

SENATE No. 144

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the fair distribution and pricing of event tickets .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>
<i>Christopher G. Fallon</i>	<i>33rd Middlesex</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>

SENATE No. 144

By Mr. Rush, a petition (accompanied by bill, Senate, No. 144) of Michael F. Rush, Robert M. Koczera, Christopher G. Fallon and Denise Andrews for legislation relative to the fair distribution and pricing of event tickets. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the fair distribution and pricing of event tickets .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 185I of chapter 140 of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by inserting the following section:-

3 Section 185J. (a) The following words as used in this section, unless the context
4 otherwise requires, shall have the following meaning:—

5 “Event ticket”, a physical, electronic, or other form of a certificate, document, voucher,
6 or token to any concert, theatrical performance, sporting event, exhibition, show, or similar
7 activity taking place in the Commonwealth.

8 “Software”, any computer program primarily designed or produced for the
9 purpose of purchasing tickets from a ticket issuer for the purpose of resale on the secondary
10 market.

11 “Ticket issuer”, a person or company that makes initial event tickets available directly to
12 the general public in the primary market.

13 “Ticket reseller”, any form of transfer or alienation, or offering for transfer or
14 alienation, of possession of an event ticket from one person to another, with or without
15 consideration, whether in person or by means of telephone, mail, delivery service, facsimile,
16 internet, email or other electronic means. “Ticket reseller” does not include the initial sale of an
17 event ticket by the ticket issuer.

18 (b) No ticket issuer shall pre-sell any event ticket to a ticket reseller for the purposes of
19 selling tickets in the secondary market.

20 A ticket reseller of event tickets shall be prohibited from using any software or other
21 technology for the purpose, or with the foreseeable effect, of restricting the sale of event tickets
22 to the general public.

23 A ticket issuer may charge a fee not to exceed \$2 per ticket for the purposes of a facility
24 charge. A ticket issuer may also charge additional fees per ticket which shall not exceed 10
25 percent of the original advertised ticket price of the lowest ticket price available for an event.

26 SECTION 2. This act shall take effect upon its passage.