An Act

ENROLLED SENATE
BILL NO. 650

By: Rogers, Burns, and Bullard
of the Senate

and

Marti of the House

An Act relating to consumer protection; defining terms; prohibiting a person to use or sell certain software to evade security measures of a ticket seller's website or sell tickets at an increased price; subjecting such violation as a violation of the Oklahoma Consumer Protection Act; providing for codification; and providing an effective date.

SUBJECT: Ticket scalping

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 774 of Title 15, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Admission ticket" means evidence of a right of entry to a venue or an entertainment event;

2. "Event" means a concert, theatrical performance, sporting event, exhibition, show, or other similar activity held in this state;

3. "Initial sale" means the first sale of an admission ticket by the ticket seller, which may include the distribution of admission tickets under an agreement between the ticker seller and the recipient;

4. "Person" means any individual, partnership, corporation, limited liability company, other organization, or any combination thereof;

5. "Place of entertainment" means any privately or publicly owned or operated entertainment facility within this state, such as a theater, stadium, museum, arena, park, racetrack, or other place where concerts, theatrical performances, sporting events, exhibitions, shows, or other similar activities are held and for which an entry fee is charged;

6. "Presale" means a sale of admission tickets at or below the price printed on the ticket by, or with the permission of, a ticket seller, prior to their release to the general public;

7. "Promoter" means a person who organizes financing and publicity for an entertainment event; and

8. "Ticket seller" means a person that makes admission tickets available, directly or indirectly, at an initial presale or sale to the general public, and may include an owner or operator of a place of entertainment, a sponsor or promoter of an event, a sports team participating in an event, a theater company, a musical group, or similar participant in an event, or an employee or agent of any such person.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 774.1 of Title 15, unless there is created a duplication in numbering, reads as follows:

A. A person shall not:

1. Use software to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control measure on a ticket seller's Internet website; or

2. Sell software that is advertised for profit with the express purpose to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on a ticket seller's Internet website.

B. The user or seller shall be in violation of subsection A of this section if the user or seller knows or should know that:

1. The purpose of the software is to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on a ticket seller's Internet website in order to purchase admission tickets during the initial sale or presale for an event held at a place of entertainment; or

2. The use of the software led to the admission tickets being resold on the initial seller's Internet website or an Internet site used for the resell of admission tickets for a price above the admission ticket's initial cost.

C. Any violation of this section shall constitute an unlawful business practice and shall be subject to the provisions of the Oklahoma Consumer Protection Act.

SECTION 3. This act shall become effective November 1, 2023.

Passed the Senate the 2nd day of March, 2023.

Brent Howard
Presiding Officer of the Senate

Passed the House of Representatives the 26th day of April, 2023.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 1st

day of May, 2023, at 2:13 o'clock p. M.

By: Jenna Curry

Approved by the Governor of the State of Oklahoma this 5th

day of May, 2023, at 10:15 o'clock a. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 5th

day of May, 2023, at 11:50 o'clock A. M.

By: Brian Bingman