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AB-1032 Ticket sellers: equitable ticket buying process: use or sale of services. (2019-2020)

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Assembly Bill No. 1032

CHAPTER 105

An act to amend Section 22505.5 of the Business and Professions Code, relating to business.

[Approved by Governor July 12, 2019. Filed with Secretary of State July 12, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1032, Quirk. Ticket sellers: equitable ticket buying process: use or sale of services.

Existing law defines a ticket seller for specified purposes to mean a person who for compensation, commission, or otherwise sells admission tickets to sporting, musical, theater, or any other entertainment event. Existing law makes it unlawful for a person to intentionally use or sell software to circumvent a security control or measure that is used to ensure an equitable ticket buying process. Existing law makes a violation of the laws regulating ticket sellers a misdemeanor.

This bill would, for purposes of the prohibition on the intentional use or sale of certain software, specify that the equitable ticket buying process is for event attendees, and that a control or measure that is used to ensure an equitable ticket buying process includes limits on the number of tickets that a person can purchase. The bill would additionally make it unlawful for a person to intentionally use or sell services to circumvent a security control or measure that is used to ensure an equitable ticket buying process for event attendees. The bill would define event attendee for these purposes, and would exclude a ticket seller from that definition. By expanding the scope of an existing crime, this bill would impose a state-mandate local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 22505.5 of the Business and Professions Code is amended to read:

22505.5. (a) Notwithstanding Section 22503.5, 22503.6, 22504, or 22511, it shall be unlawful for a person to intentionally use or sell software or services to circumvent a security measure, access control system, or other control or measure that is used to ensure an equitable ticket buying process for event attendees.

(b) For purposes of this section:

(1) "Event attendee" means a person who purchases one or more tickets with the intent to attend the event for which the ticket or tickets are purchased. An event attendee does not include a ticket seller.

(2) "A control or measure that is used to ensure an equitable ticket buying process" includes limits on the number of tickets that a person can purchase.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.