

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1621

5 By: Representatives George, Wells, Overbey
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For An Act To Be Entitled

8
9 AN ACT TO AMEND § 5-63-201 CONCERNING THE SALE OF
10 CERTAIN TICKETS IN EXCESS OF REGULAR PRICE; AND
11 FOR OTHER PURPOSES.
12

Subtitle

13
14 TO AMEND § 5-63-201 CONCERNING THE SALE
15 OF CERTAIN TICKETS IN EXCESS OF REGULAR
16 PRICE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-63-201 is amended to read as follows:

22 5-63-201. Tickets to school athletic events or music entertainment
23 events - Sale in excess of regular price.

24 (a)(1) It is unlawful for any person, corporation, firm, or
25 partnership to sell or offer for sale any ticket to:

26 (A) A high school or college athletic event or to an
27 athletic or other event held for the benefit of charity at a greater price
28 than that printed on the ticket; or

29 (B) Any music entertainment event at a greater price than
30 that printed on the ticket or the box office sale price plus any reasonable
31 charge for handling or credit card use, whichever is the greater.

32 (2) This subsection shall not apply to an institution of higher
33 education that receives funds per ticket above the face value of that ticket.

34 (3)(A)(i) Except as provided in subdivisions (a)(3)(B) and (C)
35 of this section, nothing in this subsection prohibits the resale or offering
36 for resale via a website on the Internet of an admission ticket at any price



1 to an athletic contest, or a dance, theater, concert, circus, or other
2 amusement event, if the organizer of the event and the operator of the
3 location where the event is occurring authorize admission tickets to the
4 event to be resold for more than the price printed on the face of the
5 admission ticket.

6 (ii) If resale under subdivision (a)(3)(A)(i) of
7 this section is authorized, any admission ticket to the event may be resold
8 or offered for resale through any website if the website's operator
9 guarantees a full refund of the amount paid for the admission ticket under
10 each of the following conditions:

11 (a) The event is cancelled;

12 (b) The purchaser is denied admission to the
13 event unless the denial of admission is due to the action or omission of the
14 purchaser; and

15 (c) The admission ticket is not delivered to
16 the purchaser in the manner described on the website or pursuant to the
17 delivery guarantee made by the reseller and failure of delivery results in
18 the purchaser's inability to attend the event.

19 (iii) A website operator's guarantee under
20 subdivision (a)(3)(A)(ii) of this section shall be posted on the operator's
21 website and a prospective purchaser shall be directed to the guarantee before
22 completion of the resale transaction.

23 (iv) A refund issued by a website operator pursuant
24 to any condition under subdivision (a)(3)(A)(ii) of this section shall
25 include any service, handling, or processing fees unless the service,
26 handling, or processing fees are declared nonrefundable under the terms of
27 the guarantee.

28 (B) If authorization to resell an admission ticket for
29 more than the price printed on the face of the admission ticket is not
30 granted by the organizer of the event or the operator of the location of the
31 event under subdivision (a)(3)(A)(i) of this section, a person or an entity
32 shall not resell an admission ticket for more than the price printed on the
33 face of the admission ticket.

34 (C) A person or an entity shall not resell a student
35 ticket issued by an Arkansas university for a sporting event for more than
36 the price printed on the face of the student ticket.

1 (b)(1) It is unlawful to knowingly purchase from the original ticket
2 seller a quantity of admission tickets to an event that exceeds the maximum
3 ticket limit quantity posted by or on behalf of the original ticket seller at
4 the point of original sale or printed on the admission tickets themselves
5 with the purpose to resell the admission tickets.

6 (2) A person or firm is not liable under subdivision (b)(1) of
7 this section with respect to admission tickets for which that person or firm
8 is the original ticket seller.

9 ~~(b)(1)(c)(1)~~ Any person, corporation, firm, or partnership violating
10 any provision of this section is guilty of a violation and upon conviction
11 shall be fined in any sum not less than twenty-five dollars (\$25.00) nor more
12 than five hundred dollars (\$500).

13 (2) Every sale or offer for sale is a separate offense.

14 (d) As used in this section, "original ticket seller" means the issuer
15 of admission tickets or a person or firm that provides distribution services
16 or admission ticket sales services under a contract with the issuer of
17 admission tickets.

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