

HOUSE BILL No. 4224

February 15, 2017, Introduced by Rep. Kelly and referred to the Committee on Commerce and Trade.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 465 (MCL 750.465).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 465. (1) The owner, lessee, operator, or manager of each
2 theatre, circus, athletic grounds used for an athletic game, or
3 place of public entertainment or amusement shall have printed on
4 each ticket issued for admission to, or for a seat of, the theatre,
5 circus, athletic grounds, or place of public entertainment or
6 amusement, in conspicuous type, the price of the ticket, and the
7 number on the seat ~~when each seat is~~ **IF THE SEATS ARE** numbered. The
8 owner, lessee, operator, or manager also shall print or endorse on

1 the ticket the charge in excess of the box office price at which
2 the ticket is sold if the ticket is purchased at a location other
3 than the box office where the event occurs and the following
4 statement: "This ticket may be purchased at the box office price
5 without the surcharge by purchasing the ticket at the box office
6 where the event is scheduled to occur."

7 ~~—— (2) A person owning, occupying, managing, or controlling a~~
8 ~~building, room, park or enclosure for the sale of tickets for a~~
9 ~~theatre, circus, athletic game, or place of public entertainment or~~
10 ~~amusement, who asks, demands, or receives from a person for the~~
11 ~~sale of the ticket to a theatre, circus, athletic grounds, or place~~
12 ~~of public entertainment or amusement, a price in excess of the~~
13 ~~general admission advertised or charged for the same privilege, or~~
14 ~~a person, who by himself or herself or his or her agent or~~
15 ~~employee, offers for sale upon a public place or thoroughfare, a~~
16 ~~ticket to a theatre, circus, athletic grounds, or place of public~~
17 ~~entertainment or amusement, for admission to, or for a seat or~~
18 ~~other privilege in a theatre, circus, athletic grounds, or place of~~
19 ~~public entertainment or amusement, at a price in excess of that~~
20 ~~demanded or received from the general public for the same~~
21 ~~privilege, or in excess of the advertised or printed rate, shall be~~
22 ~~punished as provided in subsection (6), except if the request,~~
23 ~~demand, or receipt is with the written permission of the owner,~~
24 ~~lessee, operator, or manager of the theatre, circus, athletic~~
25 ~~grounds, or place of public entertainment or amusement where the~~
26 ~~event occurs. If the owner, lessee, operator, or manager permits,~~
27 ~~in writing, a charge in excess of the box office price, the~~

~~permission shall be limited to the sales of tickets at locations other than the box office where the event occurs.~~

~~—— (3) Except as provided in subsections (1) and (2), a person shall not establish an agency or suboffice for the sale of a seat ticket of admission to a theatre, circus, athletic grounds, or place of public entertainment or amusement at a price greater than the sale of a seat ticket at the box office of the theatre, circus, athletic grounds, place of public entertainment or amusement, or in excess of the advertised price of the seat ticket.~~

~~—— (4) Except as provided in subsections (1) and (2), the owner, lessee, operator, or occupant of a building, room, enclosure, or other place open to the public, who permits a person to sell or exhibit for sale in the building, room, enclosure, or other place open to the public, 1 or more tickets for a theatre, circus, athletic grounds, or place of public entertainment or amusement, for more than the price printed on the ticket, shall be liable and guilty equally as the person.~~

~~—— (5) If the owner, lessee, operator, or manager of a circus, theatre, athletic grounds, or place of public entertainment or amusement has sold a ticket or admission to a person, under restrictive conditions and at a less rate than the general admission charged, and whose name appears on the face of the ticket or is registered in the office of the owner, lessee, operator, or managers as the holder of the ticket and if it is printed on the face of the ticket that the ticket is nontransferable and sold only to the person whose name appears on the face of the ticket or is registered, the holder of the ticket shall not sell the ticket to~~

1 ~~another person, and a person selling the ticket shall be punished~~
2 ~~as provided in subsection (6).~~

3 (2) A PERSON SHALL NOT KNOWINGLY SELL, GIVE, TRANSFER, USE,
4 DISTRIBUTE, OR POSSESS WITH THE INTENT TO DISTRIBUTE SOFTWARE THAT
5 IS PRIMARILY DESIGNED OR PRODUCED FOR THE PURPOSE OF INTERFERING
6 WITH THE TICKET SALE OPERATIONS OF ANY OWNER, LESSEE, OPERATOR, OR
7 MANAGER OF A CIRCUS, THEATER, ATHLETIC GROUNDS, OR PLACE OF PUBLIC
8 ENTERTAINMENT OR AMUSEMENT OVER THE INTERNET BY CIRCUMVENTING ANY
9 MEASURES OR CONTROLS ON THE SELLER'S WEBSITE THAT ARE INSTITUTED TO
10 ENSURE AN EQUITABLE SALE PROCESS.

11 (3) ~~(6)~~ A person ~~who~~ **THAT** violates this section is guilty of a
12 misdemeanor **PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR**
13 **A FINE OF NOT MORE THAN \$500.00, OR BOTH.**

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.