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# 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 the State's residents by prohibiting  
12 tickets to be sold at a price higher than three dollars more  
13 than the original price charged by the primary venue ticket  
14 provider and authorizing the department of commerce and consumer  
15 affairs to adopt rules to impose fines for violations of this  
16 Act.



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

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

14 (b) The department of commerce and consumer affairs may  
15 adopt rules pursuant to chapter 91 to implement this section,  
16 including imposing fines for any violations.

17 (c) For the purposes of this section, "primary venue  
18 ticket provider" means an owner or operator of a venue or sports  
19 team, manager or provider of an event, event promoter, a  
20 provider of ticketing services or an agent of the owner,  
21 operator, manager, or provider, that engages in the primary sale



1 of event tickets or retains the authority to otherwise  
2 distribute tickets."

3 SECTION 3. If any provision of this Act, or the  
4 application thereof to any person or circumstance, is held  
5 invalid, the invalidity does not affect other provisions or  
6 applications of the Act that can be given effect without the  
7 invalid provision or application, and to this end the provisions  
8 of this Act are severable.

9 SECTION 4. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before its effective date.

12 SECTION 5. New statutory material is underscored.

13 SECTION 6. This Act shall take effect on July 1, 2050.



S.B. NO. 3019  
S.D. 2

**Report Title:**

DCCA; Event Ticket Sales Practices; Ticket Scalping; Prohibited;  
Rules

**Description:**

Prohibits the sale of tickets at a price higher than \$3 more than the original price charged by the primary venue ticket provider for events held in the State. Authorizes the Department of Commerce and Consumer Affairs to adopt rules to impose fines for any violations. 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.*

