

REFERENCE TITLE: event ticket sales; transfers; restrictions

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2743

Introduced by
Representative Pierce

AN ACT

AMENDING TITLE 44, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 27; RELATING TO TRADE PRACTICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 44, chapter 9, Arizona Revised Statutes, is
3 amended by adding article 27, to read:

4 ARTICLE 27. EVENT TICKETS

5 44-1383. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "ISSUER" MEANS:

8 (a) A PERSON OR THE PERSON'S AGENT THAT MAKES TICKETS AVAILABLE,
9 DIRECTLY OR INDIRECTLY, TO AN ENTERTAINMENT EVENT AND THAT IS THE OPERATOR
10 OF A VENUE.

11 (b) THE SPONSOR OR PROMOTER OF AN ENTERTAINMENT EVENT OR THE
12 SPONSOR'S OR PROMOTER'S AGENT.

13 (c) A SPORTS TEAM THAT IS PARTICIPATING IN AN ENTERTAINMENT EVENT,
14 A LEAGUE WHOSE TEAMS ARE PARTICIPATING IN AN ENTERTAINMENT EVENT OR THE
15 SPORTS TEAM'S OR LEAGUE'S AGENT.

16 (d) A THEATER COMPANY, MUSICAL GROUP OR SIMILAR PARTICIPANT IN AN
17 ENTERTAINMENT EVENT OR THE AGENT OF THE THEATER COMPANY, MUSICAL GROUP OR
18 PARTICIPANT.

19 2. "NONTRANSFERABLE TICKETING SYSTEM" MEANS A TICKETING SYSTEM THAT
20 RESTRICTS, THROUGH CONTRACTUAL OR TECHNOLOGICAL MEANS, THE ABILITY OF A
21 TICKET PURCHASER TO USE, GIVE AWAY OR RESELL A TICKET THAT IS PURCHASED
22 THROUGH THE SYSTEM.

23 3. "STATUS OR AFFILIATION" MEANS ANY STATUS OR AFFILIATION OF AN
24 INDIVIDUAL OR GROUP, INCLUDING AN INDIVIDUAL OR GROUP THAT IS
25 CHARACTERIZED BY A DISABILITY OR MEMBERSHIP IN A RELIGIOUS OR CIVIC
26 ORGANIZATION.

27 4. "TICKET PLATFORM" MEANS A MARKETPLACE THAT ENABLES CONSUMERS TO
28 PURCHASE AND SELL TICKETS.

29 44-1383.01. Issuers: transferable ticket option

30 A. EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION, AN ISSUER
31 THAT EMPLOYS A NONTRANSFERABLE TICKETING SYSTEM SHALL OFFER A PURCHASER,
32 WITHOUT PENALTY OR DISCRIMINATION, AN OPTION AT THE TIME OF INITIAL SALE
33 TO PURCHASE THE SAME TICKET IN A TRANSFERABLE FORM THAT ALLOWS THE
34 PURCHASER TO GIVE AWAY OR SELL THE TICKET WITHOUT LOGGING INTO THE
35 ISSUER'S PREFERRED TICKET PLATFORM.

36 B. AN ISSUER MAY OFFER TICKETS TO AN INDIVIDUAL OR GROUP AS PART OF
37 A TARGETED PROMOTION, DISCOUNTED PRICE OR PRIVATE EVENT OFFER BASED ON
38 STATUS OR AFFILIATION THROUGH A NONTRANSFERABLE TICKETING SYSTEM WITHOUT
39 OFFERING AN OPTION TO PURCHASE TICKETS IN A TRANSFERABLE FORM. ANY TICKET
40 ISSUED THROUGH A NONTRANSFERABLE TICKETING SYSTEM PURSUANT TO THIS
41 SUBSECTION MAY NOT BE OFFERED PROMOTIONALLY TO THE GENERAL PUBLIC AND
42 SHALL BE CLEARLY MARKED AS A TICKET RESTRICTED TO THE SPECIFIED INDIVIDUAL
43 OR GROUP.

44 C. AN ISSUER MAY:

1 1. MAINTAIN AND ENFORCE POLICIES WITH RESPECT TO CONDUCT, BEHAVIOR
2 OR AGE AT THE VENUE OR ENTERTAINMENT EVENT.

3 2. ESTABLISH LIMITS ON THE QUANTITY OF TICKETS THAT MAY BE
4 PURCHASED.

5 3. REVOKE OR RESTRICT SEASON TICKETS FOR REASONS RELATED TO
6 VIOLATIONS OF VENUE POLICY, INCLUDING:

7 (a) ATTEMPTS BY TWO OR MORE INDIVIDUALS TO GAIN ADMISSION TO THE
8 SAME ENTERTAINMENT EVENT USING TICKETS PURCHASED IN A RESALE TRANSACTION,
9 WITH EACH INDIVIDUAL PRESENTING COPIES OF THE SAME TICKET.

10 (b) CONCERNS REGARDING THE PROTECTION OR SAFETY OF INDIVIDUALS.

11 (c) CONCERNS REGARDING POSSIBLE FRAUD OR MISCONDUCT.

12 D. A TICKET BUYER OR SELLER MAY NOT BE PENALIZED, DISCRIMINATED
13 AGAINST OR DENIED ACCESS TO AN ENTERTAINMENT EVENT SOLELY BECAUSE THE
14 TICKET FOR THE ENTERTAINMENT EVENT WAS RESOLD OR BECAUSE THE TICKET WAS
15 RESOLD ON A SPECIFIC TICKET PLATFORM.

16 44-1383.02. Notice; purchase price

17 A TICKET SELLER SHALL NOTIFY A TICKET PURCHASER OF THE TICKET'S
18 PURCHASE PRICE BEFORE THE PURCHASE OCCURS.

19 44-1383.03. Enforcement

20 AN ACT OR PRACTICE IN VIOLATION OF THIS ARTICLE IS AN UNLAWFUL ACT
21 OR PRACTICE UNDER SECTION 44-1522. THE ATTORNEY GENERAL MAY INVESTIGATE
22 AND TAKE APPROPRIATE ACTION AS PRESCRIBED IN CHAPTER 10, ARTICLE 7 OF THIS
23 TITLE.