

# SENATE BILL NO. 578

October 10, 2019, Introduced by Senator HERTEL and referred to the Committee on Economic and Small Business Development.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending the title and section 465 (MCL 750.465), the title as amended by 2010 PA 107, and by adding section 465b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1** TITLE  
**2** An act to revise, consolidate, codify, and add to the statutes  
**3** relating to crimes; to define crimes **and certain state civil**

1 **infractions** and prescribe the penalties, **sanctions**, and remedies;  
2 to provide for restitution under certain circumstances; to provide  
3 for the competency of evidence at the trial of persons accused of  
4 crime; to provide immunity from prosecution for certain witnesses  
5 appearing at criminal trials; to provide for liability for damages;  
6 and to repeal certain acts and parts of acts inconsistent with or  
7 contravening any of the provisions of this act.

8       Sec. 465. (1) The owner, lessee, operator, or manager of each  
9 theatre, circus, athletic grounds used for an athletic game, or  
10 place of public entertainment or amusement shall have printed on  
11 each ticket issued for admission to, or for a seat of, the theatre,  
12 circus, athletic grounds, or place of public entertainment or  
13 amusement, in conspicuous type, the price of the ticket, and the  
14 number on the seat ~~when each seat is~~ **if the seats are** numbered. The  
15 owner, lessee, operator, or manager also shall print or endorse on  
16 the ticket the charge in excess of the box office price at which  
17 the ticket is sold if the ticket is purchased at a location other  
18 than the box office where the event occurs and the following  
19 statement: "This ticket may be purchased at the box office price  
20 without the surcharge by purchasing the ticket at the box office  
21 where the event is scheduled to occur."

22       (2) A person owning, occupying, managing, or controlling a  
23 building, room, park or enclosure for the sale of tickets for a  
24 theatre, circus, athletic game, or place of public entertainment or  
25 amusement, who asks, demands, or receives from a person for the  
26 sale of the ticket to a theatre, circus, athletic grounds, or place  
27 of public entertainment or amusement, a price in excess of the  
28 general admission advertised or charged for the same privilege, or  
29 a person, who by himself or herself or his or her agent or

1 employee, offers for sale upon a public place or thoroughfare, a  
2 ticket to a theatre, circus, athletic grounds, or place of public  
3 entertainment or amusement, for admission to, or for a seat or  
4 other privilege in a theatre, circus, athletic grounds, or place of  
5 public entertainment or amusement, at a price in excess of that  
6 demanded or received from the general public for the same  
7 privilege, or in excess of the advertised or printed rate, ~~shall be~~  
8 ~~punished~~ **is responsible for a state civil infraction** as provided in  
9 subsection (6), except if the request, demand, or receipt is with  
10 the written permission of the owner, lessee, operator, or manager  
11 of the theatre, circus, athletic grounds, or place of public  
12 entertainment or amusement where the event occurs. If the owner,  
13 lessee, operator, or manager permits, in writing, a charge in  
14 excess of the box office price, the permission ~~shall~~ **must** be  
15 limited to the sales of tickets at locations other than the box  
16 office where the event occurs.

17 (3) Except as provided in subsections (1) and (2), a person  
18 shall not establish an agency or suboffice for the sale of a seat  
19 ticket of admission to a theatre, circus, athletic grounds, or  
20 place of public entertainment or amusement at a price greater than  
21 the sale of a seat ticket at the box office of the theatre, circus,  
22 athletic grounds, place of public entertainment or amusement, or in  
23 excess of the advertised price of the seat ticket.

24 (4) Except as provided in subsections (1) and (2), the owner,  
25 lessee, operator, or occupant of a building, room, enclosure, or  
26 other place open to the public, who permits a person to sell or  
27 exhibit for sale in the building, room, enclosure, or other place  
28 open to the public, 1 or more tickets for a theatre, circus,  
29 athletic grounds, or place of public entertainment or amusement,

1 for more than the price printed on the ticket, ~~shall be liable and~~  
2 ~~guilty is~~ equally **responsible** as the person.

3 (5) If the owner, lessee, operator, or manager of a circus,  
4 theatre, athletic grounds, or place of public entertainment or  
5 amusement has sold a ticket or admission to a person, under  
6 restrictive conditions and at a ~~less~~-**lower** rate than the general  
7 admission charged, and whose name appears on the face of the ticket  
8 or is registered in the office of the owner, lessee, operator, or  
9 managers as the holder of the ticket and if it is printed on the  
10 face of the ticket that the ticket is nontransferable and sold only  
11 to the person whose name appears on the face of the ticket or is  
12 registered, the holder of the ticket shall not sell the ticket to  
13 another person, and a person selling the ticket ~~shall be punished~~  
14 **is responsible for a state civil infraction** as provided in  
15 subsection (6).

16 (6) A person ~~who~~-**that** violates this section is ~~guilty of a~~  
17 ~~misdemeanor~~-**responsible for a state civil infraction and may be**  
18 **fined not more than \$200.00.**

19 **Sec. 465b. (1) A person shall not knowingly sell, give,**  
20 **transfer, use, distribute, or possess with the intent to distribute**  
21 **software that is primarily designed or produced for the purpose of**  
22 **interfering with the ticket sale operations of any owner, lessee,**  
23 **operator, or manager of a theatre, circus, athletic grounds, or**  
24 **place of public entertainment or amusement over the internet by**  
25 **circumventing any measures or controls on the seller's website that**  
26 **are instituted to enforce event ticket purchasing limits or to**  
27 **maintain the integrity of online purchasing order rules.**

28 (2) A person that violates this section is guilty of a  
29 misdemeanor punishable by imprisonment for not more than 93 days or

1 **a fine of not more than \$500.00, or both.**

2 Enacting section 1. This amendatory act takes effect 90 days  
3 after the date it is enacted into law.

4 Enacting section 2. This amendatory act does not take effect  
5 unless all of the following bills of the 100th Legislature are  
6 enacted into law:

7 (a) Senate Bill No. 579.

8

9 (b) Senate Bill No. 580.

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