

HOUSE BILL No. 5885

September 12, 2012, Introduced by Rep. Geiss and referred to the Committee on Government Operations.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 465 (MCL 750.465).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 465. (1) The owner, lessee, operator, or manager of each
2 theatre, circus, athletic grounds used for an athletic game, or
3 place of public entertainment or amusement shall have printed on
4 each ticket issued for admission to, or for a seat of, the theatre,
5 circus, athletic grounds, or place of public entertainment or
6 amusement, in conspicuous type, the price of the ticket, and the
7 number on the seat when each seat is numbered. The owner, lessee,
8 operator, or manager also shall print or endorse on the ticket the
9 charge in excess of the box office price at which the ticket is
10 sold if the ticket is purchased at a location other than the box

1 office where the event occurs and the following statement: "This
2 ticket may be purchased at the box office price without the
3 surcharge by purchasing the ticket at the box office where the
4 event is scheduled to occur."

5 (2) A person owning, occupying, managing, or controlling a
6 building, room, park or enclosure for the sale of tickets for a
7 theatre, circus, athletic game, or place of public entertainment or
8 amusement, who asks, demands, or receives from a person for the
9 sale of the ticket to a theatre, circus, athletic grounds, or place
10 of public entertainment or amusement, a price in excess of the
11 general admission advertised or charged for the same privilege, or
12 a person, who by himself or herself or his or her agent or
13 employee, offers for sale upon a public place or thoroughfare, a
14 ticket to a theatre, circus, athletic grounds, or place of public
15 entertainment or amusement, for admission to, or for a seat or
16 other privilege in a theatre, circus, athletic grounds, or place of
17 public entertainment or amusement, at a price in excess of that
18 demanded or received from the general public for the same
19 privilege, or in excess of the advertised or printed rate, shall be
20 punished as provided in subsection ~~(6)~~, ~~(7)~~, except if the request,
21 demand, or receipt is with the written permission of the owner,
22 lessee, operator, or manager of the theatre, circus, athletic
23 grounds, or place of public entertainment or amusement where the
24 event occurs. If the owner, lessee, operator, or manager permits,
25 in writing, a charge in excess of the box office price, the
26 permission shall be limited to ~~the~~ **BOTH OF THE FOLLOWING:**

27 (A) **THE** sales of tickets at locations other than the box

1 office where the event occurs.

2 (B) THE SALE OF TICKETS FOR NOT MORE THAN 10% MORE THAN THE
3 BOX OFFICE VALUE PRINTED ON THE FACE OF THE TICKET.

4 (3) Except as provided in subsections (1) and (2), a person
5 shall not establish an agency, ~~or suboffice~~, OR INTERNET WEBSITE
6 for the sale of a seat ticket of admission to a theatre, circus,
7 athletic grounds, or place of public entertainment or amusement at
8 a price greater than the sale of a seat ticket at the box office of
9 the theatre, circus, athletic grounds, place of public
10 entertainment or amusement, or in excess of the advertised price of
11 the seat ticket.

12 (4) Except as provided in subsections (1) and (2), the owner,
13 lessee, operator, or occupant of a building, room, enclosure, or
14 other place open to the public, ~~who permits~~ SHALL NOT PERMIT a
15 person to sell or exhibit for sale in the building, room,
16 enclosure, or other place open to the public, 1 or more tickets for
17 a theatre, circus, athletic grounds, or place of public
18 entertainment or amusement, for more than the price printed on the
19 ticket. ~~, shall be liable and guilty equally as the person.~~

20 (5) If the owner, lessee, operator, or manager of a circus,
21 theatre, athletic grounds, or place of public entertainment or
22 amusement has sold a ticket or admission to a person, under
23 restrictive conditions and at a less rate than the general
24 admission charged, and whose name appears on the face of the ticket
25 or is registered in the office of the owner, lessee, operator, or
26 managers as the holder of the ticket and if it is printed on the
27 face of the ticket that the ticket is nontransferable and sold only

1 to the person whose name appears on the face of the ticket or is
2 registered, the holder of the ticket shall not sell the ticket to
3 another person. ~~, and a person selling the ticket shall be punished~~
4 ~~as provided in subsection (6).~~

5 (6) A PERSON WHO OWNS OR OPERATES AN INTERNET WEBSITE THAT
6 OFFERS FOR SALE A TICKET OR ADMISSION TO AN EVENT DESCRIBED IN THIS
7 SECTION SHALL POST ON THE WEBSITE BOTH THE SALE PRICE OF THE TICKET
8 OR ADMISSION AND THE BOX OFFICE PRICE OF THAT TICKET OR ADMISSION.

9 (7) ~~(6)~~ A person who violates this section is guilty of a
10 misdemeanor PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR
11 A FINE OF NOT MORE THAN \$500.00, OR BOTH.