

BILL ANALYSIS

Senate Research Center
79R2396 DWS-D

S.B. 246
By: Gallegos
Business and Commerce
4/20/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

As proposed, S.B. 246 prohibits the reselling or the offer to resell a ticket to an event if its price is more than the price authorized to be offered to the public by the event's sponsor, or if it is sold to its recipient by a business that does not operate out of a fixed location. S.B. 246 exempts full-time businesses that resell tickets, as well as individuals who sell tickets from a permanent location which deals with persons engaging in similar business. A violation of this regulation would be a Class C misdemeanor.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 35, Business & Commerce Code, by adding Section 35.551, as follows:

Sec. 35.551. TICKET SCALPING. (a) Defines "event," "event sponsor," and "resell."

(b) Prohibits a person from reselling or offering to resell a ticket to an event for a price that is more than the price authorized to be offered to the public by the event sponsor unless the person meets certain criteria.

(c) Provides that a person who violates this section commits a Class C misdemeanor offense.

SECTION 2. Effective date: September 1, 2005