

Calendar No. 63

119TH CONGRESS
1ST SESSION**S. 281****[Report No. 119–17]**

To require sellers of event tickets to disclose comprehensive information to consumers about ticket prices and related fees, to prohibit speculative ticketing, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2025

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

APRIL 29, 2025

Reported by Mr. CRUZ, with amendments

[Omit the part struck through and insert the parts printed in *italic*]

A BILL

To require sellers of event tickets to disclose comprehensive information to consumers about ticket prices and related fees, to prohibit speculative ticketing, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

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

5 **SEC. 2. ALL INCLUSIVE TICKET PRICE DISCLOSURE.**

6 Beginning 180 days after the date of the enactment
7 of this Act, it shall be unlawful for a ticket issuer, sec-
8 ondary market ticket issuer, or secondary market ticket
9 exchange to offer for sale an event ticket unless the ticket
10 issuer, secondary market ticket issuer, or secondary mar-
11 ket ticket exchange—

12 (1) clearly and conspicuously displays the total
13 event ticket price, if a price is displayed, in any ad-
14 vertisement, marketing, or price list wherever the
15 ticket is offered for sale;

16 (2) clearly and conspicuously discloses to any
17 individual who seeks to purchase an event ticket the
18 total event ticket price at the time the ticket is first
19 displayed to the individual and anytime thereafter
20 throughout the ticket purchasing process; and

21 (3) provides an itemized list of the base event
22 ticket price and each event ticket fee prior to the
23 completion of the ticket purchasing process.

24 **SEC. 3. SPECULATIVE TICKETING BAN.**

25 (a) PROHIBITION.—Beginning 180 days after the
26 date of the enactment of this Act, a ticket issuer, sec-

1 ondary market ticket issuer, or secondary market ticket
 2 exchange that does not have actual or constructive posses-
 3 sion of an event ticket shall not sell, offer for sale, or ad-
 4 vertise for sale such event ticket.

5 (b) SERVICES PERMITTED.—Notwithstanding sub-
 6 section (a), a secondary market ticket issuer or secondary
 7 market ticket exchange may sell, offer for sale, or adver-
 8 tise for sale a service to an individual to obtain an event
 9 ticket on behalf of such individual if the secondary market
 10 ticket issuer or secondary market ticket exchange complies
 11 with the following:

12 (1) Does not market or list the service as an
 13 event ticket.

14 (2) Maintains a clear, distinct, and easily dis-
 15 cernible separation between the service and event
 16 tickets that persists throughout the entire service se-
 17 lection and purchasing process.

18 (3) Clearly and conspicuously discloses before
 19 selection of the service that the service is not an
 20 event ticket and that the purchase of the service
 21 does not guarantee an event ticket.

22 **SEC. 4. DISCLOSURES.**

23 A ticket issuer, secondary market ticket issuer, or
 24 secondary market ticket exchange—

1 (1) if offering an event ticket for resale, shall
 2 provide a clear and conspicuous statement, before a
 3 consumer purchases the event ticket from the ticket
 4 issuer, secondary market ticket issuer, or secondary
 5 market ticket exchange, that the issuer or exchange
 6 is engaged in the secondary sale of event tickets; ~~and~~

7 (2) shall not state that the ticket issuer, sec-
 8 ondary market ticket issuer, or secondary market
 9 ticket exchange is affiliated with or endorsed by a
 10 venue, team, or artist, as applicable, including by
 11 using words like “official” in promotional materials,
 12 social media promotions, or paid advertising, unless
 13 a partnership agreement has been executed or the
 14 issuer or exchange has the express written consent
 15 of the venue, team, or artist, as applicable; *and*

16 (3) *shall not include the name of the venue, in-*
 17 *cluding any misspellings of any such name, in a do-*
 18 *main name, or any subdomain thereof, in the URL*
 19 *of the secondary market ticket issuer or secondary*
 20 *market ticket exchange unless authorized by the owner*
 21 *of the venue.*

22 **SEC. 5. REFUND REQUIREMENTS.**

23 (a) CANCELLATION.—Beginning 180 days after the
 24 date of the enactment of this Act, if an event is canceled
 25 or postponed (except for a case in which an event is can-

1 celed or postponed due to a cause beyond the reasonable
2 control of the issuer, including a natural disaster, civil dis-
3 turbance, or otherwise unforeseeable impediment), a ticket
4 issuer, secondary market ticket issuer, or secondary mar-
5 ket ticket exchange shall provide the purchaser of an event
6 ticket from the issuer or exchange for the canceled or post-
7 poned event, at a minimum—

8 (1) if the event is cancelled, a full refund for
9 the total event ticket price;

10 (2) subject to availability, if the event is post-
11 poned for not more than 6 months and the original
12 event ticket is no longer valid for entry to the re-
13 scheduled event, a replacement event ticket for the
14 rescheduled event in the same or a comparable loca-
15 tion once the event has been rescheduled; or

16 (3) if the event is postponed for more than 6
17 months, at the option of the purchaser—

18 (A) a full refund for the total event ticket
19 price; or

20 (B) if the original event ticket is no longer
21 valid for entry to the rescheduled event, a re-
22 placement event ticket for the rescheduled event
23 in the same or a comparable location once the
24 event has been rescheduled.

