

Act No. 176
Public Acts of 2020
Approved by the Governor
October 1, 2020
Filed with the Secretary of State
October 1, 2020
EFFECTIVE DATE: December 30, 2020

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Senators Barrett and Geiss

ENROLLED SENATE BILL No. 385

AN ACT to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 465 (MCL 750.465).

The People of the State of Michigan enact:

Sec. 465. (1) The owner, lessee, operator, or manager of each theatre, circus, athletic grounds used for an athletic game, or place of public entertainment or amusement shall have printed on each ticket issued for admission to, or for a seat of, the theatre, circus, athletic grounds, or place of public entertainment or amusement, in conspicuous type, the price of the ticket, and the number on the seat if the seats are numbered. The owner, lessee, operator, or manager also shall print or endorse on the ticket the charge in excess of the box office price at which the ticket is sold if the ticket is purchased at a location other than the box office where the event occurs and the following statement: “This ticket may be purchased at the box office price without the surcharge by purchasing the ticket at the box office where the event is scheduled to occur.”.

(2) A person shall not knowingly sell, give, transfer, use, distribute, or possess with the intent to distribute software that is primarily designed or produced for the purpose of interfering with the ticket sale operations of any owner, lessee, operator, or manager of a theatre, circus, athletic grounds, or place of public entertainment or amusement over the internet by circumventing any measures or controls on the seller’s website that are instituted to enforce event ticket purchasing limits or to maintain the integrity of online purchasing order rules.

(3) Except as provided in subsection (4), a person owning, operating, or controlling a ticket website for an event scheduled at a venue in this state shall not use an internet domain name or subdomain thereof in the ticket website’s URL that contains any of the following:

(a) The name of the venue.

(b) The name of the event, including the name of a person or entity scheduled to perform or appear at the event.

(c) A name substantially similar to those described in subdivision (a) or (b).

(4) Subsection (3) does not apply if the person owning, operating, or controlling a ticket website for an event scheduled in this state is acting on behalf of the venue, event, person, or entity scheduled to perform or appear at the event.

(5) A person shall not make available for sale a ticket that is not in his or her possession or control.

(6) This section does not alter or affect the remedies available for unfair, unconscionable, or deceptive methods, acts, or practices related to the sale of tickets under the Michigan consumer protection act, 1976 PA 331, MCL 445.901 to 445.922, or for untrue, deceptive, or misleading advertising of tickets under the Michigan shopping reform and modernization act, 2011 PA 15, MCL 445.311 to 445.324.

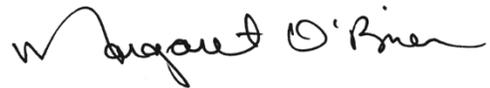
(7) If any provision of this act or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and, to this end, the provisions of this act are severable.

(8) A person that violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000.00, or both.

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

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 384 of the 100th Legislature is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor

Compiler's note: Senate Bill No. 384, referred to in enacting section 2, was filed with the Secretary of State October 1, 2020, and became 2020 PA 175, Eff. Dec. 30, 2020.