

2012 Ticket Sale and Resale Registration Form (720 ILCS 375)



Secretary of State Index Department
111 E. Monroe, Springfield, IL 62756
217-782-7017
www.cyberdriveillinois.com

Name of Business: _____

Address: _____

City: _____

State: _____

ZIP Code: _____

CERTIFICATION

I certify that _____
Name of Entity

as a: sole proprietorship partnership corporation limited liability company,

the entity engages in the sale and/or resale of tickets on a regular and ongoing basis; operates as an Internet auction listing service for the resale of tickets; or operates a Web site for the resale of tickets. **(Check all that apply below.)**

Ticket Broker [720 ILCS 375/1.5(b)] **(Complete Schedule A)**

Through an Internet auction listing service [720 ILCS 375/1.5(c)] **(Complete Schedule B)**

Through an Internet Web site [720 ILCS 375/1.5(e)] **(Complete Schedule C)**

This annual registration form must be accompanied by the **required schedule(s), documentation and \$100 filing fee**. Make check or money order payable to **Secretary of State**.

Major credit cards accepted: (check one) Visa MasterCard Discover

Card Number: _____ Expiration Date: _____

Name as it appears on credit card: _____

FOR OFFICE USE ONLY:

Registration Number: _____

**SCHEDULE B
INTERNET AUCTION SALES**

(An entity, the Web site of which provides an online bid submission process with optional sales at a fixed price.)

The operator of the Internet auction listing service meets the following requirements:

- (1) The operator maintains a listing of the names and addresses of its corporate officers (**attach** current list to Registration Form);
- (2) The operator is in compliance with all applicable federal, state, and local laws relating to ticket selling activities, and the operator's officers and directors have not been convicted of a violation of this Act within the preceding 12 months;
- (3) The operator maintains, either itself or through an affiliate, a toll-free number dedicated for consumer complaints;

Toll-free number: _____

- (4) The operator provides consumer protections that include at a minimum:
 - (A) Consumer protection guidelines; (**attach** copy to Registration Form)
 - (B) Standard refund policy that guarantees to all purchasers that it will provide and in fact provides a full refund of the amount paid by the purchaser (including, but not limited to, all fees, regardless of how characterized) if the following occurs: (**attach** copy to Registration Form)
 - (1) The ticketed event is canceled and the purchaser returns the tickets to the seller or Internet auction listing service; however, reasonable delivery fees need not be refunded if the previously disclosed guarantee specifies that the fees will not be refunded if the event is canceled;
 - (2) The ticket received by the purchaser does not allow the purchaser to enter the ticketed event for reasons that may include, without limitation, that the ticket is counterfeit or that the ticket has been canceled by the issuer due to non-payment, unless the ticket is canceled due to an act or omission by such purchaser;
 - (3) The ticket fails to conform to its description of the Internet auction listing service; or
 - (4) The ticket seller willfully fails to send the ticket or tickets to the purchaser, or the ticket seller attempted to deliver the ticket or tickets to the purchaser in the manner required by the Internet auction listing service and the purchaser failed to receive the ticket or tickets.
 - (C) Standards of professional conduct; (**attach** copy to Registration Form)
- (5) The operator has adopted an independent and disinterested dispute resolution procedure that allows resellers or purchasers to file complaints against the other and have those complaints mediated or resolved by a third party, and requires the resellers or purchasers to submit to the jurisdiction of the State of Illinois for complaints involving a ticketed event held in Illinois; (**attach** to Registration Form a statement of procedure for disposition of consumer complaints, and copy of policy or contract for arbitration of same, with direct reference to the sections required by 720 ILCS 375/1.5(c))
- (6) The operator either complies with all applicable requirements of the Retailers' Occupation Tax Act and collects and remits all applicable federal, state, and local taxes; or
 - (A) publishes a written notice on the Web site after the sale of one or more tickets that automatically informs the ticket reseller of the ticket reseller's potential legal obligation to pay any applicable local amusement tax in connection with the reseller's sale of tickets, and discloses to law enforcement or other government tax officials, without subpoena, the name, city, state, telephone number, e-mail address, user ID history, fraud complaints, and bidding and listing history of any specifically identified reseller or purchaser upon the receipt of a verified request from law enforcement or other government tax officials relating to a criminal investigation or alleged illegal activity; and
- (7) The operator either:
 - (A) has established and maintains a consumer protection rebate fund in Illinois in an amount in excess of \$100,000, which must be cash available for immediate disbursement for satisfaction of valid consumer complaints; or
 - (B) has obtained and maintains in force an errors and omissions insurance policy that provides at least \$100,000 in coverage and proof that the policy has been filed with the Department of Financial and Professional Regulation. (**Attach** written evidence from the depository where consumer protection rebate fund is held, including name of account, number of account and account balance. If applicable, attach copy of surety bond.)

