

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1433

H.P. 1018

House of Representatives, April 27, 1995

An Act to Prevent Scalping of Entertainment Tickets.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative GERRY of Auburn.
Cosponsored by Senator RAND of Cumberland and
Representatives: ADAMS of Portland, GWADOSKY of Fairfield, McALEVEY of
Waterboro, ROSEBUSH of East Millinocket.

2 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. 8 MRSA c. 29 is enacted to read:

6 CHAPTER 29

8 THEATRICAL EXHIBITIONS, SPORTING OR ATHLETIC
EVENTS, PUBLIC SHOWS AND PUBLIC AMUSEMENTS

10 §721. Definitions

12 As used in this chapter, unless the context otherwise
indicates, the following terms have the following meanings.

14 1. Place of entertainment. "Place of entertainment" means
any privately owned or publicly owned and operated entertainment
facility such as a theater, stadium, arena, racetrack, museum or
amusement park where performances, concerts, exhibits, games or
contests are held for which an entry fee is charged.

20 2. Service charge. "Service charge" means any costs
incurred related to the procurement and sale of a ticket. The
service charge may include charges for postage, long-distance
telephone calls and fees attributable to extensions of credit.

26 3. Ticket. "Ticket" means evidence of right of entry to a
theatrical exhibition, sporting or athletic event, public show,
public amusement or exhibition of any description.

30 §722. Resale of tickets

32 1. Violation. It is unlawful to resell a ticket for
admission to a theatrical exhibition, sporting or athletic event,
public show, public amusement or exhibition of any description:

36 A. At a price greater than \$2 over the price printed on the
face of the ticket. A person may charge in excess of the
amount if the charge is attributable to service charges; or

40 B. Unless contracted or licensed as a contract sales agent
to resell the ticket by the place of entertainment.

42 2. Authorized sales agents. Agencies or individuals
authorized by the place of entertainment to sell or resell
tickets must:

46 A. Have written authorization of the right to sell the
tickets; and

2 B. Refund total purchase price, including any service
 charge, when issuing any refund.

4 3. Unauthorized sales agents. Agencies or individuals not
 authorized by the place of entertainment to sell or resell
6 tickets may not sell or resell tickets or advertise that they
 have tickets to sell.

8 4. Fine. For a violation of this section, the following
10 apply.

12 A. A person who violates this section commits a civil
 violation for which a forfeiture of not less than \$100 nor
14 more than \$500 may be adjudged per violation.

16 B. An agency who violates this section commits a civil
 violation for which a forfeiture of not less than \$250 nor
18 more than \$750 may be adjudged per violation.

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STATEMENT OF FACT

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 This bill makes it unlawful to resell a ticket to a sporting
24 event or other public entertainment at an inflated price,
 commonly known as "ticket scalping." It allows reselling a
26 ticket to agencies or individuals only if authorized by the place
 of entertainment.