



General Assembly

Substitute Bill No. 6298

January Session, 2011

* _____HB06298GL_____031511_____*

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, including, but not
35 limited to, requiring the purchaser to provide a credit card to pick up
36 such tickets. Nothing in this section shall prohibit such operator or
37 agent from requiring a ticket purchaser to pick up tickets during a box
38 office's normal business hours.

39 (e) Each operator of a place of entertainment or such operator's
40 agent selling tickets to an entertainment event shall offer the purchaser
41 of such tickets the option to purchase or pick up such tickets from the
42 place of entertainment or box office at a price that does not include a
43 service fee.

44 (f) The provisions of subsections (a) to (e), inclusive, of this section
45 shall not apply to tickets to entertainment events originally issued by
46 an entity exempt from taxation pursuant to Section 501(c)(3) of the
47 Internal Revenue Code of 1986, or any subsequent corresponding
48 internal revenue code of the United States, as amended from time to
49 time, for which not more than three thousand tickets are issued per
50 performance.

51 (g) Any violation of any provision of this section is a class B

52 misdemeanor.

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

Statement of Legislative Commissioners:

In subsection (f), "tickets to" was added before "entertainment events" for accuracy.

GL *Joint Favorable Subst.*