



General Assembly

January Session, 2011

**Raised Bill No. 6298**

LCO No. 2953

\*02953 \_\_\_\_\_ GL\_\*

Referred to Committee on General Law

Introduced by:

(GL)

**AN ACT CONCERNING THE FAIR SALE OF TICKETS TO ENTERTAINMENT EVENTS.**

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

1 Section 1. (NEW) (*Effective January 1, 2012*) (a) No person shall  
2 restrict by any means the resale of a ticket to an entertainment event  
3 when such ticket is included in a subscription or season ticket package.  
4 Prohibited resale restrictions include, but are not limited to, restrictions  
5 as a condition of purchase, as a condition to retain such tickets for the  
6 duration of the subscription or season ticket package agreement, or as  
7 a condition to retain any contractually agreed upon rights to purchase  
8 future subscription or season ticket packages that are otherwise  
9 conferred in the subscription or season ticket agreement. For purposes  
10 of this section, "entertainment event" includes, but is not limited to, a  
11 sporting event, a concert or a theatrical or operatic performance.

12 (b) No person shall deny access to an entertainment event to a ticket  
13 holder who possesses a resold ticket to such entertainment event based  
14 solely on the grounds that such ticket has been resold.

15 (c) (1) No person shall employ a ticketing sales system that fails to

16 give the purchaser an option to purchase tickets that the purchaser  
17 may transfer to any party, at any price and at any time, without  
18 additional fees and without the consent of the person employing such  
19 ticketing system.

20 (2) Notwithstanding the provisions of subdivision (1) of this  
21 subsection, a person employing such a ticketing sales system may  
22 employ a paperless ticketing system that does not allow for  
23 independent transferability of paperless tickets, provided the  
24 purchaser of such tickets is offered the option, at the time of initial sale,  
25 to purchase the same tickets in another form that is transferrable,  
26 independent of such a ticketing sales system, including, but not limited  
27 to, paper tickets or e-tickets and further provided the price for such  
28 tickets is the same, regardless of the form or transferability of such  
29 tickets.

30 (d) No operator of a place of entertainment or such operator's agent  
31 shall require the purchaser of a ticket to an entertainment event to  
32 choose "will call" as the purchaser's only ticket delivery option or  
33 otherwise restrict such purchaser's ability to pick up tickets from a box  
34 office or will call window in advance of such event. Nothing in this  
35 section shall prohibit such operator or agent from requiring a ticket  
36 purchaser to pick up tickets during a box office's normal business  
37 hours.

38 (e) No person shall withhold tickets to an entertainment event from  
39 the general public in an amount exceeding five per cent of all available  
40 seating for such event. For purposes of this section, "available seating  
41 for such event" shall not include seats subject to technical holds or  
42 contractual obligations of the venue or for which tickets are distributed  
43 or sold to or held by or for any person who: (1) Subscribes for or has a  
44 contractual right to acquire at face value tickets to events at such venue  
45 on a regular or recurring basis; (2) has made payment, the proceeds of  
46 which have been applied to the capital costs of developing or  
47 renovating the facility or producing the event; or (3) is a member of a

48 fan club or subscription group for the applicable performer.

49 (f) Each operator of a place of entertainment or such operator's  
50 agent selling tickets to an entertainment event shall offer the purchaser  
51 of such tickets the option to purchase or pick up such tickets from the  
52 place of entertainment or box office at a price that does not include a  
53 service fee.

54 (g) Any violation of any provision of this section is a class B  
55 misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2012	New section

**Statement of Purpose:**

To protect persons who purchase tickets to 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.]*