

3723

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. ZEBROWSKI -- read once and referred to the
Committee on Tourism, Arts and Sports Development

AN ACT to amend the arts and cultural affairs law, in relation to auto-
mated ticket purchasing devices

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The arts and cultural affairs law is amended by adding a
2 new section 23.25 to read as follows:

3 S 23.25. AUTOMATED TICKET PURCHASING DEVICES. 1. THE TERM "AUTOMATED
4 TICKET PURCHASING DEVICE" SHALL MEAN A DEVICE OR COMPUTER PROGRAM THAT
5 NAVIGATES THROUGH TICKET WEBSITES AND BYPASSES CERTAIN SECURITY MEASURES
6 IN ORDER TO PURCHASE LARGE QUANTITIES OF TICKETS. SUCH TERM SHALL
7 INCLUDE THE USE OF SOFTWARE APPLICATIONS THAT RUN AUTOMATED TASKS OVER
8 THE INTERNET.

9 2. ANY PERSON WHO UTILIZES AN AUTOMATED TICKET PURCHASING DEVICE TO
10 PURCHASE TICKETS SHALL BE GUILTY OF A CLASS B MISDEMEANOR, PUNISHABLE BY
11 A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS.

12 3. ANY PERSON WHO SUPERVISES THE OPERATION OF AN AUTOMATED TICKET
13 PURCHASING MACHINE OR WHO RECEIVES ANY MONETARY GAINS FROM SUCH OPERA-
14 TION SHALL BE GUILTY OF A CLASS B MISDEMEANOR, PUNISHABLE BY A FINE OF
15 NOT MORE THAN ONE THOUSAND DOLLARS.

16 4. ANY PERSON WHO POSSESSES AN AUTOMATED TICKET PURCHASING MACHINE
17 SHALL BE GUILTY OF A VIOLATION, PUNISHABLE BY A FINE OF NOT MORE THAN
18 FIVE HUNDRED DOLLARS.

19 S 2. This act shall take effect on the ninetieth day after it shall
20 have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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