

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1825

5 By: Representative Leding  
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## For An Act To Be Entitled

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

12 ESTABLISHING PROHIBITED ACTS INVOLVING  
13 THE SALE OF TICKETS TO CERTAIN EVENTS AND  
14 TO PROVIDE FOR INTERNET DISCLOSURE.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code Title 5, Chapter 63, Subchapter 2 is amended  
22 to add a new section to read as follows:

23 5-63-205. Illegal ticket brokering – Disclosure of ticket  
24 availability.

25 (a) As used in this section:

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

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

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

33 (A) A performer;

34 (B) A promoter;

35 (C) A sponsor;

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



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

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

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

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

10                  (b)(1) A person commits the offense of illegal ticket brokering if he  
11 or she knowingly:

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

14                   (B) Holds back tickets to the event without providing the  
15 required disclosures under subdivision (c)(1) of this section.

16                   (2) Illegal ticket brokering is a Class A misdemeanor.

17                  (c)(1) An event provider or initial seller for an event for which  
18 tickets are or will be available for purchase by the general public must  
19 disclose two (2) weeks before the onsale date the number of tickets for the  
20 event that were held back from sale to the general public.

21                   (2) The disclosure required under subdivision (c)(1) of this  
22 section shall be made:

23                   (A) On the event provider's website or the initial  
24 seller's website; and

25                   (B) Upon the specific request by any person.

26                   (3) A person who violates this subsection upon conviction is  
27 guilty of a Class A misdemeanor.

28                   (4) It is an affirmative defense to prosecution under this  
29 subsection if the event for which the tickets were sold was at a venue that  
30 contains less than one thousand (1,000) seats or accommodates less than one  
31 thousand (1,000) persons.

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