

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 821 Session of 2015

INTRODUCED BY MUSTIO, KILLION, GRELL, MILLARD, STAATS, ROZZI, DRISCOLL, DIAMOND, METZGAR, COHEN AND DAVIS, MARCH 24, 2015

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, MARCH 24, 2015

AN ACT

1 Amending the act of May 2, 1947 (P.L.143, No.62), entitled "An  
 2 act regulating the sale and resale for profit and the  
 3 carrying on of the business of selling or reselling tickets  
 4 or other devices for admission to places of amusement;  
 5 providing for the licensing of persons reselling such tickets  
 6 for profit; providing for the suspension and revocation of  
 7 such licenses; imposing duties on licensees and owners or  
 8 operators of places of amusement; imposing powers and duties  
 9 on the Department of Revenue, county treasurers, district  
 10 attorneys, and the receiver of taxes, and city solicitors in  
 11 cities of the first class; making disposition of moneys  
 12 collected and providing penalties," further providing for  
 13 definitions, for reselling of tickets and licenses and for  
 14 nonassignability and nontransferability; and providing for  
 15 paperless tickets.

16 The General Assembly of the Commonwealth of Pennsylvania  
 17 hereby enacts as follows:

18 Section 1. Section 1(11) of the act of May 2, 1947 (P.L.143,  
 19 No.62), entitled "An act regulating the sale and resale for  
 20 profit and the carrying on of the business of selling or  
 21 reselling tickets or other devices for admission to places of  
 22 amusement; providing for the licensing of persons reselling such  
 23 tickets for profit; providing for the suspension and revocation  
 24 of such licenses; imposing duties on licensees and owners or

1 operators of places of amusement; imposing powers and duties on  
2 the Department of Revenue, county treasurers, district  
3 attorneys, and the receiver of taxes, and city solicitors in  
4 cities of the first class; making disposition of moneys  
5 collected and providing penalties," amended June 29, 1990  
6 (P.L.263, No.62), is amended to read:

7 Section 1. Definitions.--

8 The following words and phrases when used in this act shall  
9 have the meanings ascribed to them in this section:

10 \* \* \*

11 (11) "Ticket." Any evidence of the right of entry to any  
12 amusement or place of amusement at the date and time specified  
13 on the ticket for admission to which a price is charged and  
14 subject to the terms and conditions specified by the owner.

15 \* \* \*

16 Section 2. Section 2 of the act is amended by adding  
17 subsections to read:

18 Section 2. Reselling of Tickets; Licenses.--

19 \* \* \*

20 (d) It shall be prohibited for any owner of a place of  
21 amusement, promoter or producer to:

22 (1) Restrict the resale of tickets included in a  
23 subscription or season ticket package as a condition:

24 (i) of purchase;

25 (ii) to retain such tickets for the duration of the  
26 subscription or season ticket package; or

27 (iii) to retain any privileges that accompany a subscription  
28 or season ticket package, including the right to purchase future  
29 subscriptions or season ticket packages.

30 (2) Deny access to a place of amusement to a ticket holder

1 who possesses a resold ticket to an amusement based solely on  
2 the grounds that the ticket has been resold.

3 (e) An owner may revoke or restrict subscription or season  
4 tickets based upon violations of venue policies, including an  
5 attempt by two or more persons to gain access to an amusement  
6 with both the canceled tickets issued to a subscription or  
7 season ticket holder and any tickets reissued as part of a  
8 resale transaction. Admission to an amusement may be restricted  
9 or revoked when necessary to ensure the safety of other  
10 attendees or to address fraud or misconduct.

11 (f) An owner may restrict the resale of tickets offered as  
12 part of a promotion. Any promotionally discounted or free  
13 tickets for which an owner restricts resale must be clearly  
14 marked. Promotionally discounted tickets offered to the general  
15 public, as opposed to a clearly defined group, may not be  
16 restricted for resale.

17 Section 3. Section 6 heading of the act is amended to read:

18 Section 6. Non-Assignability; Non-Transferability of  
19 License.--

20 \* \* \*

21 Section 4. The act is amended by adding a section to read:

22 Section 11.2. Paperless Tickets.--(a) An owner may not use  
23 a paperless ticketing system unless a consumer is given the  
24 option to:

25 (1) Purchase a paperless ticket that is transferrable.

26 (2) Purchase a paper ticket, e-ticket or other ticket that  
27 is transferrable.

28 (b) Tickets shall be transferrable independent of an owner,  
29 promoter or producer.

30 (c) Tickets shall be transferrable without incurring

1 additional fees.

2 Section 5. This act shall take effect in 60 days.