

## CHAPTER 2014-95

### Committee Substitute for Senate Bill No. 1142

An act relating to ticket sales; amending s. 817.355, F.S.; providing that a person who counterfeits, forges, alters, clones, or possesses a ticket, card, wristband, or other medium that accesses or is associated with a specified ticket, token, or paper with the intent to defraud commits a misdemeanor of the first degree; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of an admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number of tickets, cards, wristbands, or other media that access or are associated with a specified ticket, token, or paper; amending s. 817.361, F.S.; defining terms; prohibiting the sale, offer for sale, or transfer of certain multiuse tickets or a card, wristband, or other medium that accesses or is associated with such multiuse ticket; providing criminal penalties; providing enhanced criminal penalties for second or subsequent violations of provisions relating to the sale, offer for sale, or transfer of certain multiuse tickets; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 817.355, Florida Statutes, is amended to read:

817.355 Fraudulent creation or possession of admission ticket.—

(1) Except as provided in subsections (2) and (3), a Any person who counterfeits, forges, alters, clones, or possesses a any ticket, card, wristband, or other medium that accesses or is associated with a ticket; or a ticket, token, or paper designed for admission to or the rendering of services by a any sports, amusement, concert, or other facility offering services to the general public, with the intent to defraud such facility, commits is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person who commits a second or subsequent violation of subsection (1) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) A person who counterfeits, forges, alters, clones, or possesses 10 or more tickets, cards, wristbands, or other media that access or are associated with a ticket, token, or paper designed for admission to or the rendering of services by a sports, amusement, concert, or other facility offering services to the general public with the intent to defraud such facility, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 817.361, Florida Statutes, is amended to read:

817.361 Sale or transfer ~~Resale of multiuse tickets multiday or multi-event ticket.~~—

(1) As used in this section, the term:

(a) “Issuer” means the person or entity that created a multiuse ticket and is obligated to allow admission thereunder.

(b) “Multiuse ticket” means a ticket, other medium, or right designed for admission to more than one theme park complex, or to more than one amusement location or other facility in a theme park complex, or for admission for more than 1 day or more than once in the same day to one or more such locations or facilities in a theme park complex.

(c) “Theme park complex” means an area comprised of at least 25 acres of land owned by the same business entity and which contains rides or other recreational activities.

(2) A person who ~~Whoever~~ offers for sale, sells, or transfers in connection with a commercial transaction, with or without consideration, a any nontransferable multiuse ticket or a card, wristband, or other medium that accesses or is associated with any such nontransferable multiuse ticket or other nontransferable medium designed for admission to more than one amusement location or other facility offering entertainment to the general public, or for admission for more than 1 day thereto, after the nontransferable multiuse said ticket or other medium has been used at least once for admission commits a violation of this subsection. For purposes of this subsection, a multiuse ticket is nontransferable unless the phrase “may be used by more than one person” is printed clearly on the multiuse ticket by the issuer or the issuer explicitly states on its website that the multiuse ticket may be used by more than one person, ~~is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A nontransferable ticket or other nontransferable medium is one on which is clearly printed the phrase: “Nontransferable; must be used by the same person on all days” or words of similar import.~~

(3)(a) Except as provided in paragraph (b), a person who violates subsection (2) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A person who commits ~~Upon conviction for a second or subsequent violation of this subsection (2) commits,~~ such person is guilty of a felony misdemeanor of the third first degree, punishable as provided in s. 775.082, or s. 775.083, or s. 775.084.

Section 3. This act shall take effect July 1, 2014.

Approved by the Governor June 13, 2014.

Filed in Office Secretary of State June 13, 2014.