State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HOUSE BILL 2040

AN ACT

AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 29; RELATING TO ONLINE TRANSACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:
Section 1. Title 44, Arizona Revised Statutes, is amended by adding chapter 29, to read:

CHAPTER 29
EVENT ONLINE TICKET SALES
ARTICLE 1. GENERAL PROVISIONS

44-7201. Definitions
IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:
1. "BOT":
(a) MEANS ANY AUTOMATED SOFTWARE PROGRAM THAT PERFORMS AUTOMATIC AND REPETITIVE TASKS AND THAT IS DESIGNED TO IMPERSONATE OR REPlicate HUMAN ACTIVITY ONLINE.
(b) DOES NOT INCLUDE AUTOFILL OR PASSWORD MANAGEMENT FEATURES BUILT INTO AN INTERNET BROWSER OR PROVIDED THROUGH SEPARATE SOFTWARE.
2. "EVENT" MEANS A CONCERT, THEATRICAL PERFORMANCE, SPORTING EVENT, EXHIBITION, SHOW OR SIMILAR SCHEDULED ACTIVITY THAT MEETS ALL OF THE FOLLOWING:
(a) IS OPEN TO THE PUBLIC.
(b) IS HELD IN A PUBLIC OR PRIVATE VENUE.
(c) REQUIRES PAYMENT OF AN ADMISSION FEE TO ATTEND THE EVENT.
3. "TICKET" MEANS A PHYSICAL OR ELECTRONIC CERTIFICATE, VOUCHER, DOCUMENT, TOKEN OR OTHER EVIDENCE OF A RIGHT FOR ADMISsion TO ENTER A PLACE OF ENTERTAINMENT FOR ONE OR MORE EVENTS AT ONE OR MORE SPECIFIED DATES AND TIMES.

44-7202. Prohibitions
A PERSON MAY NOT USE OR CREATE A BOT TO DO ANY OF THE FOLLOWING:
1. PURCHASE TICKETS IN EXCESS OF THE POSTED LIMIT FOR AN ONLINE TICKET SALE.
2. USE MULTIPLE INTERNET PROTOCOL ADDRESSES, MULTIPLE PURCHASER ACCOUNTS OR MULTIPLE EMAIL ADDRESSES TO PURCHASE TICKETS IN EXCESS OF THE POSTED LIMIT FOR AN ONLINE TICKET SALE.
3. CIRCUMVENT OR DISABLE AN ELECTRONIC QUEUE, WAITING PERIOD, PRESALE CODE OR OTHER SALES VOLUME LIMITATION SYSTEM ASSOCIATED WITH AN ONLINE TICKET SALE.
4. CIRCUMVENT OR DISABLE A SECURITY MEASURE, ACCESS CONTROL SYSTEM OR OTHER CONTROL OR MEASURE THAT IS USED TO FACILITATE AUTHORIZED ENTRY TO AN EVENT.

44-7303. Enforcement; injunctive relief; restitution; civil penalty
A. THE ATTORNEY GENERAL MAY INVESTIGATE A CLAIM THAT A PERSON VIOLATED THIS CHAPTER.
B. IF THE ATTORNEY GENERAL CONCLUDES THAT A PERSON IS VIOLATING THIS CHAPTER, THE ATTORNEY GENERAL MAY BRING AN ACTION IN THE NAME OF THIS STATE TO RESTRAIN OR ENJOIN THE PERSON FROM VIOLATING THIS CHAPTER.
C. In addition to bringing an action for injunctive relief under this chapter, the Attorney General may seek restitution and petition a superior court of this state for the assessment of a civil penalty as provided by this section.

D. A person who knowingly violates section 44-7202 is liable for a civil penalty of not more than $10,000 for each violation.

E. Each ticket transaction in which a ticket is acquired to be sold in violation of section 44-7202 constitutes a separate violation for the purpose of assessing a civil penalty.

F. A person who violates a court order or injunction issued to enforce this section may not be subject to a civil penalty in excess of $100,000.

G. The Attorney General may recover all reasonable costs of bringing an action under this section, including court costs, reasonable attorney fees and investigation costs.