



173084

LEGISLATIVE ACTION

Senate	.	House
Comm: TP	.	
12/06/2023	.	
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The Committee on Commerce and Tourism (Brodeur) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 542.345, Florida Statutes, is created to  
read:

542.345 Covenants not to compete for the sale or the  
distribution of event tickets and licenses prohibited.—

(1) The Legislature finds that sole-source contracts for  
the sale of tickets and licenses to events located at live



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11 performance venues within this state violate public policy and  
12 harm the public good.

13 (2) For purposes of this section, the term "live  
14 performance venue" means a stadium, a convention center, an  
15 exhibition hall, an arena, a coliseum, or an auditorium that has  
16 accepted any federal, state, or local taxpayer funds for capital  
17 improvements or operational expenses, including, but not limited  
18 to, funds collected pursuant to a convention development tax  
19 imposed under s. 212.0305 and grants awarded under chapter 288.

20 (3) A live performance venue may not enter into a sole-  
21 source contract or a covenant not to compete with a ticket-  
22 selling platform to sell, resell, or distribute tickets and  
23 licenses to events located at the live performance venue.

24 (4) A live performance venue may not require a performance  
25 artist or other event to market, sell, resell, or distribute  
26 tickets through a single or specific ticket platform.

27 Section 2. Section 817.358, Florida Statutes, is created,  
28 to read:

29 817.358 Sale of tickets; disclosures; penalties.—A person  
30 or an entity that offers to sell tickets must disclose in an  
31 easily readable and conspicuous manner the total cost of the  
32 ticket, including all fees that must be paid in order to  
33 purchase the ticket, from the initial time a price is displayed,  
34 and must provide the purchaser an option to view an itemized  
35 list that includes the base price of the ticket and each event  
36 ticket fee before the purchase is made. Disclosures may not be  
37 false or misleading and must be at least as prominent, and in  
38 the same font and size, as the final price. The total cost of  
39 the ticket may increase only for reasonable fees for the



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40 delivery of nonelectronic tickets, which increase must be  
41 disclosed to the purchaser before accepting payment. A person or  
42 an entity who violates this section commits a violation of the  
43 Florida Deceptive and Unfair Trade Practices Act, as established  
44 in ss. 501.201-501.213.

45 Section 3. Present subsection (6) of section 817.36,  
46 Florida Statutes, is redesignated as subsection (7), a new  
47 subsection (6) is added to that section, and subsection (5) of  
48 that section is amended, to read:

49 817.36 Resale of tickets.—

50 (5) A person who intentionally uses or sells software to  
51 circumvent on a ticket seller's Internet website a security  
52 measure, an access control system, or any other control or  
53 measure that is used to ensure an equitable ticket-buying  
54 process is liable to the state for a civil penalty equal to  
55 treble the amount for which the ticket or tickets were sold. A  
56 person who has knowledge of the intentional use of software in  
57 violation of this subsection must notify the Attorney General.

58 (6) Other than tickets described in paragraph (1)(a),  
59 paragraph (1)(b), or paragraph (1)(c), it is unlawful to:

60 (a) Apply a term or condition to, or use technology to  
61 limit the terms and conditions of, resale.

62 (b) Penalize, discriminate against, or deny access to an  
63 event to a person who purchases or resells a ticket in a manner  
64 authorized by this section.

65 Section 4. This act shall take effect July 1, 2024.

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67 ===== T I T L E A M E N D M E N T =====

68 And the title is amended as follows:



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69 Delete everything before the enacting clause  
70 and insert:

71 A bill to be entitled  
72 An act relating to competition for the sale of event  
73 tickets; creating s. 542.345, F.S.; providing  
74 legislative findings; defining the term "live  
75 performance venue"; prohibiting live performance  
76 venues from entering into specified contracts and  
77 covenants and from requiring performance artists or  
78 events to distribute the tickets through specific  
79 ticket platforms; creating s. 817.358, F.S.; requiring  
80 a person or an entity that offers to sell tickets to  
81 make certain disclosures in a specified manner  
82 regarding the price of the ticket, and that the  
83 failure to do so violates the Florida Deceptive and  
84 Fair Trade Practices Act; amending s. 817.36, F.S.;  
85 requiring persons with knowledge of the intentional  
86 use of certain software to circumvent certain security  
87 measures to notify the Attorney General; prohibiting  
88 the application of certain terms and conditions of  
89 resale tickets; prohibiting the denial of access to an  
90 event to certain persons who lawfully purchase or  
91 resell tickets; providing an effective date.