



General Assembly

Amendment

January Session, 2009

LCO No. 9219

HB0651609219HDO

Offered by:

REP. SHAPIRO, 144th Dist.

SEN. COLAPIETRO, 31st Dist.

To: Subst. House Bill No. 6516

File No. 229

Cal. No. 197

(As Amended)

"AN ACT ESTABLISHING MINIMUM RETAIL REFUND AND EXCHANGE POLICIES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) An original issuer of a
4 ticket or the duly authorized agent of such issuer who sells a ticket to
5 any person in this state for an entertainment event, including, but not
6 limited to, a sporting event, concert or theatrical or operatic
7 performance, shall not restrict, prohibit or revoke any season ticket or
8 season ticket rights or deny entry to any person in possession of a
9 ticket based on the fact that the season ticket holder has resold or the
10 person possessing the ticket has purchased a resold ticket. Nothing in
11 this section shall restrict a venue's right to restrict entry to an event
12 based on health, safety or security policies or concerns.

13 Sec. 2. (NEW) (*Effective October 1, 2009*) (a) Each person who
 14 purchases goods from someone who is not regularly engaged in the
 15 business of dealing in such goods and resells such goods via the
 16 Internet as a business shall maintain contemporaneous records of the
 17 receipt of such goods, which shall include: (1) A description of such
 18 goods, (2) the name and residence or business address of the person
 19 from whom such goods were received, and (3) the year, day and hour
 20 when such goods were received. Such records and all such goods shall
 21 be made available for inspection upon request by any state police
 22 officer or by any municipal police officer from the municipality where
 23 such business is carried on. Any such state police officer or municipal
 24 police officer who performs such an inspection may require any person
 25 making such records and goods available to provide proof of his or her
 26 identity. Records required to be maintained pursuant to this section
 27 shall be kept for not less than one hundred eighty days.

28 (b) For the purposes of this section, a person engages in the resale of
 29 such goods via the Internet as a business if, in the course of one month,
 30 the person conducts more than thirty separate Internet sales with an
 31 aggregate sales price of five thousand dollars.

32 (c) Any person who wilfully violates any provision of subsection (a)
 33 of this section shall, for a first violation, have committed an infraction
 34 and, for a second or subsequent violation committed within two years
 35 of a prior violation, be guilty of a class A misdemeanor.

36 Sec. 3. Section 501 of senate bill 1002 of the current session, as
 37 amended by Senate Amendment Schedule A, is repealed. (*Effective*
 38 *from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2009</i>	New section
Sec. 3	<i>from passage</i>	Repealer section