

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/27/13

A Bill

SENATE BILL 841

By: Senators Maloch, Bledsoe, Caldwell, E. Cheatham, J. English, Files, J. Hendren, Hester, Holland, J. Hutchinson, K. Ingram, D. Johnson, J. Key, U. Lindsey, B. Sample, D. Sanders, Teague, E. Williams, J. Woods, D. Wyatt
By: Representatives Westerman, E. Armstrong, Broadaway, Carnine, Cozart, J. Edwards, Gillam, Hickerson, Hodges, Hopper, Kerr, Lampkin, Leding, Rice, Slinkard, Vines

For An Act To Be Entitled

AN ACT CONCERNING THE SALE OF EVENT TICKETS; AND FOR
OTHER PURPOSES.

Subtitle

CONCERNING THE SALE OF EVENT TICKETS.

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

SECTION 1. DO NOT CODIFY. Legislative intent.

The intent of this act is to protect the rights of the people of this state to purchase tickets to live entertainment events, sporting events, or theater or musical performances through the venue or entity hosting the event or authorized agents of the venue or entity hosting the event, whether the tickets are sold at the venue itself, over the Internet, or otherwise.

SECTION 2. DO NOT CODIFY. Legislative findings.

The General Assembly finds that:

(1) A venue or entity hosting a live entertainment event, sporting event, or theater or musical performance within the state should be allowed to sell tickets at a price of its choosing, regardless of whether or not the venue or entity also employs an agent to sell tickets that charges a fee for its services;

(2) A venue or entity should have the right to sell tickets to the



1 public at the venue itself for a price lower than the price for which it
2 might sell tickets through other means, such as over the Internet; and

3 (3) It is in the best interests of the people of this state to provide
4 a variety of options through which tickets to events within this state may be
5 purchased.

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7 SECTION 3. Arkansas Code § 4-70-103 is amended to read as follows:

8 4-70-103. Tickets sold over the Internet.

9 *(a) Tickets of admission to a live entertainment event, theatre,*
10 *musical performance, or place of public entertainment or amusement of any*
11 *kind shall not be offered for ~~sale~~ resale by any person over the Internet*
12 *until the tickets have ~~first~~ been ~~offered for sale to the public via an~~*
13 *~~event-authorized outlet or offering~~ placed on sale by the venue or entity*
14 *hosting the event or its authorized agent acting in accordance with its*
15 *authorization.*

16 *(b) Internet portals or websites shall not allow any person to offer*
17 *for resale any ticket of admission to a live entertainment event, theatre,*
18 *musical performance, or place of public entertainment or amusement of any*
19 *kind until the tickets have ~~first~~ been ~~offered for sale to the public via an~~*
20 *~~event-authorized outlet or offering~~ placed on sale by the venue or entity*
21 *hosting the event or its authorized agent.*

22 *(c) This section ~~shall~~ does not apply to sporting or athletic events.*

23 *(d) As used in this section, "placed on sale" means the date and time*
24 *when tickets are made available for sale to the general public, including*
25 *without limitation to fan clubs, businesses, and persons for promotional*
26 *activities.*

27
28 SECTION 4. Arkansas Code § 5-63-201 is amended to read as follows:

29 5-63-201. Tickets to school athletic events or music entertainment
30 events – Sale in excess of regular price.

31 *(a)(1) It is unlawful for any person, corporation, firm, or*
32 *partnership to ~~sell~~ resell or offer for ~~sale~~ any resale a ticket to+*

33 *~~(A) A high school or college athletic event or to an~~*
34 *~~athletic or other event held for the benefit of charity at a greater price~~*
35 *~~than that printed on the ticket; or~~*

36 *~~(B) Any music entertainment event at a greater price than~~*

1 ~~that printed on the ticket or the box office sale price plus any reasonable~~
2 ~~charge for handling or credit card use, whichever is the greater~~ a live
3 entertainment event, sporting event, theater performance, or an event held
4 for the benefit of charity for a price more than the greater of either:

5 (A) The price originally charged for the ticket by the
6 venue or entity hosting the event or its authorized agent; or

7 (B) The price of the printed ticket.

8 (2) The prices for which a ticket may be resold under
9 subdivision (a)(1) of this section also may include a reasonable charge for
10 handling or credit card use.

11 (3) An authorized agent of a venue or entity hosting an event as
12 described in subdivision (a)(1) of this section shall not withhold any ticket
13 from sale for the purpose of later selling the ticket at a price higher than
14 tickets in a similar location were otherwise offered for sale by the
15 authorized agent to the general public.

16 ~~(2)(4)~~ This subsection shall does not apply to an institution of
17 higher education that receives funds per ticket above the face value of that
18 ticket.

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

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

24
25 /s/Maloch
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