

REFERENCE TITLE: event online ticket sales

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

HB 2040

Introduced by
Representatives Cook: Ortiz, Pawlik, Quiñonez, Sandoval, Seaman, Terech,
Tosie

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 44, Arizona Revised Statutes, is amended by adding
3 chapter 29, to read:

4 CHAPTER 29

5 EVENT ONLINE TICKET SALES

6 ARTICLE 1. GENERAL PROVISIONS

7 44-7201. Definitions

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "BOT":

10 (a) MEANS ANY AUTOMATED SOFTWARE PROGRAM THAT PERFORMS AUTOMATIC
11 AND REPETITIVE TASKS AND THAT IS DESIGNED TO IMPERSONATE OR REPLICATE
12 HUMAN ACTIVITY ONLINE.

13 (b) DOES NOT INCLUDE AUTOFILL OR PASSWORD MANAGEMENT FEATURES BUILT
14 INTO AN INTERNET BROWSER OR PROVIDED THROUGH SEPARATE SOFTWARE.

15 2. "EVENT" MEANS A CONCERT, THEATRICAL PERFORMANCE, SPORTING EVENT,
16 EXHIBITION, SHOW OR SIMILAR SCHEDULED ACTIVITY THAT MEETS ALL OF THE
17 FOLLOWING:

18 (a) IS OPEN TO THE PUBLIC.

19 (b) IS HELD IN A PUBLIC OR PRIVATE VENUE.

20 (c) REQUIRES PAYMENT OF AN ADMISSION FEE TO ATTEND THE EVENT.

21 3. "TICKET" MEANS A PHYSICAL OR ELECTRONIC CERTIFICATE, VOUCHER,
22 DOCUMENT, TOKEN OR OTHER EVIDENCE OF A RIGHT FOR ADMISSION TO ENTER A
23 PLACE OF ENTERTAINMENT FOR ONE OR MORE EVENTS AT ONE OR MORE SPECIFIED
24 DATES AND TIMES.

25 44-7202. Prohibitions

26 A PERSON MAY NOT USE OR CREATE A BOT TO DO ANY OF THE FOLLOWING:

27 1. PURCHASE TICKETS IN EXCESS OF THE POSTED LIMIT FOR AN ONLINE
28 TICKET SALE.

29 2. USE MULTIPLE INTERNET PROTOCOL ADDRESSES, MULTIPLE PURCHASER
30 ACCOUNTS OR MULTIPLE EMAIL ADDRESSES TO PURCHASE TICKETS IN EXCESS OF THE
31 POSTED LIMIT FOR AN ONLINE TICKET SALE.

32 3. CIRCUMVENT OR DISABLE AN ELECTRONIC QUEUE, WAITING PERIOD,
33 PRESALE CODE OR OTHER SALES VOLUME LIMITATION SYSTEM ASSOCIATED WITH AN
34 ONLINE TICKET SALE.

35 4. CIRCUMVENT OR DISABLE A SECURITY MEASURE, ACCESS CONTROL SYSTEM
36 OR OTHER CONTROL OR MEASURE THAT IS USED TO FACILITATE AUTHORIZED ENTRY TO
37 AN EVENT.

38 44-7303. Enforcement; injunctive relief; restitution; civil
39 penalty

40 A. THE ATTORNEY GENERAL MAY INVESTIGATE A CLAIM THAT A PERSON
41 VIOLATED THIS CHAPTER.

42 B. IF THE ATTORNEY GENERAL CONCLUDES THAT A PERSON IS VIOLATING
43 THIS CHAPTER, THE ATTORNEY GENERAL MAY BRING AN ACTION IN THE NAME OF THIS
44 STATE TO RESTRAIN OR ENJOIN THE PERSON FROM VIOLATING THIS CHAPTER.

1 C. IN ADDITION TO BRINGING AN ACTION FOR INJUNCTIVE RELIEF UNDER
2 THIS CHAPTER, THE ATTORNEY GENERAL MAY SEEK RESTITUTION AND PETITION A
3 DISTRICT COURT FOR THE ASSESSMENT OF A CIVIL PENALTY AS PROVIDED BY THIS
4 SECTION.

5 D. A PERSON WHO KNOWINGLY VIOLATES SECTION 44-7202 IS LIABLE FOR A
6 CIVIL PENALTY OF NOT MORE THAN \$10,000 FOR EACH VIOLATION.

7 E. EACH TICKET TRANSACTION IN WHICH A TICKET IS ACQUIRED TO BE SOLD
8 IN VIOLATION OF SECTION 44-7202 CONSTITUTES A SEPARATE VIOLATION FOR THE
9 PURPOSE OF ASSESSING A CIVIL PENALTY.

10 F. A PERSON WHO VIOLATES A COURT ORDER OR INJUNCTION ISSUED TO
11 ENFORCE THIS SECTION MAY NOT BE SUBJECT TO A CIVIL PENALTY IN EXCESS OF
12 \$100,000.

13 G. THE ATTORNEY GENERAL MAY RECOVER ALL REASONABLE COSTS OF
14 BRINGING AN ACTION UNDER THIS SECTION, INCLUDING COURT COSTS, REASONABLE
15 ATTORNEY FEES AND INVESTIGATION COSTS.