

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

AS REPORTED FROM COMMITTEE ON CONSUMER AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 24, 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," 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. ~~The~~ 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 ~~section~~ 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.--(a)  
18 It is unlawful for any person knowingly to sell, give, possess,  
19 use or otherwise distribute or possess with the intent to sell,  
20 give or distribute TICKET PURCHASING software that is primarily  
21 designed or produced for the purpose of interfering with the  
22 operations of any ticket seller that sells, over the Internet,  
23 tickets of admission to a sporting event, theater, musical  
24 performance or place of public entertainment or amusement of any  
25 kind by circumventing any security measures on the ticket  
26 seller's website, circumventing any access control systems of  
27 the ticket seller's website or circumventing any controls or  
28 measures that are instituted by the ticket seller on its website  
29 to ensure an equitable ticket buying process.



30 (b) For purposes of this section, "ticket seller" means any

1 person that has executed a written agreement with the management  
2 of any venue for a sporting event, theater, musical performance  
3 or public entertainment or amusement of any kind to sell tickets  
4 to the event over the Internet.

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

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

11 Section 23. This act shall take effect immediately.

