
14 to read:

15 501.9735 Ticket websites; penalties.-

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

17 (a) "Ticket website" means an Internet website advertising
18 the sale of tickets, offering the sale of tickets, or offering
19 tickets for resale to an event in this state.

20 (b) "Venue" means an arena, stadium, theater, concert hall,
21 or other place of exhibition or performance in this state.

22 (c) "Website operator" means a person owning, operating, or
23 controlling a ticket website for an event scheduled at a venue
24 in this state.

25 (2) A website operator may not sell a ticket to a Florida
26 resident through a ticket website if the website operator has
27 intentionally used an Internet domain name, as defined in s.
28 668.602, which contains the name of the venue or any name
29 substantially similar to the name of the venue. This subsection

580-03262-18

20181024c1

30 does not apply to a website operator who is authorized by the
31 venue to act upon its behalf.

32 (3) A violation of this section is a deceptive and unfair
33 trade practice and constitutes a violation of part II of this
34 chapter. A person who violates this section commits a deceptive
35 and unfair trade practice punishable by the penalties provided
36 under part II of this chapter, and is subject to the enforcement
37 of remedies for the violation as provided in part II of this
38 chapter.

39 (4) This section is supplemental to those provisions of
40 state or federal criminal or civil law which impose prohibitions
41 or provide penalties, sanctions, or remedies against the same
42 conduct prohibited by this section. This section may not be
43 construed to preclude the applicability of any other law that
44 now applies, or may in the future apply, to prohibit, penalize,
45 or impose sanctions or remedies for any conduct that violates
46 this section.

47 (5) A newspaper publisher, magazine or other publication,
48 telephone directory or directory assistance service or its
49 officer or agent, or the owner or operator of a radio or
50 television station, or any other owner or operator of a medium
51 primarily devoted to advertising who publishes, broadcasts, or
52 otherwise disseminates an advertisement in good faith without
53 actual knowledge that such advertisement violates this section
54 is immune from liability under this section for publishing the
55 advertisement unless the owner or operator of such medium is the
56 website operator who has committed the act prohibited by this
57 section.

58 Section 2. This act shall take effect July 1, 2018.