

SUSPENSION

A RESOLUTION TO BE SUBMITTED

BY LEGISLATOR PATRICK B. BURKE

RE: Enforcing the Prosecution of Illegal Ticket Resale to the Fullest Extent of the Law

WHEREAS, In New York State, reselling a ticket for more than 10 percent above its box office price is considered scalping and is prohibited, whether it is done online, from an office or on the street.

WHEREAS, illegal ticket resale inhibits the reliability and affordability of the ticket market, which has a disparate impact on consumers; and

WHEREAS, Erie County has recently seen a drastic increase in 'cyber-scalping,' the use of computer programs or bots to purchase an excessive number of tickets to be resold on the secondary market for an outrageous markup

WHEREAS, in late August tickets for the October 22nd Paul McCartney concert sold out in three and a half minutes due to the use of online bots and now the tickets are being sold on the secondary market (eBay, Stubhub, Craigslist) for 81.6% above tour average

WHEREAS, with the ticket resale market growing exponentially each year, a firm enforcement of illegal resale laws is becoming more imperative; and

WHEREAS, more stringent enforcement regarding ticket resale laws and the practice of cyber-scalping could dissuade the continued growth of illegal ticket resale markets in New York State.

NOW, THEREFORE, BE IT

RESOLVED, that this Legislature recognizes the importance of prosecuting illegal ticket resale activities to the fullest extent of the law

RESOLVED, that the Clerk of the Legislature forward certified copies of this resolution to the Erie County Executive, the Honorable Mark Poloncarz; the New York State Governor, the Honorable Andrew Cuomo; and all New York State Assembly and Senate representatives whose district encompasses any portion of Erie County.

FISCAL IMPACT: None to County