

FIRST REGULAR SESSION

SENATE BILL NO. 292

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROWDEN.

Read 1st time January 11, 2017, and ordered printed.

0813S.02I

ADRIANE D. CROUSE, Secretary.

AN ACT

To amend chapter 316, RSMo, by adding thereto one new section relating to ticket selling practices.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 316, RSMo, is amended by adding thereto one new
2 section, to be known as section 316.120, to read as follows:

**316.120. 1. For the purpose of this section, the following terms
2 shall mean:**

3 (1) "Non-transferable ticketing system", a system or procedures
4 that restrict, through contractual or technological means, a ticket
5 purchaser's ability to freely use, give away, or resell purchased tickets;

6 (2) "Ticket issuer", any person or entity that makes tickets
7 available, directly or indirectly, to an entertainment event including,
8 but not limited to:

9 (a) The operator of a venue;

10 (b) The sponsor or promoter of an entertainment event;

11 (c) A sports team participating in an entertainment event or a
12 league whose teams are participating in an entertainment event;

13 (d) A theater company, musical group, or similar participant in
14 an entertainment event; or

15 (e) An agent of any such person or entity listed under
16 paragraphs (a) through (e) of this subdivision;

17 (3) "Ticket platform", a marketplace that enables consumers to
18 purchase and sell tickets.

19 2. Notwithstanding any contrary terms or conditions:

20 **(1) No ticket issuer shall employ a non-transferable ticketing**
21 **system unless ticket purchasers are offered an option at the time of**
22 **initial sale to purchase the tickets in a transferable form that allows**
23 **the tickets to be transferred or resold independent of the ticket issuer's**
24 **preferred ticket platform without penalty or discrimination;**

25 **(2) No ticket buyer or seller who is not the ticket issuer shall be**
26 **penalized, discriminated against, or denied access to an event solely**
27 **because such buyer's or seller's ticket or tickets were transferred or**
28 **resold or because of the ticket platform used to transfer or resell such**
29 **tickets; and**

30 **(3) No person shall knowingly use or sell software to circumvent**
31 **a security measure or access a control system or other control or**
32 **measure used by a primary or secondary ticket platform to enforce**
33 **event ticket purchasing limits or to maintain the integrity of online**
34 **ticket purchasing order rules.**

35 **3. Notwithstanding any other provision of this section, a ticket**
36 **issuer or venue operator may:**

37 **(1) Maintain and enforce policies with respect to conduct,**
38 **behavior, or age at the venue or entertainment event;**

39 **(2) Establish limits on the quantity of tickets that may be**
40 **purchased;**

41 **(3) Revoke or restrict season tickets for reasons related to**
42 **violations of venue policy including, but not limited to:**

43 **(a) An attempt by two or more individuals to gain admission to**
44 **the same event using a ticket or tickets purchased in a resale**
45 **transaction, with such individuals presenting duplicate copies of a**
46 **ticket or tickets;**

47 **(b) Concerns regarding the protection or safety of individuals;**
48 **or**

49 **(c) Concerns regarding possible fraud or misconduct; and**

50 **(4) Elect not to offer tickets in a transferable form if those**
51 **tickets are sold or given to individuals or groups as part of a targeted**
52 **promotion, discounted price, or private event offered because of the**
53 **individuals' or groups' status or affiliation including, but not limited to,**
54 **groups or individuals characterized by a disability, membership in a**
55 **religious or civic organization, or economic hardship. Tickets issued**
56 **under this subdivision shall not be offered promotionally to the general**

57 **public and shall be clearly marked as a ticket restricted to the specified**
58 **individual or group.**

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