

As Introduced

**127th General Assembly
Regular Session
2007-2008**

S. B. No. 347

Senator Kearney

Cosponsors: Senators Roberts, Smith, Morano

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A B I L L

To amend section 1333.99 and to enact section 1333.58 1
of the Revised Code to regulate the sale of 2
entertainment, sporting, or amusement event 3
tickets. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1333.99 be amended and section 5
1333.58 of the Revised Code be enacted to read as follows: 6

Sec. 1333.58. (A) As used in this section: 7

(1) "Event provider" means an artist, entertainer, promoter, 8
team, league, or venue, or any agent thereof. 9

(2) "Season ticket" means a ticket or tickets of admission, 10
to any series of entertainment, sporting, or amusement events, 11
which grants the holder admission to five or more such events over 12
a defined period of time. 13

(B) An event provider shall have printed on each ticket of 14
admission to any entertainment, sporting, or amusement event, in 15
conspicuous type, the price of the ticket. No person shall sell, 16
resell, or offer to sell or resell such ticket at a price in 17
excess of the price printed on the ticket, plus a reasonable 18

order-processing fee and lawful taxes. 19

(C) Except as provided for in division (D) of this section, 20
no event provider shall withhold from public sale, or distribute 21
to any person or organization in a manner that prevents such 22
tickets from being available for public purchase, more than 23
one-fourth the total quantity of tickets of admission to, or for a 24
seat at, any entertainment, sporting, or amusement event. 25

(D) No event provider shall withhold from public sale, or 26
distribute to any person or organization in a manner that prevents 27
such tickets from being available for public purchase, more than 28
one-half the total quantity of season tickets that will be made 29
available for purchase. Any ticket for an individual 30
entertainment, sporting, or amusement event that is withheld from 31
public sale to be sold as part of a season ticket, which is not 32
subsequently sold as part of a season ticket, must be made 33
available for purchase from the public. 34

(E) No event provider, or employee or agent of an event 35
provider, shall accept compensation of any kind from a person in 36
exchange for providing a person with the opportunity to purchase 37
or acquire a ticket of admission to any entertainment, sporting, 38
or amusement event prior to such tickets of admission becoming 39
available for public purchase, or in a manner that prevents such 40
tickets from being available for public purchase. A quantity of 41
tickets not to exceed one-fourth the total quantity of tickets of 42
admission to, or for a seat at, an individual entertainment, 43
sporting, or amusement event, and a quantity of season tickets not 44
to exceed one-half the total quantity of season tickets, which 45
pursuant to divisions (C) and (D) of this section may be withheld 46
from public sale or distributed to a person or organization, are 47
exempt from the prohibition of this division. 48

(F) This section does not apply to any event at a public or 49
nonpublic primary or secondary school or educational institution, 50

to any event at a public or nonpublic institution of higher 51
education, or any event for which less than five hundred tickets, 52
or any other evidence of right of admission, are offered for sale. 53

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Sec. 1333.99. (A) Whoever violates sections 1333.01 to 55
1333.04 of the Revised Code is guilty of a minor misdemeanor. 56

(B) Whoever violates section 1333.12 of the Revised Code is 57
guilty of a misdemeanor of the fourth degree. 58

(C) Whoever violates section 1333.36 of the Revised Code is 59
guilty of a misdemeanor of the third degree. 60

(D) A prosecuting attorney may file an action to restrain any 61
person found in violation of section 1333.36 of the Revised Code. 62
Upon the filing of such an action, the common pleas court may 63
receive evidence of such violation and forthwith grant a temporary 64
restraining order as may be prayed for, pending a hearing on the 65
merits of said cause. 66

(E) Whoever violates division (A)(1) of section 1333.52 or 67
section 1333.81 of the Revised Code is guilty of a misdemeanor of 68
the first degree. 69

(F) Whoever violates division (A)(2) or (B) of section 70
1333.52 of the Revised Code is guilty of a misdemeanor of the 71
second degree. 72

(G) Except as otherwise provided in this division, whoever 73
violates section 1333.92 of the Revised Code is guilty of a 74
misdemeanor of the first degree. If the value of the compensation 75
is five hundred dollars or more and less than five thousand 76
dollars, whoever violates section 1333.92 of the Revised Code is 77
guilty of a felony of the fifth degree. If the value of the 78
compensation is five thousand dollars or more and less than one 79
hundred thousand dollars, whoever violates section 1333.92 of the 80

Revised Code is guilty of a felony of the fourth degree. If the 81
value of the compensation is one hundred thousand dollars or more, 82
whoever violates section 1333.92 of the Revised Code is guilty of 83
a felony of the third degree. 84

(H) Whoever violates section 1333.58 of the Revised Code is 85
guilty of a felony of the fifth degree. 86

Section 2. That existing section 1333.99 of the Revised Code 87
is hereby repealed. 88