1091 AMH YOUN HUGH 023

**HB 1091** - H AMD **10**

By Representative Young

On page 2, beginning on line 37, strike all of section 3 and insert the following:

"NEW SECTION. **Sec. 3.**  (1) A person may not:

(a) Use software to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on a ticket seller's internet web site; or

(b) Sell software that is advertised for profit with the express purpose to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on a ticket seller's internet web site.

(2) The use or sale of software as described in subsection (1) of this section only violates this section if the user or seller knows that the purpose of the software is to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on a ticket seller's internet web site.

(3) The legislature finds that the conduct described in subsection (1) of this section vitally affects the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Using or selling software to circumvent, thwart, or evade a control or measure, which is used on a ticket seller's internet web site to ensure an equitable distribution of tickets, is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purposes of applying the consumer protection act, chapter 19.86 RCW."

|  |  |
| --- | --- |
|  | EFFECT: Clarifies that a person may not: (1) use software to interfere with or disrupt the operation of ticket sales over the Internet; or (2) sell software that is advertised for profit with the express purpose of interfering with or disrupting the operation of ticket sales over the Internet. Specifies that the use or sale of applicable software is only a violation of the Consumer Protection Act if the user or seller knows that the purpose of the software is to interfere with or disrupt ticket sales over the Internet. |

**--- END ---**