



NEW YORK STATE SENATOR

Andrew J. Lanza

Senate Passes Lanza's Bill to Help Stop “Bots” from Ruining Consumers’ Chances of Buying Concert and Other Event Tickets

ANDREW J. LANZA May 25, 2016

| ISSUE: **TICKET SCALPING**

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The New York State Senate passed legislation this week to prevent automated ticketing software – also known as “bots” – from buying up concert and other event tickets before consumers have a chance to purchase them. The bill (S6931C), sponsored by Senator Andrew Lanza (R-C-I, Staten Island), strengthens existing laws to prevent bots from using unfair technological advantages that keep retail priced tickets out of the hands of fans so that

higher ticket prices can be charged on the resale market.

Senator Lanza, Chairman of the Senate Investigations and Government Operations Committee, said, "This bill will help stop ticket price gouging and protect consumers from unscrupulous speculators who use unfair technology such as bots to quickly seize the best seats and resell them at inflated prices. It represents the strongest 'anti-bot' legislation in the nation, as it will prevent the use of mass ticket purchasing programs which deny people a fair chance at buying event tickets. I thank Attorney General Eric Schneiderman for working closely with us to fashion this measure."

Current laws already make it illegal to utilize bots - any machine, device, computer program, or computer software that navigates or runs automated tasks on retail ticket purchasing websites - in order to bypass security measures to purchase tickets. However, while there is a civil penalty ranging from \$500 to \$1,000, there are no criminal penalties to help further deter the use or sale of bots.

To make a more equitable ticket buying process, this bill creates criminal penalties that include imprisonment or fines for the sale or use of bots - a Class A misdemeanor charge for first time offenders, followed by a Class E felony for repeat offenders. Fines would range from \$750 to \$1,500 for each violation, plus the required forfeiture of profits from the sale of the unlawfully obtained tickets. The bill also expands the definition of bots to prohibit their use to circumvent control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for an event.

The bill has been sent to the Assembly.

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