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LEGISLATIVE ACTION

Senate

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House

The Committee on Regulated Industries (Hukill) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 501.9735, Florida Statutes, is created
to read:

501.9735 Ticket websites; penalties.—

(1) As used in this section, the term:

(a) "Ticket website" means an Internet website advertising
the sale of tickets, offering the sale of tickets, or offering



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11 tickets for resale to an event in this state.

12 (b) "Venue" means an arena, stadium, theater, concert hall,
13 or other place of exhibition or performance in this state.

14 (c) "Website operator" means a person owning, operating, or
15 controlling a ticket website for an event scheduled at a venue
16 in this state.

17 (2) A website operator may not sell a ticket to a Florida
18 resident through a ticket website if the website operator has
19 intentionally used an Internet domain name, as defined in s.
20 668.602, which contains the name of the venue or any name
21 substantially similar to the name of the venue. This paragraph
22 does not apply to a website operator who is authorized by the
23 venue to act upon its behalf.

24 (3) A violation of this section is a deceptive and unfair
25 trade practice and constitutes a violation of part II of this
26 chapter. A person who violates this section commits a deceptive
27 and unfair trade practice punishable by the penalties provided
28 under part II of this chapter, and is subject to the enforcement
29 of remedies for the violation as provided in part II of this
30 chapter.

31 (4) This section is supplemental to those provisions of
32 state or federal criminal or civil law which impose prohibitions
33 or provide penalties, sanctions, or remedies against the same
34 conduct prohibited by this section. This section may not be
35 construed to preclude the applicability of any other law that
36 now applies, or may in the future apply, to prohibit, penalize,
37 or impose sanctions or remedies for any conduct that violates
38 this section.

39 (5) A newspaper publisher, magazine or other publication,



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telephone directory or directory assistance service or its
officer or agent, or the owner or operator of a radio or
television station, or any other owner or operator of a medium
primarily devoted to advertising who publishes, broadcasts, or
otherwise disseminates an advertisement in good faith without
actual knowledge that such advertisement violates this section
is immune from liability under this section for publishing the
advertisement unless the owner or operator of such medium is the
website operator who has committed the act prohibited by this
section.

Section 2. This act shall take effect July 1, 2018.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to ticket websites; creating s.
501.9735, F.S.; defining terms; prohibiting website
operators from using specified information in the sale
of certain tickets; providing an exception; providing
civil penalties; providing for construction;
specifying that certain entities are immune from
liability under this act under certain circumstances;
providing an effective date.