

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 946 Session of  
1989

INTRODUCED BY J. TAYLOR, CIVERA, RAYMOND, SCHULER, BUNT, ALLEN,  
VROON, CORNELL, MERRY AND CORRIGAN, APRIL 3, 1989

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 3, 1989

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," prohibiting the purchase  
13 of tickets with intent to resell; providing for a surcharge  
14 upon conviction; and further providing for penalties.

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

17 Section 1. Sections 12, 13 and 14 of the act of May 2, 1947  
18 (P.L.143, No.62), entitled "An act regulating the sale and  
19 resale for profit and the carrying on of the business of selling  
20 or reselling tickets or other devices for admission to places of  
21 amusement; providing for the licensing of persons reselling such  
22 tickets for profit; providing for the suspension and revocation  
23 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," are amended to read:

6 Section 12. Resale; Violation.--

7 It shall be unlawful for any person to purchase with intent  
8 to resell, to resell or to offer to resell any such ticket at  
9 any price in excess of such maximum premium, plus the  
10 established price and lawful taxes as stamped, printed or  
11 written thereon.

12 Section 13. Penalties.--

13 (a) Every person who violates any provision of this act  
14 shall upon summary conviction thereof for the first offense be  
15 sentenced to pay a fine of not more than [one hundred dollars  
16 (\$100)] three hundred dollars (\$300) and costs of prosecution,  
17 and in default of payment thereof shall undergo imprisonment for  
18 thirty (30) days; and for a second or subsequent offense shall  
19 be guilty of a misdemeanor and upon conviction thereof shall be  
20 sentenced to pay a fine not to exceed [one thousand dollars  
21 (\$1,000)] five thousand dollars (\$5,000), or to undergo  
22 imprisonment for a period not to exceed two (2) years, or both.  
23 If the violation shall be by a corporation, partnership or  
24 association, the officers and directors of such corporation, or  
25 the members of such partnership or association, its agents and  
26 employes, with guilty knowledge of the fact, shall be guilty and  
27 upon conviction shall be punished as herein before provided.

28 (b) The right of the licensor to suspend and revoke licenses  
29 granted and issued under this act shall be in addition to the  
30 penalties set forth in this section.

1       Section 14.   Disposition of Fees; Surcharge upon Conviction;  
2 and Forfeitures.--

3       All fees and moneys accruing from bond forfeitures received  
4 or recovered under the provisions of this act shall be paid into  
5 the county or city treasury for the use of the county or city in  
6 which such license was issued.

7       Upon a violation of any provision of this act, the sentencing  
8 court shall impose upon and collect from the defendant a  
9 surcharge of twenty-five dollars (\$25) in addition to and  
10 independent of any fine and costs imposed on the defendant. The  
11 surcharges shall be paid into the county or city treasury for  
12 use of the city or county to aid in the enforcement of this act.

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