

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 ENGROSSED SENATE
5 BILL NO. 650

By: Rogers, Burns, and Bullard
of the Senate

6 and

7 Marti of the House

8
9
10 An Act relating to consumer protection; defining
11 terms; prohibiting a person to use or sell certain
12 software to evade security measures of a ticket
13 seller's website or sell tickets at an increased
14 price; subjecting such violation as a violation of
15 the Oklahoma Consumer Protection Act; providing for
16 codification; and providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 774 of Title 15, unless there is
20 created a duplication in numbering, reads as follows:

21 As used in this act:

22 1. "Admission ticket" means evidence of a right of entry to a
23 venue or an entertainment event;
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1 2. "Event" means a concert, theatrical performance, sporting
2 event, exhibition, show, or other similar activity held in this
3 state;

4 3. "Initial sale" means the first sale of an admission ticket
5 by the ticker seller, which may include the distribution of
6 admission tickets under an agreement between the ticker seller and
7 the recipient;

8 4. "Person" means any individual, partnership, corporation,
9 limited liability company, other organization, or any combination
10 thereof;

11 5. "Place of entertainment" means any privately or publicly
12 owned or operated entertainment facility within this state, such as
13 a theater, stadium, museum, arena, park, racetrack, or other place
14 where concerts, theatrical performances, sporting events,
15 exhibitions, shows, or other similar activities are held and for
16 which an entry fee is charged;

17 6. "Presale" means a sale of admission tickets at or below the
18 price printed on the ticket by, or with the permission of, a ticket
19 seller, prior to their release to the general public;

20 7. "Promoter" means a person who organizes financing and
21 publicity for an entertainment event; and

22 8. "Ticket seller" means a person that makes admission tickets
23 available, directly or indirectly, at an initial presale or sale to
24 the general public, and may include an owner or operator of a place

1 of entertainment, a sponsor or promoter of an event, a sports team
2 participating in an event, a theater company, a musical group, or
3 similar participant in an event, or an employee or agent of any such
4 person.

5 SECTION 2. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 774.1 of Title 15, unless there
7 is created a duplication in numbering, reads as follows:

8 A. A person shall not:

9 1. Use software to circumvent, thwart, interfere with, or evade
10 a security measure, access control system, or other control measure
11 on a ticket seller's Internet website; or

12 2. Sell software that is advertised for profit with the express
13 purpose to circumvent, thwart, interfere with, or evade a security
14 measure, access control system, or other control or measure on a
15 ticket seller's Internet website.

16 B. The user or seller shall be in violation of subsection A of
17 this section if the user or seller knows or should know that:

18 1. The purpose of the software is to circumvent, thwart,
19 interfere with, or evade a security measure, access control system,
20 or other control or measure on a ticket seller's Internet website in
21 order to purchase admission tickets during the initial sale or
22 presale for an event held at a place of entertainment; or

23 2. The use of the software led to the admission tickets being
24 resold on the initial seller's Internet website or an Internet site

1 used for the resell of admission tickets for a price above the
2 admission ticket's initial cost.

3 C. Any violation of this section shall constitute an unlawful
4 business practice and shall be subject to the provisions of the
5 Oklahoma Consumer Protection Act.

6 SECTION 3. This act shall become effective November 1, 2023.

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8 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE, dated
9 04/12/2023 - DO PASS.
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