

1 AN ACT in relating to ticket scalping.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Ticket Scalping Act is amended by
5 changing Section 1.5 as follows:

6 (720 ILCS 375/1.5)

7 Sec. 1.5. Resale of tickets.

8 (a) In this Section:

9 "Director" means the Director of Revenue.

10 "Place of public entertainment" means any privately
11 or publicly owned and operated entertainment facility
12 within this State such as a theater, stadium, museum,
13 arena, racetrack, or other place where performances,
14 concerts, exhibits, games, or contests are held and for
15 which an entry fee is charged.

16 "Ticket" means any piece of paper that indicates
17 that the bearer has paid for entry or other evidence that
18 permits entry to a place of public entertainment.

19 "Ticket agent" means any person who is involved in
20 the business of selling or reselling tickets of admission
21 to places of public entertainment and who charges a
22 premium in excess of the price, plus taxes, printed on
23 the tickets.

24 (b) Each place of public entertainment must print on the
25 face of each ticket and include in advertising for any event
26 the price charged for the event. Except for tickets printed
27 before the effective date of this amendatory Act of the 92nd
28 General Assembly, each ticket must have endorsed on the
29 ticket the maximum premium not to exceed 20% of the ticket
30 price or \$3, whichever is greater, plus lawful taxes, at
31 which the ticket may be resold. No person may resell, offer

1 to resell, or purchase with the intent to resell a ticket
 2 for admission to a place of public entertainment at a premium
 3 in excess of 20% of the ticket price or \$3, whichever is
 4 greater, plus lawful taxes.

5 (c) Except as otherwise provided in Section 1, no person
 6 may sell, resell, offer to sell, offer to resell, or purchase
 7 with the intent to resell any ticket in or on any street,
 8 highway, driveway, sidewalk, parking area, or common area
 9 owned by a place of public entertainment in this State or any
 10 other area adjacent to or in the vicinity of any place of
 11 public entertainment in this State as determined by the
 12 Director. However, a person may resell, in any area that may
 13 be designated by the place of public entertainment in this
 14 State, any ticket or tickets originally purchased for his or
 15 her own personal or family use at not greater than the lawful
 16 price permitted under this Section.

17 (d) Each place of public entertainment in this State
 18 must print on the face of each ticket and include in any
 19 advertising for any event the price charged for the ticket.
 20 Each ticket must have endorsed on it the maximum premium not
 21 to exceed 20% of the ticket price or \$3, whichever is
 22 greater, plus lawful taxes at which the ticket may be resold.

23 ~~(a) Except as otherwise provided in subsection (b) of~~
 24 ~~this Section and in Section 4, it is unlawful for any person,~~
 25 ~~persons, firm or corporation to sell tickets for baseball~~
 26 ~~games, football games, hockey games, theatre entertainments,~~
 27 ~~or any other amusement for a price more than the price~~
 28 ~~printed upon the face of said ticket, and the price of said~~
 29 ~~ticket shall correspond with the same price shown at the box~~
 30 ~~office or the office of original distribution. (b) This Act~~
 31 ~~does not apply to the sale of tickets of admission to a~~
 32 ~~sporting event, theater, musical performance, or place of~~
 33 ~~public entertainment or amusement of any kind for a price in~~
 34 ~~excess of the printed box office ticket price by a ticket~~

1 broker--who--meets--all--of--the--following--requirements:--(1)--The
2 ticket--broker--is--duly--registered--with--the--Office--of--the
3 Secretary--of--State--on--a--registration--form--provided--by--that
4 Office. The--registration--must--contain--a--certification--that
5 the--ticket--broker:--(A)--engages--in--the--resale--of--tickets--on--a
6 regular--and--ongoing--basis--from--one--or--more--permanent--or--fixed
7 locations--located--within--this--State;--(B)--maintains--as--the
8 principal--business--activity--at--those--locations--the--resale--of
9 tickets;--(C)--displays--at--those--locations--the--ticket--broker's
10 registration;--(D)--maintains--at--those--locations--a--listing--of
11 the--names--and--addresses--of--all--persons--employed--by--the--ticket
12 broker;--(E)--is--in--compliance--with--all--applicable--federal,
13 State,
14 and--local--laws--relating--to--its--ticket--selling
15 activities,
16 and--that--neither--the--ticket--broker--nor--any--of--its
17 employees--within--the--preceding--12--months--have--been--convicted
18 of--a--violation--of--this--Act;--and--(F)--that--the--ticket--broker
19 meets--the--following--requirements:--(i)--maintains--a--statewide
20 toll--free--number--for--consumer--complaints--and--inquiries;--(ii)
21 has--adopted--a--code--that--advocates--consumer--protection--that
22 includes,
23 at--a--minimum:--(a-1)--consumer--protection--guidelines;
24 (b-1)--a--standard--refund--policy;--and--(c-1)--standards--of
25 professional--conduct;--(iii)--has--adopted--a--procedure--for--the
26 binding--resolution--of--consumer--complaints--by--an--independent,
27 disinterested--third--party;--and--(iv)--has--established--and
28 maintains--a--consumer--protection--rebate--fund--in--an--amount--in
29 excess--of--\$100,000,
30 at--least--50%--of--which--must--be--cash
31 available--for--immediate--disbursement--for--satisfaction--of
32 valid--consumer--complaints. Alternatively,
33 the--ticket--broker
34 may--fulfill--the--requirements--of--subparagraph--(F)--of--this
35 subsection--(b)--if--the--ticket--broker--certifies--that--he--or--she
36 belongs--to--a--professional--association--organized--under--the
37 laws--of--this--State,
38 or--organized--under--the--laws--of--any--other
39 state--and--authorized--to--conduct--business--in--Illinois,
40 that
41 has--been--in--existence--for--at--least--3--years--prior--to--the--date

1 of--that--broker's--registration--with--the--Office--of--the
2 Secretary--of--State,--and--is--specifically--dedicated,--for--and--on
3 behalf--of--its--members,--to--provide--and--maintain--the--consumer
4 protection--requirements--of--subparagraph--(F)--of--subsection--(b)
5 to--maintain--the--integrity--of--the--ticket--brokerage--industry.
6 (2)--(Blank).--(3)--The--ticket--broker--and--his--employees--must--not
7 engage--in--the--practice--of--selling,--or--attempting--to--sell,
8 tickets--for--any--event--while--sitting--or--standing--near--the
9 facility--at--which--the--event--is--to--be--held--or--is--being--held.
10 (4)--The--ticket--broker--must--comply--with--all--requirements--of
11 the--Retailers'--Occupation--Tax--Act--and--all--other--applicable
12 federal,--State--and--local--laws--in--connection--with--his--ticket
13 selling--activities.--(5)--Beginning--January--1,--1996,--no--ticket
14 broker--shall--advertise--for--resale--any--tickets--within--this
15 State--unless--the--advertisement--contains--the--name--of--the
16 ticket--broker--and--the--Illinois--registration--number--issued--by
17 the--Office--of--the--Secretary--of--State--under--this--Section.--(6)
18 Each--ticket--broker--registered--under--this--Act--shall--pay--an
19 annual--registration--fee--of--\$100.--The--provisions--of--this
20 amendatory--Act--of--1995--are--severable--under--Section--1.31--of
21 the--Statute--on--Statutes.

22 (Source: P.A. 89-406, eff. 11-15-95.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.