

2 State of Arkansas
3 89th General Assembly
4 Regular Session, 2013

A Bill

HOUSE BILL 2180

5
6 By: Representatives Leding, Hickerson

7 Filed with: Interim House Committee on Insurance and Commerce
8 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

9
10 AN ACT ESTABLISHING PROHIBITED ACTS INVOLVING THE
11 SALE OF TICKETS TO CERTAIN EVENTS; TO PROVIDE FOR
12 INTERNET DISCLOSURE; AND FOR OTHER PURPOSES.

Subtitle

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15 ESTABLISHING PROHIBITED ACTS INVOLVING
16 THE SALE OF TICKETS TO CERTAIN EVENTS;
17 AND TO PROVIDE FOR INTERNET DISCLOSURE.

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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code Title 5, Chapter 63, Subchapter 2 is amended
24 to add a new section to read as follows:

25 5-63-205. Illegal ticket brokering – Disclosure of ticket
26 availability.

27 (a) As used in this section:

28 (1)(A) "Event" means an event or venue for sports, theater,
29 musical performance, or other public entertainment or amusement of any kind.

30 (B) "Event" does not mean a collegiate event managed by a
31 public or private college or university or an event managed by a public or
32 private kindergarten through grade twelve (K-12) school;

33 (2) "Holds back tickets" means to divert or hold back tickets
34 from the initial sale of the tickets to the general public by or on behalf
35 of:

36 (A) A performer;

- 1 (B) A promoter;
- 2 (C) A sponsor;
- 3 (D) The owner or manager of the event; or
- 4 (E) An affiliate of or a person contracting with a person
- 5 listed in this subdivision (a)(2);

6 (3) "Initial seller" means a person or entity with whom an event
7 provider has contracted for the sale of tickets to the event for the purpose
8 of the initial sale of the tickets to the general public;

9 (4) "Onsale date" means the date and time when tickets are made
10 available to the general public, including without limitation fan clubs,
11 businesses, and persons for promotional activities; and

12 (5) "Ticket" means a ticket of admission to an event.

13 (b)(1) A person commits illegal ticket brokering if he or she
14 knowingly:

15 (A) Offers for sale as an initial seller all tickets to an
16 event;

17 (B) Holds back tickets to the event; and

18 (C) Does not provide two (2) weeks before the onsale date
19 the number of tickets for the event that were held back from sale to the
20 general public:

21 (i) On the initial seller's website or the event
22 provider's website; or

23 (ii) To a person upon specific request by the
24 person.

25 (c) Illegal ticket brokering is a Class A misdemeanor.

26 (d) It is an affirmative defense to prosecution under this section if
27 the event for which the tickets were sold was at a venue that contained fewer
28 than one thousand (1,000) seats or accommodated fewer than one thousand
29 (1,000) persons.

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32 Referred by the Arkansas House of Representatives

33 Prepared by: BPG/VJF

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