



General Assembly

February Session, 2010

**Raised Bill No. 5228**

LCO No. 1099

\*01099\_\_\_\_\_GL\_\*

Referred to Committee on General Law

Introduced by:  
(GL)

**AN ACT CONCERNING THE SALES OF EVENT TICKETS ON THE SECONDARY MARKET.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2010*) (a) No person shall apply  
2 a term or condition on the original sale of a ticket to an entertainment  
3 event, including, but not limited to, a sporting event, concert or  
4 theatrical or operatic performance, if such term or condition limits the  
5 ticket purchaser's ability to resell such ticket. Such a prohibited term or  
6 condition includes, but is not limited to, terms or conditions that: (1)  
7 Restrict ticket resale of any part or all of a subscription or season ticket  
8 package as a condition of purchase of such package, (2) require  
9 compliance with such term or condition to retain a ticket for the  
10 duration of a subscription term or season, (3) require a ticket purchaser  
11 to comply with such term or condition to retain his or her contractually  
12 agreed-upon rights to purchase future subscriptions or season ticket  
13 packages, or (4) impose a sanction on the ticket purchaser if the sale of  
14 the ticket is not through a reseller approved by the operator of the  
15 event.

16 (b) No person who regulates admission to an entertainment event

17 shall deny access to such event to a person in possession of a validly  
18 purchased ticket to the event, regardless of whether the ticket is subject  
19 to a subscription or season ticket package agreement, based solely on  
20 the ground that such ticket was resold through a reseller that was not  
21 approved by the operator of the event.

22 (c) Nothing in this section shall be construed to prohibit an operator  
23 of an entertainment event from prohibiting the resale of a contractual  
24 right in a season ticket package agreement that gives the original  
25 purchaser a priority or other preference to enter into a subsequent  
26 season ticket package agreement with such operator.

27 (d) Nothing in this section shall be construed to prohibit an operator  
28 of an entertainment event from maintaining and enforcing policies  
29 regarding conduct or behavior at or in connection with such operator's  
30 venue. An operator may revoke or restrict a ticket for reasons relating  
31 to a violation of written venue policies reasonably related to the  
32 protection of the safety of patrons or to address fraud or misconduct in  
33 connection with the sale or use of such ticket.

34 Sec. 2. (NEW) (*Effective October 1, 2010*) (a) No person shall prohibit  
35 the resale or offering for resale of a ticket to any entertainment event,  
36 including, but not limited to, a sporting event, concert or theatrical or  
37 operatic performance.

38 (b) No person who regulates admission to an entertainment event  
39 shall deny access to such event to a ticket holder who possesses a  
40 resold ticket, subscription or season ticket based solely on the grounds  
41 that such ticket has been resold.

42 (c) Nothing in this section shall be construed to prohibit an operator  
43 of an entertainment event from maintaining and enforcing policies  
44 regarding conduct or behavior at or in connection with the operator's  
45 venue.

46 Sec. 3. (NEW) (*Effective October 1, 2010*) Each owner, lessee, operator

47 or manager of a venue for an entertainment event, including, but not  
48 limited to, a sporting event, concert or theatrical or operatic  
49 performance, and each primary seller of tickets for such entertainment  
50 event shall release the following information to the Commissioner of  
51 Consumer Protection or such commissioner's duly authorized agent,  
52 upon request, for a specified entertainment event: (1) The total number  
53 of tickets available for the event, (2) the number and percentage of  
54 tickets released by such owner, lessee, operator or manager for sale to  
55 the public, (3) the number and percentage of tickets held back for each  
56 event, (4) the number and percentage of tickets not available for sale to  
57 the general public, (5) the number and percentage of tickets released  
58 only through package purchases or fan club purchases for each event,  
59 and (6) the number and percentage of tickets for the venue that are  
60 unavailable due to stage design or are otherwise unavailable for  
61 purchase to the general public due to maintenance or other issues that  
62 prevent the use of seats in the venue.

63 Sec. 4. (NEW) (*Effective October 1, 2010*) (a) No person shall  
64 intentionally use or sell software to circumvent a security measure, an  
65 access control system or a control or measure used to ensure an  
66 equitable ticket purchasing process on a ticket seller's Internet web site.  
67 For purposes of this subsection, "software" means a computer program  
68 that is primarily designed or produced for the purpose of interfering  
69 with the operation of any person who sells admission tickets to  
70 entertainment events, including, but not limited to, sporting events,  
71 concerts or theatrical or operatic performances.

72 (b) Any person who violates the provisions of subsection (a) of this  
73 section shall be guilty of a class B misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	New section
Sec. 2	<i>October 1, 2010</i>	New section
Sec. 3	<i>October 1, 2010</i>	New section

Sec. 4	October 1, 2010	New section
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**Statement of Purpose:**

To protect consumers who purchase tickets to sporting and entertainment events.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*