

Calendar No. 207

118TH CONGRESS
1ST SESSION**S. 1303**

To require sellers of event tickets to disclose comprehensive information to consumers about ticket prices and related fees.

 IN THE SENATE OF THE UNITED STATES

APRIL 26, 2023

Mr. CRUZ (for himself and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

SEPTEMBER 12, 2023

Reported by Ms. CANTWELL, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To require sellers of event tickets to disclose comprehensive information to consumers about ticket prices and related fees.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transparency In
5 Charges for Key Events Ticketing Act” or the “TICKET
6 Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **COMMISSION; EVENT; EVENT TICKET; TICKET**
4 **ISSUER.**—The terms “Commission”, “event”,
5 “event ticket”, and “ticket issuer” have the same
6 meanings as in the Better Online Ticket Sales Act
7 of 2016 (Public Law 114–274).

8 (2) **BASE EVENT TICKET PRICE.**—The term
9 “base event ticket price” means, with respect to an
10 event ticket, the price of the event ticket excluding
11 the cost of any event ticket fees.

12 (3) **TOTAL EVENT TICKET PRICE.**—The term
13 “total event ticket price” means, with respect to an
14 event ticket, the total cost of the event ticket, includ-
15 ing the base event ticket price and any event ticket
16 fees.

17 (4) **EVENT TICKET FEE.**—The term “event
18 ticket fee” means a charge that must be paid in ad-
19 dition to the base event ticket price in order to ob-
20 tain an event ticket from a ticket issuer or sec-
21 ondary market ticket issuer, including service fees,
22 charge and order processing fees, delivery fees, facil-
23 ity charge fees, taxes, and other charges, and does
24 not include any charge or fee for an optional product
25 or service associated with the event that may be se-
26 lected by a purchaser of an event ticket.

1 (5) OPTIONAL PRODUCT OR SERVICE.—The
2 term “optional product or service” means a product
3 or service that an individual does not need to pur-
4 chase to use or take possession of an event ticket.

5 (6) SECONDARY MARKET TICKET ISSUER.—The
6 term “secondary market ticket issuer” means any
7 entity for which it is in the regular course of the
8 trade or business of the entity to resell or make a
9 secondary sale of an event ticket to the general pub-
10 lic.

11 (7) RESALE; SECONDARY SALE.—The terms
12 “resale” and “secondary sale” mean any sale of an
13 event ticket that occurs after the initial sale of the
14 event ticket by a ticket issuer.

15 **SEC. 3. TICKET TRANSPARENCY REQUIREMENTS.**

16 (a) DISCLOSURE OF PRICING INFORMATION.—Begin-
17 ning 90 days after the date of enactment of this Act, it
18 shall be unlawful for a ticket issuer or secondary market
19 ticket issuer to offer for sale an event ticket unless the
20 ticket issuer or secondary market ticket issuer clearly and
21 conspicuously displays the total event ticket price in any
22 advertisement, marketing, or price list wherever the ticket
23 is offered for sale and clearly and conspicuously discloses
24 to any individual who seeks to purchase an event ticket
25 at the beginning of the transaction and prior to the indi-

1 individual's selection of an event ticket to purchase, the total
 2 event ticket price and an itemized list of the base event
 3 ticket price and each event ticket fee.

4 (b) DISCLOSURE OF SPECULATIVE TICKETING.—Be-
 5 ginning 90 days after enactment of this Act, it shall be
 6 unlawful for a ticket issuer or secondary market ticket
 7 issuer that does not have actual or constructive possession
 8 of an event ticket to sell or offer for sale the event ticket
 9 unless the ticket issuer or secondary market ticket issuer
 10 displays in a clear and conspicuous manner and prior to
 11 an individual's selection of an event ticket to purchase a
 12 statement that the ticket issuer or secondary market ticket
 13 issuer does not possess the ticket at the time the ticket
 14 is being sold or offered for sale.

15 **SEC. 4. ENFORCEMENT.**

16 (a) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A
 17 violation of section 3 shall be treated as a violation of a
 18 rule defining an unfair or deceptive act or practice under
 19 section 18(a)(1)(B) of the Federal Trade Commission Act
 20 (15 U.S.C. 57a(a)(1)(B)).

21 (b) POWERS OF COMMISSION.—

22 (1) IN GENERAL.—The Commission shall en-
 23 force section 3 in the same manner, by the same
 24 means, and with the same jurisdiction, powers, and
 25 duties as though all applicable terms and provisions

1 of the Federal Trade Commission Act (15 U.S.C. 41
2 et seq.) were incorporated into and made a part of
3 this Act.

4 (2) PRIVILEGES AND IMMUNITIES.—Any person
5 who violates section 3 shall be subject to the pen-
6 alties and entitled to the privileges and immunities
7 provided in the Federal Trade Commission Act (15
8 U.S.C. 41 et seq.).

