
A BILL FOR AN ACT

RELATING TO CONSUMER PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that popular events held
2 in the State attract secondary market profiteers, commonly known
3 as scalpers. Scalpers often utilize computer software to
4 navigate a ticket-selling platform and its security measures in
5 a fraction of the time as a human being to purchase multiple
6 tickets and conduct multiple transactions simultaneously. For
7 example, in 2018, thousands of tickets for a concert held in the
8 State by recording artist Bruno Mars ended up on third-party
9 websites at inflated prices.

10 Accordingly, the purpose of this Act is to eliminate the
11 impact of scalpers on Hawaii residents by prohibiting tickets to
12 be sold at a higher price than the original price charged by the
13 primary venue ticket provider.

14 SECTION 2. Chapter 481B, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:



1 "§481B- Event ticket sales; price scalping prohibited;
2 exception. (a) It shall be unlawful for any person to sell or
3 offer for sale event tickets for any event held in the State at
4 a price greater than the original price as charged by the
5 primary venue ticket provider. This section shall not apply to
6 a charitable organization, as defined in section 467B-1, or its
7 employees and volunteers for event tickets resold or offered for
8 resale through a raffle, auction, or similar fundraising
9 activity for the benefit of a charitable organization's
10 charitable purposes.

11 (b) For the purposes of this section, "primary venue
12 ticket provider" means an owner or operator of a venue or sports
13 team, manager or provider of an event, event promoter, a
14 provider of ticketing services or an agent of the owner,
15 operator, manager, or provider, that engages in the primary sale
16 of event tickets or retains the authority to otherwise
17 distribute tickets."

18 SECTION 3. Section 481B-15, Hawaii Revised Statutes, is
19 repealed.

20 [~~§481B-15~~] ~~Ticket brokers; fees; cancellation. (a) No~~
21 ~~ticket broker shall charge a fee for the use of a credit card to~~



1 ~~purchase tickets without first disclosing that a fee will be~~
2 ~~charged.~~

3 ~~(b) A ticket broker shall refund any and all service fees~~
4 ~~charged for the purchase of a ticket when the public exhibition,~~
5 ~~game, contest, or performance for which the ticket was purchased~~
6 ~~is canceled.~~

7 ~~(c) For the purposes of this section, "ticket broker"~~
8 ~~means any person engaged in the business of selling tickets of~~
9 ~~admission or any other evidence of right of entry to a theater,~~
10 ~~place of amusement or entertainment, or other place where public~~
11 ~~exhibitions, games, contests, or performances are held, at a~~
12 ~~price greater than the price printed on the ticket."]~~

13 SECTION 4. If any provision of this Act, or the
14 application thereof to any person or circumstance, is held
15 invalid, the invalidity does not affect other provisions or
16 applications of the Act that can be given effect without the
17 invalid provision or application, and to this end the provisions
18 of this Act are severable.

19 SECTION 5. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



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2 SECTION 6. Statutory material to be repealed is bracketed
3 and stricken. New statutory material is underscored.

4 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Event Ticket Sales Practices; Ticket Scalping; Prohibited;
Ticket Brokers; Repeal

Description:

Prohibits the sale of tickets at higher price than the original price charged by the primary venue ticket provider for events held in the State. Repeals provisions relating to ticket brokers. Effective 7/1/2050. (SD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

