STATE OF NEW YORK

6280--A

2017-2018 Regular Sessions

IN SENATE

May 11, 2017

Introduced by Sen. BOYLE -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the arts and cultural affairs law, in relation to disclosing whether a ticket for sale has a physical seat location or is for standing or general admission

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 4 of section 25.13 of the arts and cultural affairs law, as renumbered by chapter 68 of the laws of 2009, is renumbered subdivision 5 and a new subdivision 4 is added to read as follows:

4. The operator or the promoter shall determine whether a ticket for sale has a physical seat location, or if the ticket requires the purchaser to stand for the duration of the performance, and shall disclose such information. Every sale or resale of such ticket shall include a disclosure that a ticket is standing or does not have a physical seat location. Any person, firm, corporation or other entity who violates the provisions of this subdivision shall be subject to a civil penalty in an amount of no less than five hundred dollars and not more than one thousand five hundred dollars for each such violation and shall forfeit all profits made from the sale or resale of such tickets. Additionally, any person, firm, corporation or other entity who violates the provisions of this subdivision shall refund the purchaser the full price paid by the purchaser for the ticket.

§ 2. Section 25.13 of the arts and cultural affairs law, as added by chapter 876 of the laws of 1983, is amended to read as follows:

§ 25.13. Printing price on ticket. Every person, firm or corporation who owns, operates or controls a theatre, place of amusement or entertainment, or other place where public exhibitions, games, contests or performances are held shall, if a price be charged for admission there-

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

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to, print on the face of each such ticket or other evidence of the right of entry the price charged therefor by such person, firm or corporation. Such person, firm or corporation shall likewise be required to print or endorse thereon the maximum premium (not to exceed two dollars, plus lawful taxes), at which such ticket or other evidence of the right of entry may be resold or offered for resale. It shall be unlawful for any person, firm or corporation to resell or offer to resell such ticket or other evidence of the right of entry at any premium or price in excess of such maximum premium printed or endorsed thereon, plus lawful taxes, or so that the ultimate price to the purchaser of such ticket shall exceed a sum in excess of two dollars over and above the original price charged for admission as printed on the face of each such ticket or other evidence of the right of entry, plus lawful taxes. **The operator or the promoter shall determine whether a ticket for sale has a physical seat location, or if the ticket requires the purchaser to stand for the duration of the performance, and shall disclose such information. Every sale or resale of such ticket shall include a disclosure that a ticket is standing or does not have a physical seat location. Any person, firm, corporation or other entity who violates the provisions of this section shall be subject to a civil penalty in an amount of no less than five hundred dollars and not more than one thousand five hundred dollars for each such violation and shall forfeit all profits made from the sale or resale of such tickets. Additionally, any person, firm, corporation or other entity who violates the provisions of this section shall refund the purchaser the full price paid by the purchaser for the ticket.**

§ 3. This act shall take effect immediately; provided, however, that the amendments to section 25.13 of the arts and cultural affairs law made by section one of this act shall be subject to the expiration and reversion of such section pursuant to section 4 of chapter 704 of the laws of 1991, as amended, when upon such date the provisions of section two of this act shall take effect.