

5479

2011-2012 Regular Sessions

I N A S S E M B L Y

February 22, 2011

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

AN ACT to amend the arts and cultural affairs law, in relation to the
resale of tickets to places of entertainment; and to repeal certain
provisions of such law relating thereto

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

1 Section 1. Subdivisions 2 and 3 of section 25.13 of the arts and
2 cultural affairs law are REPEALED.
3 S 2. The arts and cultural affairs law is amended by adding a new
4 section 25.37 to read as follows:
5 S 25.37. REPORT OF THE CONSUMER PROTECTION BOARD. 1. THE CONSUMER
6 PROTECTION BOARD SHALL REVIEW THE EFFECTIVENESS AND CONSUMER IMPACT OF
7 THE PROVISIONS OF THIS ARTICLE. THE FINDINGS AND CONCLUSIONS OF SUCH
8 REVIEW SHALL BE PRESENTED IN THE FORM OF A WRITTEN REPORT ON OR BEFORE
9 FEBRUARY TWENTY-SIXTH, TWO THOUSAND TWELVE. A COPY OF THE REPORT SHALL
10 BE DELIVERED TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE
11 SPEAKER OF THE ASSEMBLY, THE MINORITY LEADER OF THE SENATE AND THE
12 MINORITY LEADER OF THE ASSEMBLY. SUCH WRITTEN REPORT SHALL ADDRESS AT
13 MINIMUM, THE FOLLOWING: AN OVERVIEW OF THE TICKET-SELLING INDUSTRY; THE
14 PUBLIC POLICY BENEFIT THAT IS FURTHERED BY DISCLOSING THE NUMBER OF
15 TICKETS AVAILABLE FOR SALE TO THE GENERAL PUBLIC AND THE NUMBER OF TICK-
16 ETS WITHHELD FROM SALE TO THE GENERAL PUBLIC; THE EFFECT OF THE REMOVAL
17 OF THE PRICE CAP ON TICKET SALES IN NEW YORK STATE; AN ANALYSIS OF THE
18 EFFECT OF ADMINISTRATIVE AND CRIMINAL LAW ENFORCEMENT OF THIS ARTICLE;
19 THE IMPACT OF THE USE OF COMPUTER PROGRAMS AND AUTO-DIALING PHONE
20 SYSTEMS ON THE GENERAL AVAILABILITY OF TICKETS AND THE IMPACT OF TECH-
21 NOLOGY ON THE ABILITY TO PURCHASE BLOCKS OF TICKETS; THE ECONOMIC IMPACT
22 OF THE CURRENT LAW ON THE STATE; AND, LEGISLATIVE RECOMMENDATIONS.
23 2. IN ORDER TO EFFECTUATE SUCH A REPORT, THE SECRETARY OF STATE, ON OR
24 BEFORE SEPTEMBER FIFTEENTH, TWO THOUSAND ELEVEN, SHALL DELIVER TO THE

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

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1 CONSUMER PROTECTION BOARD A REPORT OF THE FOLLOWING: THE NUMBER OF
2 INITIAL OR RENEWAL TICKET RESELLER APPLICATIONS RECEIVED DURING THE
3 PERIOD OF JUNE FIRST, TWO THOUSAND SEVEN TO SEPTEMBER FIRST, TWO THOU-
4 SAND ELEVEN; THE NUMBER OF LICENSED TICKET RESELLERS IN NEW YORK STATE
5 AS OF SEPTEMBER FIRST, TWO THOUSAND ELEVEN; AN ANALYSIS OF THE EFFEC-
6 TIVENESS OF LICENSING AND BONDING TICKET RESELLERS; THE NUMBER OF TICKET
7 SCALPING COMPLAINTS RECEIVED BY THE SECRETARY OF STATE, INCLUDING THE
8 DATES EACH WAS RECEIVED SINCE JUNE FIRST, TWO THOUSAND SEVEN; AND, AN
9 ANALYSIS OF THE EFFECTIVENESS OF THE ADMINISTRATIVE ENFORCEMENT PROCESS
10 NECESSARY FOR THE ENFORCEMENT OF THIS ARTICLE.

11 S 3. This act shall take effect immediately; provided, however, that
12 the amendments to article 25 of the arts and cultural affairs law, made
13 by section two of this act, shall not affect the expiration and repeal
14 of such article, and shall expire and be deemed repealed therewith.