

SECOND REGULAR SESSION

# HOUSE BILL NO. 1334

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SALVA (Sponsor), MEADOWS, NORR, BOWMAN,  
WILDBERGER AND ROORDA (Co-sponsors).

Pre-filed December 3, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3155L.01I

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### AN ACT

To repeal section 67.306, RSMo, and to enact in lieu thereof one new section relating to ticket scalping, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 67.306, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 578.395, to read as follows:

- 578.395. 1. Any person, firm, or corporation who resells or offers to resell any ticket for admission, or any other evidence of the right of entry, to any public sporting event for a price in excess of the price printed on the ticket is guilty of the offense of ticket scalping. For purposes of this section, if a seller requires, as a precondition of the resale of a ticket, the purchase or rental of other goods or services at a price in excess of the fair market value of such goods or services, the excess amount shall be deemed to be part of the purchase price of the ticket.**
- 2. Nothing in this section shall prohibit nor shall be deemed to prohibit a seller, with consent of the sponsor of such sporting event, from collecting a reasonable service charge from a ticket purchaser in return for services actually rendered.**
- 3. Any person violating this section shall, upon conviction, be guilty of a misdemeanor and, except as provided in subsection 4 of this section, shall be punished as follows:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14           **(1) For the first offense, by a fine of not less than fifty dollars nor more than three**  
15 **hundred dollars or by imprisonment in the county jail for a term of not less than fifteen**  
16 **days;**

17           **(2) For the second offense, by a fine of not less than three hundred dollars nor more**  
18 **than five hundred dollars or by imprisonment in the county jail for a term of not less than**  
19 **sixty days nor more than six months;**

20           **(3) For the third and each subsequent offense, by a fine of not less than five**  
21 **hundred dollars nor more than one thousand dollars or imprisonment in the county jail**  
22 **for a term of not less than six months nor more than one year.**

23           **4. In lieu of any fine imposed under subsection 3 of this section, the court may**  
24 **invoke the provisions of subsection 2 of section 560.016, RSMo, against any person**  
25 **convicted of a second or subsequent offense of this section.**

2           [67.306. No regulation or ordinance of any city, county, or other political  
3 subdivision shall prohibit the sale or resale of an admission ticket to any legal  
4 event at any price or prohibit the charging of any fee in connection with such sale  
5 or resale except that nothing in this section shall be construed to prevent the  
6 enforcement of any regulation or ordinance relating to criminal activity,  
consumer fraud, false advertising, or other deceptive business practices.]

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