

SB0539/633029/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 539
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “restrictions;” in line 10; and in line 13, after “Act;” insert “requiring a ticket issuer, secondary ticket exchange, or reseller to provide a refund under certain conditions;”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 16 on page 3 through line 6 on page 4, inclusive.

On page 4, in line 7, strike “(G)” and substitute “(C)”.

On page 5, in line 3, strike “(H)” and substitute “(D)”.

AMENDMENT NO. 3

On page 2, in line 6, strike “CONSUMERS” and substitute “A PERSON”; and in line 9, after “sale” insert “, ADVERTISEMENT, OR LISTING”.

On page 3, in lines 8 and 9, strike “AND EACH STEP OF A TRANSACTION TO PURCHASE A TICKET”; in line 10, strike “CLEARLY” and substitute “AT EACH STEP IN A TRANSACTION TO PURCHASE THE TICKET, CLEARLY”; in line 11, after “TAXES” insert “OTHER THAN SHIPPING COSTS THAT ARE NOT DETERMINABLE AT A STEP IN THE TRANSACTION”; and after line 15, insert:

“(3) (1) THE TOTAL PRICE OF A TICKET UNDER PARAGRAPH (2)(1) OF THIS SUBSECTION MAY BE INCREASED IN A NONINITIAL STEP OF A

TRANSACTION BY THE AMOUNT OF REASONABLE SHIPPING COSTS FOR PHYSICALLY DELIVERED TICKETS.

(II) THE SHIPPING COSTS ALLOWED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY VARY WITH THE PURCHASER'S LOCATION RELATIVE TO THE SHIPMENT'S LOCATION OF ORIGIN AND THE DELIVERY METHOD SELECTED BY THE PURCHASER.

(III) THE TOTAL PRICE OF THE TICKET, INCLUDING ALL FEES, TAXES, AND SHIPPING COSTS, SHALL BE CLEARLY AND CONSPICUOUSLY DISCLOSED PRIOR TO FINAL PURCHASE OF THE TICKET."

On page 5, after line 4, insert:

"(E) A TICKET ISSUER, SECONDARY TICKET EXCHANGE, OR RESELLER SHALL PROVIDE A PURCHASER WITH A FULL REFUND OF THE TOTAL AMOUNT PAID, INCLUDING THE PRICE OF THE TICKET AND ANY FEES AND TAXES, IF:

(1) THE TICKET PURCHASED IS COUNTERFEIT;

(2) THE EVENT FOR WHICH THE TICKET IS PURCHASED IS CANCELED; OR

(3) THE TICKET FAILS TO CONFORM TO THE DESCRIPTION AS ADVERTISED OR REPRESENTED TO THE PURCHASER BY THE SELLER."

AMENDMENT NO. 4

On page 5, after line 4, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Consumer Protection Division of the Office of the Attorney General, with input from relevant stakeholders, shall conduct a review of the event ticket market in the State.

(b) The review required under subsection (a) of this section shall include, to the extent feasible, an assessment of:

(1) how event tickets are obtained for resale by professional resellers and brokers;

(2) the cost of event tickets offered to and purchased by consumers on the resale market when compared with the face values and total event ticket prices for tickets offered to and purchased by consumers in the primary event ticket market;

(3) factors contributing to the cost of event tickets sold and offered for sale on the resale market;

(4) problems consumers are encountering relating to the purchase of event tickets sold and offered for sale on the resale market, including:

(i) the fraudulent sale of event tickets;

(ii) the sale of counterfeit tickets;

(iii) the denial of entry to events for which tickets were purchased by consumers; and

(iv) the use of bots to purchase for resale tickets for in-demand events;

(Over)

(5) the impact of any measures taken in other states to protect consumers in the event ticket market, such as through resale price caps, limits on fees and charges by secondary market resale platforms, requiring the transferability of event tickets, and restrictions on the use of bots to purchase tickets for resale; and

(6) any other matters identified as relevant to the protection of consumers in the event ticket market.

(c) On or before December 1, 2024, the Consumer Protection Division of the Office of the Attorney General shall submit a report with findings and recommendations from the review required under this section to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2-1257 of the State Government Article.”;

in line 5, strike “2.” and substitute “3.”; and in line 6, strike “October” and substitute “July”.