

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 1418\*

Short Title: Resale of Tickets via Internet. (Public)

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Sponsors: Representative Saunders.

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Referred to: Commerce, Small Business and Entrepreneurship, if favorable, Judiciary I.

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April 12, 2007

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROTECT CONSUMERS FROM UNLAWFUL SALE OF ADMISSION  
3 TICKETS IN EXCESS OF THE PRINTED PRICE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 44 of Chapter 14 of the General Statutes is amended by adding  
6 a new section to read:

7 "**§ 14-344.1. Internet sale of admission tickets in excess of printed price.**

8 (a) Notwithstanding G.S. 14-344, nothing shall prohibit the resale or offering for  
9 resale via the Internet of an admission ticket, at any price, to an athletic contest, dance,  
10 theater, concert, circus, or other amusement, if the organizer of the event or the operator  
11 of the location where the event is occurring authorize admission tickets to the event to  
12 be resold for more than the price printed on the face of the ticket. If such resale is  
13 authorized, any admission ticket to the event may be resold or offered for resale through  
14 any Web site if the Web site's operator guarantees a full refund of the amount paid for  
15 the ticket under each of the following conditions:

16 (1) The ticketed event is cancelled.

17 (2) The purchaser is denied admission to the ticketed event, unless the  
18 denial is due to the action or omission of the purchaser.

19 (3) The ticket is not delivered to the purchaser in the manner described on  
20 the Web site or pursuant to the delivery guarantee made by the reseller  
21 and the failure results in the purchaser's inability to attend the ticketed  
22 event.

23 (b) A Web site operator's guarantee pursuant to this section shall be posted on the  
24 operator's Web site and a prospective purchaser shall be directed to such guaranty  
25 before completion of the resale transaction.

26 (c) A refund issued by a Web site operator pursuant to any of the conditions  
27 provided for in this section shall include any service, handling, or processing fees unless  
28 the fees are declared nonrefundable under the terms of the guarantee.

1       (d) If authorization to resell an admission ticket for more than the price printed  
2 on the face of the ticket is not granted by the organizer of the event or the operator of  
3 the location of the event pursuant to this section, no person or entity shall resell an  
4 admission ticket for more than the price printed on the face of the ticket.

5       (e) The provisions of this section shall not apply to student tickets issued by  
6 institutions of higher education in North Carolina for sporting events."

7               **SECTION 2.** Article 44 of Chapter 14 of the General Statutes is amended by  
8 adding a new section to read:

9 **"§ 14-344.1. Bar on purchasing tickets in excess of maximum ticket limit.**

10       (a) For purposes of this section, the term "original ticket seller" means the issuer  
11 of a ticket or a person or firm who provides distribution services or ticket sales services  
12 under a contract with the issuer.

13       (b) Whoever knowingly purchases from the original ticket seller a quantity of  
14 tickets to an event that exceeds the maximum ticket limit quantity posted by or on  
15 behalf of the original ticket seller at the point of original sale or printed on the tickets  
16 themselves and intends to resell such tickets shall be in violation of G.S. 75-1.1.

17       (c) A person or firm is not liable under this section with respect to tickets for  
18 which that person or firm is the original ticket seller."

19               **SECTION 3.** This act becomes effective December 1, 2007, and applies to  
20 offenses committed on or after that date.