

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE BILL 1407  
Judiciary II (Criminal) Committee Substitute Adopted 5/17/07

Short Title: Resale of Tickets via Internet.

(Public)

Sponsors:

Referred to:

March 26, 2007

A BILL TO BE ENTITLED

AN ACT TO PROTECT CONSUMERS FROM UNLAWFUL SALE OF ADMISSION  
TICKETS IN EXCESS OF THE PRINTED PRICE AND TO PROHIBIT THE  
ACQUISITION OF MORE THAN THE ALLOWABLE MAXIMUM NUMBER  
OF TICKETS FOR RESALE.

The General Assembly of North Carolina enacts:

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

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

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

(1) The ticketed event is cancelled.

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

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

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

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

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

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

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

12 **"§ 14-344.2. Bar on purchasing tickets in excess of maximum ticket limit.**

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

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

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

22       **SECTION 3.** This act becomes effective August 1, 2007, and applies to  
23 offenses committed on or after that date.