9 (3) AUTHORITY PRESERVED.—Nothing in this
10 Act shall be construed to limit the authority of the
11 Commission under any other provision of law.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Transparency in*
14 *Charges for Key Events Ticketing Act” or the “TICKET*
15 *Act”.*

16 **SEC. 2. DEFINITIONS.**

17 *In this Act:*

18 (1) COMMISSION; EVENT TICKET; TICKET
19 ISSUER.—*The terms “Commission”, “event ticket”,*
20 *and “ticket issuer” have the same meanings as in the*
21 *Better Online Ticket Sales Act of 2016 (Public Law*
22 *114–274).*

23 (2) BASE EVENT TICKET PRICE.—*The term “base*
24 *event ticket price” means, with respect to an event*

1 *ticket, the price of the event ticket excluding the cost*
2 *of any event ticket fees.*

3 (3) *EVENT.*—*The term “event” means any live*
4 *concert, theatrical performance, sporting event, show,*
5 *or similarly scheduled live activity, taking place in a*
6 *venue with a seating or attendance capacity exceeding*
7 *200 persons that is—*

8 (A) *open to the general public; and*

9 (B) *promoted, advertised, or marketed in*
10 *interstate commerce, or for which event tickets*
11 *are generally sold or distributed in interstate*
12 *commerce.*

13 (4) *TOTAL EVENT TICKET PRICE.*—*The term*
14 *“total event ticket price” means, with respect to an*
15 *event ticket, the total cost of the event ticket, includ-*
16 *ing the base event ticket price and any event ticket*
17 *fees.*

18 (5) *EVENT TICKET FEE.*—*The term “event ticket*
19 *fee” means a charge that must be paid in addition*
20 *to the base event ticket price in order to obtain an*
21 *event ticket from a ticket issuer or secondary market*
22 *ticket issuer, including service fees, charge and order*
23 *processing fees, delivery fees, facility charge fees,*
24 *taxes, and other charges, and does not include any*
25 *charge or fee for an optional product or service associ-*

1 *ated with the event that may be selected by a pur-*
 2 *chaser of an event ticket.*

3 (6) *OPTIONAL PRODUCT OR SERVICE.*—*The term*
 4 *“optional product or service” means a product or*
 5 *service that an individual does not need to purchase*
 6 *to use or take possession of an event ticket.*

7 (7) *SECONDARY MARKET TICKET ISSUER.*—*The*
 8 *term “secondary market ticket issuer” means any en-*
 9 *tity for which it is in the regular course of the trade*
 10 *or business of the entity to resell or make a secondary*
 11 *sale of an event ticket to the general public.*

12 (8) *RESALE; SECONDARY SALE.*—*The terms “re-*
 13 *sale” and “secondary sale” mean any sale of an event*
 14 *ticket that occurs after the initial sale of the event*
 15 *ticket by a ticket issuer.*

16 **SEC. 3. ALL-INCLUSIVE TICKET PRICE DISCLOSURE.**

17 *Beginning 120 days after the date of enactment of this*
 18 *Act, it shall be unlawful for a ticket issuer or secondary*
 19 *market ticket issuer to offer for sale an event ticket unless*
 20 *the ticket issuer or secondary market ticket issuer—*

21 (1) *clearly and conspicuously displays the total*
 22 *event ticket price, if a price is displayed, in any ad-*
 23 *vertisement, marketing, or price list wherever the tick-*
 24 *et is offered for sale;*

1 (2) *clearly and conspicuously discloses to any in-*
2 *dividual who seeks to purchase an event ticket the*
3 *total event ticket price at the time the ticket is first*
4 *displayed to the individual and anytime thereafter*
5 *throughout the ticket purchasing process; and*

6 (3) *provides an itemized list of the base event*
7 *ticket price and each event ticket fee.*

8 **SEC. 4. ENFORCEMENT.**

9 (a) *UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A vio-*
10 *lation of section 3 shall be treated as a violation of a rule*
11 *defining an unfair or deceptive act or practice under section*
12 *18(a)(1)(B) of the Federal Trade Commission Act (15*
13 *U.S.C. 57a(a)(1)(B)).*

14 (b) *POWERS OF COMMISSION.—*

15 (1) *IN GENERAL.—The Commission shall enforce*
16 *section 3 in the same manner, by the same means,*
17 *and with the same jurisdiction, powers, and duties as*
18 *though all applicable terms and provisions of the Fed-*
19 *eral Trade Commission Act (15 U.S.C. 41 et seq.)*
20 *were incorporated into and made a part of this Act.*

21 (2) *PRIVILEGES AND IMMUNITIES.—Any person*
22 *who violates section 3 shall be subject to the penalties*
23 *and entitled to the privileges and immunities pro-*
24 *vided in the Federal Trade Commission Act (15*
25 *U.S.C. 41 et seq.).*

1 (3) *AUTHORITY PRESERVED.—Nothing in this*
2 *Act shall be construed to limit the authority of the*
3 *Commission under any other provision of law.*

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