

1                                   A bill to be entitled  
 2           An act relating to nontransferable tickets; creating  
 3           s. 817.362, F.S.; providing definitions; requiring  
 4           ticket issuers to offer an option for transferable  
 5           tickets; prohibiting discrimination against holders of  
 6           such tickets; providing civil penalties for  
 7           violations; providing an effective date.

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

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 11           Section 1.   Section 817.362, Florida Statutes, is created  
 12   to read:

13           817.362 Nontransferable tickets.-

14           (1) As used in this subsection, the term:

15           (a) "Nontransferable ticket system" means a system that  
 16   restricts, through contractual or technological means, a ticket  
 17   purchaser's ability to freely use, give away, or resell a ticket  
 18   he or she has purchased.

19           (b) "Ticket issuer" means any person that makes tickets  
 20   available, directly or indirectly, to an entertainment event,  
 21   and includes, but is not limited to, any of the following:

22           1. The operator of a venue.

23           2. The sponsor or promoter of an entertainment event.

24           3. A sports team participating in an entertainment event  
 25   or a league whose teams are participating in an entertainment

26 event.

27 4. A theatre company, musical group, or similar  
28 participant in an entertainment event.

29 5. An agent of any person described in subparagraphs 1.-4.

30 (c) "Ticket platform" means a marketplace that enables  
31 consumers to purchase and sell tickets.

32 (2)(a) A ticket issuer may employ a nontransferable  
33 ticketing system only if the consumer is offered an option at  
34 the time of initial sale to purchase the same ticket, on the  
35 same terms, including price, in a transferable form that allows  
36 tickets to be given away or resold, independent of and without  
37 requiring the consumer to use the ticket issuer's preferred  
38 ticket platform and without penalty or discrimination.

39 (b) A ticket buyer or seller may not be penalized,  
40 discriminated against, or denied access to an event solely on  
41 the grounds that the ticket or tickets were resold or on the  
42 grounds that the tickets were resold through a certain ticket  
43 platform.

44 (3) A person who knowingly violates this section is liable  
45 for a civil penalty equal to treble the amount of all sales of  
46 tickets subject to such violation.

47 Section 2. This act shall take effect July 1, 2019.