
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 464 Session of
2009

INTRODUCED BY WHITE, BRENNAN, BROWN, D. COSTA, FABRIZIO,
GIBBONS, HORNAMAN, KORTZ, LONGIETTI, MANN, McILVAINE SMITH,
MELIO, PALLONE, PASHINSKI, SABATINA, SIPTROTH, K. SMITH,
VULAKOVICH AND WALKO, FEBRUARY 18, 2009

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 18, 2009

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," providing for ticket
13 purchasing software and for penalties.

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

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

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

6 Section 12.1. Ticket Purchasing Software; Violation.--(a)
7 It is unlawful for any person knowingly to sell, give, possess,
8 use or otherwise distribute or possess with the intent to sell,
9 give or distribute software that is primarily designed or
10 produced for the purpose of interfering with the operations of
11 any ticket seller that sells, over the Internet, tickets of
12 admission to a sporting event, theater, musical performance or
13 place of public entertainment or amusement of any kind by
14 circumventing any security measures on the ticket seller's
15 website, circumventing any access control systems of the ticket
16 seller's website or circumventing any controls or measures that
17 are instituted by the ticket seller on its website to ensure an
18 equitable ticket buying process.

19 (b) For purposes of this section, "ticket seller" means any
20 person that has executed a written agreement with the management
21 of any venue for a sporting event, theater, musical performance
22 or public entertainment or amusement of any kind to sell tickets
23 to the event over the Internet.

24 (c) Any person who violates this section commits a
25 misdemeanor of the third degree. Every acquisition, sale or
26 offer for sale constitutes a separate violation.

27 (d) The court, in imposing a sentence, shall order
28 restitution pursuant to 18 Pa.C.S. § 1106 (relating to
29 restitution for injuries to person or property).

30 Section 2. This act shall take effect immediately.