

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 2180

By: Representatives Leding, Hickerson

For An Act To Be Entitled

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

Subtitle

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

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

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

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

(a) As used in this section:

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

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

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

(A) A performer;

(B) A promoter;

(C) A sponsor;



(D) The owner or manager of the event; or

(E) An affiliate of or a person contracting with a person listed in this subdivision (a)(2);

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

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

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

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

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

(B) Holds back tickets to the event; and

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

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

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

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

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