1 (b) DISCLOSURE OF GUARANTEE AND REFUND POL-
 2 ICY REQUIRED.—Beginning 180 days after the date of the
 3 enactment of this Act, a ticket issuer, secondary market
 4 ticket issuer, or secondary market ticket exchange shall
 5 disclose clearly and conspicuously to a purchaser before
 6 the completion of an event ticket sale the guarantee or
 7 refund policy of such ticket issuer, secondary market tick-
 8 et issuer, or secondary market ticket exchange, including
 9 under what circumstances any refund issued will include
 10 a refund of any event ticket fee.

11 (c) DISCLOSURE OF HOW TO OBTAIN A REFUND RE-
 12 QUIRED.—Beginning 180 days after the date of the enact-
 13 ment of this Act, a ticket issuer, secondary market ticket
 14 issuer, or secondary market ticket exchange shall provide
 15 a clear and conspicuous explanation of how to obtain a
 16 refund of the total event ticket price.

17 **SEC. 6. REPORT BY THE FEDERAL TRADE COMMISSION ON**
 18 **BOTS ACT OF 2016 ENFORCEMENT.**

19 Not later than 6 months after the date of the enact-
 20 ment of this Act, the Commission shall submit to Congress
 21 a report on enforcement of the Better Online Ticket Sales
 22 Act of 2016 (Public Law 114–274; 15 U.S.C. 45c), includ-
 23 ing any enforcement action taken, challenges with enforce-
 24 ment and coordination with State Attorneys General, and

1 recommendations on how to improve enforcement and in-
2 dustry compliance.

3 **SEC. 7. ENFORCEMENT.**

4 (a) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A
5 violation of this Act shall be treated as a violation of a
6 rule defining an unfair or deceptive act or practice under
7 section 18(a)(1)(B) of the Federal Trade Commission Act
8 (15 U.S.C. 57a(a)(1)(B)).

9 (b) POWERS OF COMMISSION.—

10 (1) IN GENERAL.—The Commission shall en-
11 force this Act in the same manner, by the same
12 means, and with the same jurisdiction, powers, and
13 duties as though all applicable terms and provisions
14 of the Federal Trade Commission Act (15 U.S.C. 41
15 et seq.) were incorporated into and made a part of
16 this Act.

17 (2) PRIVILEGES AND IMMUNITIES.—Any person
18 who violates this Act shall be subject to the penalties
19 and entitled to the privileges and immunities pro-
20 vided in the Federal Trade Commission Act (15
21 U.S.C. 41 et seq.).

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

1 **SEC. 8. DEFINITIONS.**

2 In this Act:

3 (1) **ARTIST.**—The term “artist” means any per-
4 former, musician, comedian, producer, ensemble or
5 production entity of a theatrical production, sports
6 team owner, or similar person.

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

11 (3) **COMMISSION.**—The term “Commission”
12 means the Federal Trade Commission.

13 (4) **EVENT.**—The term “event” means any live
14 concert, theatrical performance, sporting event,
15 show, or similarly scheduled live activity, that is—

16 (A) taking place in a venue with a seating
17 or attendance capacity exceeding 200 persons;

18 (B) open to the general public; and

19 (C) promoted, advertised, or marketed in
20 interstate commerce, or for which event tickets
21 are generally sold or distributed in interstate
22 commerce.

23 (5) **EVENT TICKET; TICKET ISSUER.**—The
24 terms “event ticket” and “ticket issuer” have the
25 meaning given those terms in the Better Online
26 Ticket Sales Act of 2016 (Public Law 114–274).

(6) EVENT TICKET FEE.—The term “event ticket fee”—

(A) means a charge for an event ticket that must be paid in addition to the base event ticket price in order to obtain an event ticket from a ticket issuer, secondary market ticket issuer, or secondary market ticket exchange, including any service fee, charge and order processing fee, delivery fee, facility charge fee, tax, and any other charge; and

(B) does not include any charge or fee for an optional product or service associated with the event that may be selected by a purchaser of an event ticket.

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

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

(9) SECONDARY MARKET TICKET EXCHANGE.—The term “secondary market ticket exchange” means any person that in the regular course of trade

1 or business of that person operates a platform or ex-
2 change for advertising, listing, or selling resale tick-
3 ets, on behalf of itself, vendors, or a secondary mar-
4 ket ticket issuer.

5 (10) SECONDARY MARKET TICKET ISSUER.—
6 The term “secondary market ticket issuer” means
7 any person, including a ticket issuer, that resells or
8 makes a secondary sale of an event ticket to the gen-
9 eral public in the regular course of the trade or busi-
10 ness of the person.

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

16 (12) *URL.*—*The term “URL” means the uni-*
17 *form resource locator associated with an internet*
18 *website.*

19 (13) VENUE.—The term “venue” means a
20 physical space at which an event takes place.

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