

By: Gallegos

S.B. No. 246

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an offense involving certain sales of tickets to events; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 35, Business & Commerce Code, is amended by adding Section 35.551 to read as follows:

Sec. 35.551. TICKET SCALPING. (a) In this section:

(1) "Event" means an event of public entertainment or amusement.

(2) "Event sponsor" means an owner, lessee, operator, promoter, or manager of an event or the site of an event.

(3) "Resell" means to sell a ticket after it has been purchased from the event sponsor or from an individual, corporation, or association authorized to sell the ticket by the event sponsor.

(b) A person may not resell or offer to resell a ticket to an event for a price that is more than the price authorized to be offered to the public by the event sponsor unless the person:

(1) is in the full-time business of reselling tickets to events; and

(2) resells the ticket or offers to resell the ticket at a permanent location from which the person engages in that business.

(c) A person who violates this section commits an offense.

1 An offense under this section is a Class C misdemeanor.

2 SECTION 2. This Act takes effect September 1, 2005.