

By Senator Hutson

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1 A bill to be entitled
2 An act relating to nontransferable tickets; creating
3 s. 817.362, F.S.; defining terms; authorizing a ticket
4 issuer to employ a nontransferable ticketing system
5 only under specified circumstances; prohibiting a
6 ticket buyer or seller from being penalized,
7 discriminated against, or denied access to an event
8 under certain circumstances; providing a civil
9 penalty; providing an effective date.

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

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13 Section 1. Section 817.362, Florida Statutes, is created to
14 read:

15 817.362 Nontransferable tickets.-

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

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

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

24 1. The operator of a venue.

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

26 3. A sports team participating in an entertainment event or
27 a league whose teams are participating in an entertainment
28 event.

29 4. A theater company, musical group, or similar participant

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30 in an entertainment event.

31 5. An agent of any person described in this paragraph.

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

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

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

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

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