

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 2180

5 By: Representatives Leding, Hickerson
6

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.
11

Subtitle

12 ESTABLISHING PROHIBITED ACTS INVOLVING
13 THE SALE OF TICKETS TO CERTAIN EVENTS;
14 AND 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 or private college or university or an event managed by a public or
30 private kindergarten through grade twelve (K-12) school;

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

34 (A) A performer;

35 (B) A promoter;

36 (C) A sponsor;



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

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

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

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

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

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

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

15 (B) Holds back tickets to the event; and

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

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

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

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

24 (d) It is an affirmative defense to prosecution under this section if
25 the event for which the tickets were sold was at a venue that contained fewer
26 than one thousand (1,000) seats or accommodated fewer than one thousand
27 (1,000) persons.

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