



479106

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/15/2018	.	
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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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40 telephone directory or directory assistance service or its  
41 officer or agent, or the owner or operator of a radio or  
42 television station, or any other owner or operator of a medium  
43 primarily devoted to advertising who publishes, broadcasts, or  
44 otherwise disseminates an advertisement in good faith without  
45 actual knowledge that such advertisement violates this section  
46 is immune from liability under this section for publishing the  
47 advertisement unless the owner or operator of such medium is the  
48 website operator who has committed the act prohibited by this  
49 section.

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

51  
52 ===== T I T L E A M E N D M E N T =====

53 And the title is amended as follows:

54 Delete everything before the enacting clause  
55 and insert:

56 A bill to be entitled  
57 An act relating to ticket websites; creating s.  
58 501.9735, F.S.; defining terms; prohibiting website  
59 operators from using specified information in the sale  
60 of certain tickets; providing an exception; providing  
61 civil penalties; providing for construction;  
62 specifying that certain entities are immune from  
63 liability under this act under certain circumstances;  
64 providing an effective date.