

Senate Bill 495

By: Senators Brass of the 28th, Mullis of the 53rd, Dugan of the 30th, Anderson of the 24th,  
Gooch of the 51st and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 4B of Title 43 of the Official Code of Georgia Annotated,  
2 relating to ticket brokers, so as to place certain conditions on the sale of nontransferable  
3 tickets to athletic contests, concerts, theatre performances, amusements, exhibitions, or other  
4 entertainment events to which the public is admitted; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 4B of Title 43 of the Official Code of Georgia Annotated, relating to  
9 ticket brokers, is amended by revising Code Section 43-4B-25, relating to authority to resell  
10 tickets and service charges, as follows:

11 "43-4B-25.

12 (a) As used in this Code section, the term 'nontransferable ticket' means a ticket that:

13 (1) Prohibits the ticket holder from giving away, reselling, or otherwise exchanging the  
14 ticket by a method of the ticket holder's choosing; or

15 (2) Requires the ticket holder and ticket purchaser to facilitate the exchange of the ticket  
16 exclusively through an application program operated by the original ticket seller.

17 (a)(b) Except as otherwise provided in Code Section 43-4B-29, it shall be unlawful for any  
18 person other than a ticket broker to resell or offer for resale any ticket of admission or other  
19 evidence of the right of entry to any athletic contest, concert, theater performance,  
20 amusement, exhibition, or other entertainment event to which the general public is admitted  
21 for a price in excess of the face value of the ticket. Notwithstanding any other provision  
22 of this article to the contrary, a service charge not to exceed \$3.00 may be charged when  
23 tickets or other evidences of the right of entry are sold by an authorized ticket agent  
24 through places of established business licensed to do business by the municipality or  
25 county, where applicable, in which such places of business are located. Notwithstanding  
26 any other provision of this article to the contrary, the owner, operator, lessee, or tenant of  
27 the property on which such athletic contest or entertainment event is to be held or is being  
28 held or the sponsor of such contest or event may charge or may authorize, in writing, any  
29 person to charge a service charge for the sale of such ticket, privilege, or license of  
30 admission in addition to the face value of the ticket. Such writing granting authority to  
31 another shall specify the amount of the service charge to be charged for the sale of each  
32 ticket, privilege, or license of admission.

33 (b)(c) Notwithstanding any other provision of this article to the contrary, in the case of any  
34 athletic contest or entertainment event that is described in Code Section 43-4B-30, a  
35 sponsor of such a contest or event may contractually restrict the resale of a ticket to such  
36 contest or event by giving notice of such restriction on the back of the ticket.  
37 ~~Notwithstanding any other provision of this article to the contrary, in the case of any~~  
38 ~~athletic contest or entertainment event, an owner, operator, lessee, or tenant of the property~~  
39 ~~on which such contest or event is to be held or is being held may contractually restrict the~~  
40 ~~resale of the right of occupancy of any specific suite, seat, or seating area by giving notice~~  
41 ~~in writing of such restriction.~~

42 (d)(1) Except as provided in subsection (c) of this Code Section, tickets to an athletic  
43 contest, concert, theatre performance, amusement, exhibition, or other entertainment

44 event to which the general public is admitted for a price shall only be sold as  
45 nontransferable tickets if, at the time of sale, the original ticket seller prominently offers  
46 the option to purchase the same ticket with no limit on transferability.

47 (2) The original ticket seller shall not penalize, discriminate against, or deny access to  
48 an event to an individual who purchases or resells a ticket in a manner authorized by this  
49 subsection."

50

**SECTION 2.**

51 All laws and parts of laws in conflict with this Act are repealed.