Under penalties pursuant to Section 1-109 of the Code of Civil Procedure (*), the undersigned certifies that the statements set forth in the above and foregoing registration are true and correct.

Signature of Agent for Internet Auction Sales

Date

Name of Agent for Internet Auction Sales (Type or print legibly)

Telephone Number at which Agent for Internet Auction Sales may be contacted

(*) Any person who makes a false, material statement on this Ticket Sale and Resale Registration, which such person does not believe to be true, shall be guilty of a Class 3 Felony.

SCHEDULE C
INTERNET WEB SITE SALES

If the resale is made through an Internet Web site whose operator meets the following requirements:

- (1) The operator has a business presence and physical street address in the State of Illinois and clearly and conspicuously posts that address on the Web site;
Internet Address: _____
- (2) The operator maintains a listing of the names of the operator's directors and officers, and is duly registered with the Office of the Secretary of State on a registration form provided by that office (**attach** current list to registration form);
- (3) The operator is in compliance with all applicable federal, state, and local laws relating to its ticket reselling activities regulated under this Act, and the operator's officers and directors have not been convicted of a violation of this Act within the preceding 12 months;
- (4) The operator maintains a toll-free number specifically dedicated for consumer complaints and inquiries regarding ticket resales made through the Web site;
Toll-free number: _____
- (5) The operator either:
 - (A) has established and maintains a consumer protection rebate fund in Illinois in an amount in excess of \$100,000, which must be cash available for immediate disbursement for satisfaction of valid consumer complaints; or
 - (B) has obtained and maintains in force an errors and omissions policy of insurance in the minimum amount of \$100,000 for the satisfaction of valid consumer complaints; (**Attach** written evidence from the depository where consumer protection rebate fund is held, including name of account, number of account, and account balance. If applicable, attach copy of surety bond.)
- (6) The operator has adopted an independent and disinterested dispute resolution procedure that allows resellers or purchasers to file complaints against the other and have those complaints mediated or resolved by a third party, and requires the resellers or purchasers to submit to the jurisdiction of the State of Illinois for complaints involving a ticketed event held in Illinois; (**Attach** to the registration form the statement of procedure for disposition of consumer complaints, and copy of policy or contract for arbitration of same, with direct reference to the sections required by 720 ILCS 375/1.5(e).)
- (7) The operator either:
 - (A) complies with all applicable requirements of the Retailers' Occupation Tax Act and collects and remits all applicable federal, state, and local taxes; or
 - (B) publishes a written notice on the Web site after the sale of one or more tickets that automatically informs the ticket reseller of the ticket reseller's potential legal obligation to pay any applicable local amusement tax in connection with the reseller's sale of tickets, and discloses to law enforcement or other government tax officials, without subpoena, the name, city, state, telephone number, e-mail address, user ID history, fraud complaints, and bidding and listing history of any specifically identified reseller or purchaser upon the receipt of a verified request from law enforcement or other government tax officials relating to a criminal investigation or alleged illegal activity; and
- (8) The operator guarantees to all purchasers that it will provide and in fact provides a full refund of the amount paid by the purchaser (including, but not limited to, all fees, regardless of how characterized) if any of the following occurs:
 - (A) the ticketed event is canceled and the purchaser returns the tickets to the Web site operator; however, reasonable delivery fees need not be refunded if the previously disclosed guarantee specifies that the fees will not be refunded if the event is canceled;
 - (B) the ticket received by the purchaser does not allow the purchaser to enter the ticketed event for reasons that may include, without limitation, that the ticket is counterfeit or that the ticket has been canceled by the issuer due to non-payment, unless the ticket is canceled due to an act or omission by the purchaser;
 - (C) the ticket fails to conform to its description on the Web site; or
 - (D) the ticket seller willfully fails to send the ticket or tickets to the purchaser, or the ticket seller attempted to deliver the ticket or tickets to the purchaser in the manner required by the Web site operator and the purchaser failed to receive the ticket or tickets.

Under penalties pursuant to Section 1-109 of the Code of Civil Procedure (*), the undersigned certifies that the statements set forth in the above and foregoing registration are true and correct.

Signature of Agent for Internet Web Site Sales

Date

Name of Agent for Internet Web Site Sales (Type or print legibly)

Telephone Number at which Agent for Internet Web Site Sales may be contacted

(*) Any person who makes a false, material statement on this Ticket Sale and Resale Registration, which such person does not believe to be true, shall be guilty of a Class 3 Felony.