

S T A T E   O F   N E W   Y O R K

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5810

2013-2014 Regular Sessions

I N   A S S E M B L Y

March 6, 2013

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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2     cultural affairs law are REPEALED.  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 DIVISION. 1. THE CONSUMER  
6     PROTECTION DIVISION OF THE DEPARTMENT OF STATE SHALL REVIEW THE EFFEC-  
7     TIVENESS AND CONSUMER IMPACT OF THE PROVISIONS OF THIS ARTICLE. THE  
8     FINDINGS AND CONCLUSIONS OF SUCH REVIEW SHALL BE PRESENTED IN THE FORM  
9     OF A WRITTEN REPORT ON OR BEFORE FEBRUARY TWENTY-SIXTH, TWO THOUSAND  
10    FOURTEEN. A COPY OF THE REPORT SHALL BE DELIVERED TO THE GOVERNOR, THE  
11    TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE  
12    MINORITY LEADER OF THE SENATE AND THE MINORITY LEADER OF THE ASSEMBLY.  
13    SUCH WRITTEN REPORT SHALL ADDRESS AT MINIMUM, THE FOLLOWING: AN OVERVIEW  
14    OF THE TICKET-SELLING INDUSTRY; THE PUBLIC POLICY BENEFIT THAT IS  
15    FURTHERED BY DISCLOSING THE NUMBER OF TICKETS AVAILABLE FOR SALE TO THE  
16    GENERAL PUBLIC AND THE NUMBER OF TICKETS WITHHELD FROM SALE TO THE  
17    GENERAL PUBLIC; THE EFFECT OF THE REMOVAL OF THE PRICE CAP ON TICKET  
18    SALES IN NEW YORK STATE; AN ANALYSIS OF THE EFFECT OF ADMINISTRATIVE AND  
19    CRIMINAL LAW ENFORCEMENT OF THIS ARTICLE; THE IMPACT OF THE USE OF  
20    COMPUTER PROGRAMS AND AUTO-DIALING PHONE SYSTEMS ON THE GENERAL AVAIL-  
21    ABILITY OF TICKETS AND THE IMPACT OF TECHNOLOGY ON THE ABILITY TO  
22    PURCHASE BLOCKS OF TICKETS; THE ECONOMIC IMPACT OF THE CURRENT LAW ON  
23    THE STATE; AND, LEGISLATIVE RECOMMENDATIONS.

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

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

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