
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 from being sold at a price at least ten per cent more
13 than the primary sale 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.



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 at least ten per cent more than the primary sale price
8 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, provider
20 of ticketing services, or an agent of the owner, operator,
21 manager, provider, or promoter, 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.



Report Title:

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

Description:

Prohibits the sale of tickets at a price at least ten per cent more than the primary sale 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. (HD1)

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