

CS/HB 463 – Ticket Sales

Amends s. 817.36, F.S., creating two **unranked, 3rd degree felonies**, but also allowing the discretion to instead choose a fine of up to \$10,000, or both. The first felony/fine involves the violation of a person selling or using technology that functions to bypass portions of the ticket-buying process or disguises the identity of the purchaser in order to purchase a quantity of tickets in excess of authorized limits. Additionally, each ticket purchase, sale, or violation constitutes a separate offense.

The second felony/fine is for a resale website or online marketplace making any representation of affiliation or endorsement with a venue or artist without the express written consent of the venue or artist.

All other ticket resales in violation of this section would be a 2nd degree misdemeanor, with each violation constituting a separate offense.

Per OSCA, in FY 13-14, 2 offenders were charged under s. 817.36, F.S., with 2 offenders having a fine and court costs. However, none of these offenders were charged with selling/using software to circumvent a ticket seller's website.

In FY 13-14, the incarceration rate for an unranked, 3rd degree felony was 9.7%.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: House