

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2011 Session of
2007

INTRODUCED BY J. WHITE, SOLOBAY, KENNEY, HORNAMAN, CAUSER,
SIPTROTH, PALLONE, CALTAGIRONE, MAHONEY, PYLE, K. SMITH,
HARHAI, W. KELLER, MELIO, GIBBONS, LONGIETTI AND PASHINSKI,
NOVEMBER 14, 2007

AS REPORTED FROM COMMITTEE ON CONSUMER AFFAIRS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 13, 2008

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; and providing for ticket purchasing software AND <—
14 FOR PENALTIES.

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

17 Section 1. Section 1 of the act of May 2, 1947 (P.L.143,
18 No.62), entitled "An act regulating the sale and resale for
19 profit and the carrying on of the business of selling or
20 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

1 of such licenses; imposing duties on licensees and owners or
2 operators of places of amusement; imposing powers and duties on
3 the Department of Revenue, county treasurers, district
4 attorneys, and the receiver of taxes, and city solicitors in
5 cities of the first class; making disposition of moneys
6 collected and providing penalties," is amended by adding a
7 definition to read:

8 Section 1. Definitions.--

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

11 * * *

12 (12) "Ticket purchasing software." Computer software used
13 to purchase multiple tickets in an automated fashion from an
14 Internet website which sells tickets to amusements or places of
15 amusement.

16 Section 2. The act is amended by adding a section to read:

17 ~~Section 12.1. Ticket Purchasing Software; Violation.~~ <—

18 ~~It shall be unlawful for any person to use ticket purchasing~~
19 ~~software in purchasing tickets from an Internet website selling~~
20 ~~tickets to amusements or places of amusement.~~

21 SECTION 12.1. TICKET PURCHASING SOFTWARE; VIOLATION.--(A) <—

22 IT IS UNLAWFUL FOR ANY PERSON KNOWINGLY TO SELL, GIVE, POSSESS,
23 USE OR OTHERWISE DISTRIBUTE OR POSSESS WITH THE INTENT TO SELL,
24 GIVE OR DISTRIBUTE SOFTWARE THAT IS PRIMARILY DESIGNED OR
25 PRODUCED FOR THE PURPOSE OF INTERFERING WITH THE OPERATIONS OF
26 ANY TICKET SELLER THAT SELLS, OVER THE INTERNET, TICKETS OF
27 ADMISSION TO A SPORTING EVENT, THEATER, MUSICAL PERFORMANCE OR
28 PLACE OF PUBLIC ENTERTAINMENT OR AMUSEMENT OF ANY KIND BY
29 CIRCUMVENTING ANY SECURITY MEASURES ON THE TICKET SELLER'S
30 WEBSITE, CIRCUMVENTING ANY ACCESS CONTROL SYSTEMS OF THE TICKET

1 SELLER'S WEBSITE OR CIRCUMVENTING ANY CONTROLS OR MEASURES THAT
2 ARE INSTITUTED BY THE TICKET SELLER ON ITS WEBSITE TO ENSURE AN
3 EQUITABLE TICKET BUYING PROCESS.

4 (B) FOR PURPOSES OF THIS SECTION, "TICKET SELLER" MEANS ANY
5 PERSON THAT HAS EXECUTED A WRITTEN AGREEMENT WITH THE MANAGEMENT
6 OF ANY VENUE FOR A SPORTING EVENT, THEATER, MUSICAL PERFORMANCE
7 OR PUBLIC ENTERTAINMENT OR AMUSEMENT OF ANY KIND TO SELL TICKETS
8 TO SUCH EVENT OVER THE INTERNET.

9 (C) ANY PERSON WHO VIOLATES THIS SECTION COMMITS A
10 MISDEMEANOR OF THE THIRD DEGREE. EVERY ACQUISITION, SALE OR
11 OFFER FOR SALE CONSTITUTES A SEPARATE VIOLATION.

12 (D) THE COURT, IN IMPOSING A SENTENCE, SHALL ORDER
13 RESTITUTION PURSUANT TO 18 PA.C.S. § 1106 (RELATING TO
14 RESTITUTION FOR INJURIES TO PERSON OR PROPERTY).

15 Section 3. This act shall take effect immediately.