

HOUSE BILL 1236

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4lr2402

By: **Delegate Wilson**

Introduced and read first time: February 8, 2024

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Consumer Protection – Sale and Resale of Tickets**

3 FOR the purpose of requiring the listing for a ticket and each step of a transaction to
4 purchase a ticket to disclose certain information; prohibiting a reseller from selling
5 or offering to sell a ticket for more than a certain price; prohibiting a person from
6 restricting the transfer or resale of a ticket that was made available to the general
7 public for purchase, subject to certain restrictions; and generally relating to
8 consumer protection and the sale and resale of tickets.

9 BY repealing and reenacting, with amendments,
10 Article – Commercial Law
11 Section 13–310.1
12 Annotated Code of Maryland
13 (2013 Replacement Volume and 2023 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Commercial Law**

17 13–310.1.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) (i) “Resale” means the second or subsequent sale of a ticket.

20 (ii) “Resale” includes a sale by any means, including in person, by
21 telephone, by mail, by e-mail, by facsimile, or through a website or other electronic means.

22 (3) “Reseller” means a person who offers a ticket for resale.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) **“SECONDARY TICKET EXCHANGE” MEANS AN ELECTRONIC**
2 **MARKETPLACE THAT ENABLES CONSUMERS TO SELL, PURCHASE, AND RESELL**
3 **TICKETS.**

4 (5) (i) “Speculative ticket” means a ticket that is not in the actual or
5 constructive possession of a reseller at the time of sale.

6 (ii) “Speculative ticket” includes a ticket sold by a reseller that, at
7 the time of resale:

8 1. Is not in the physical possession of the reseller;

9 2. Is not owned by the reseller; or

10 3. Is not under contract to be transferred to the reseller.

11 [(5)] (6) “Ticket” means physical, electronic, or other evidence, that
12 grants the possessor of the evidence permission to enter a place of entertainment for one or
13 more events at a specified date and time.

14 (7) (i) **“TICKET ISSUER” MEANS A PERSON THAT, DIRECTLY OR**
15 **INDIRECTLY, ISSUES TICKETS FOR AN ENTERTAINMENT EVENT.**

16 (ii) **“TICKET ISSUER” INCLUDES:**

17 1. **A MUSICIAN OR MUSICAL GROUP;**

18 2. **AN OPERATOR OF A VENUE;**

19 3. **A SPONSOR OR PROMOTER OF AN ENTERTAINMENT**
20 **EVENT;**

21 4. **A SPORTS TEAM PARTICIPATING IN AN**
22 **ENTERTAINMENT EVENT;**

23 5. **A SPORTS LEAGUE WHOSE TEAMS ARE**
24 **PARTICIPATING IN AN ENTERTAINMENT EVENT;**

25 6. **A THEATER COMPANY;**

26 7. **A MARKETPLACE OPERATED FOR CONSUMERS TO**
27 **MAKE AN INITIAL PURCHASE OF TICKETS; OR**

1 8. AN AGENT OF ANY OF THE PERSONS LISTED IN ITEMS
2 1 THROUGH 7 OF THIS SUBPARAGRAPH.

3 (B) (1) THIS SUBSECTION APPLIES TO TICKET ISSUERS AND RESELLERS.

4 (2) THE LISTING FOR A TICKET AND EACH STEP OF A TRANSACTION
5 TO PURCHASE A TICKET SHALL:

6 (I) CLEARLY AND CONSPICUOUSLY DISCLOSE THE TOTAL
7 PRICE OF THE TICKET, INCLUDING ALL FEES AND TAXES;

8 (II) PROVIDE AN ITEMIZED LISTING OF ALL CHARGES THAT
9 COMPRISE THE TOTAL PRICE OF THE TICKET; AND

10 (III) IDENTIFY THE SEAT NUMBER AND ZONE OR SECTION OF THE
11 TICKET, TO THE EXTENT APPLICABLE TO THE SEAT AND VENUE.

12 (C) (1) THIS SUBSECTION DOES NOT APPLY TO A FEE THAT A SECONDARY
13 TICKET EXCHANGE MAY CHARGE FOR THE SERVICE OF PROVIDING A MARKETPLACE
14 FOR THE RESALE OF A TICKET.

15 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
16 PARAGRAPH, THE TOTAL PRICE AT WHICH A RESELLER MAY SELL OR OFFER TO SELL
17 A TICKET MAY NOT EXCEED THE TOTAL PRICE OF THE INITIAL TICKET, INCLUDING
18 ALL FEES AND TAXES CHARGED IN CONNECTION WITH THE INITIAL TICKET SALE.

19 (II) IF INITIAL TICKETS WERE PURCHASED FOR A SERIES OF
20 EVENTS, SUCH AS SEASON TICKETS FOR A SPORTS TEAM, THE TOTAL RESALE PRICE
21 OF A TICKET FOR A SINGLE EVENT MAY NOT EXCEED THE TOTAL PRICE OF A
22 COMPARABLE TICKET, INCLUDING ALL FEES AND TAXES.

23 (D) SUBJECT TO REASONABLE RESTRICTIONS IMPOSED BY A TICKET
24 ISSUER, A PERSON MAY NOT PROHIBIT OR RESTRICT THE TRANSFER OR RESALE OF
25 A TICKET THAT WAS MADE AVAILABLE TO THE GENERAL PUBLIC FOR PURCHASE.

26 [(b)] (E) A reseller may not sell or offer to sell speculative tickets unless the
27 reseller, clearly and conspicuously, discloses to a prospective purchaser at the outset of the
28 sales transaction:

29 (1) That the tickets are speculative tickets, and the reseller is not in
30 possession of the tickets;

31 (2) That the reseller is making an offer to procure the tickets for the
32 prospective purchaser;

- 1 (3) An approximate date on which the tickets will be delivered to the
2 purchaser;
- 3 (4) The name or a description of the event for which the tickets will permit
4 entry;
- 5 (5) The total number of tickets included in the transaction;
- 6 (6) The number of tickets for seats that are together;
- 7 (7) The zone or section number of the tickets, to the extent applicable to
8 the venue; and
- 9 (8) For reserved seat tickets:
- 10 (i) The seat numbers of the tickets; or
- 11 (ii) If applicable, that the reseller cannot guarantee the specific seats
12 because the tickets are speculative tickets.
- 13 **[(c)] (F)** (1) A reseller shall refund to a purchaser any consideration or
14 deposit paid for tickets sold under this section if the reseller fails to obtain the tickets:
- 15 (i) Within 24 hours after the approximate date of delivery specified
16 in subsection (b)(2) of this section, but before the commencement of the event for which the
17 tickets were sold; or
- 18 (ii) In conformity with the disclosures required under this section.
- 19 (2) A reseller shall make a refund required under this subsection not later
20 than 10 days after the final day of the event for which the tickets were sold.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2024.