

HOUSE BILL 147

**55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022**

INTRODUCED BY

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AN ACT

RELATING TO TRADE PRACTICES; PROHIBITING THE CIRCUMVENTION OF CONTROL MEASURES USED BY ELECTRONIC TICKET SELLERS TO ENSURE EQUITABLE CONSUMER ACCESS TO EVENT TICKETS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Unfair Practices Act is enacted to read:

"[NEW MATERIAL] ELECTRONIC TICKET SALES.--

A. Except as provided in Subsection B of this section, it is unlawful under the Unfair Practices Act for a person to:

(1) circumvent a security measure, access control system or other technological control or measure on an internet website or online service that is used by the ticket issuer to enforce posted event ticket purchasing limits or to

1 maintain the integrity of posted online ticket purchasing order  
2 rules; or

3 (2) to sell or offer to sell any event ticket  
4 obtained in violation of Paragraph (1) of this subsection if  
5 the person selling or offering to sell the ticket:

6 (a) participated directly in or had the  
7 ability to control the conduct in violation of Paragraph (1) of  
8 this subsection; or

9 (b) knew or should have known that the  
10 event ticket was acquired in violation of Paragraph (1) of this  
11 subsection.

12 B. It shall not be unlawful under this section for  
13 a person to create or use any computer software or system to:

14 (1) investigate, or further the enforcement or  
15 defense of, any alleged violation of this section or other  
16 statute or regulation; or

17 (2) engage in research necessary to identify  
18 and analyze flaws and vulnerabilities of measures, systems or  
19 controls described in Paragraph (1) of Subsection A of this  
20 section if these research activities are conducted to advance  
21 the state of knowledge in the field of computer system security  
22 or to assist in the development of a computer security  
23 product."

24 SECTION 2. EFFECTIVE DATE.--The effective date of the  
25 provisions of this act is July 1, 2022.

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