

# SENATE BILL 446

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By: **Senator Gile**

Introduced and read first time: February 2, 2026

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Sale and Resale of Tickets – Disclosure of Tax**  
3 **Information and Action for Damages**

4 FOR the purpose of repealing the requirement to include taxes in the total price for a ticket  
5 on a certain listing and at each step of the ticket purchase transaction; authorizing  
6 certain persons to bring an action against a ticket issuer, secondary ticket exchange,  
7 or reseller for a certain violation; authorizing a court to award economic and punitive  
8 damages subject to certain limitations; and generally relating to the sale and resale  
9 of tickets.

10 BY repealing and reenacting, with amendments,  
11 Article – Commercial Law  
12 Section 13–310.1  
13 Annotated Code of Maryland  
14 (2025 Replacement Volume)

15 BY repealing and reenacting, without amendments,  
16 Article – Commercial Law  
17 Section 13–408  
18 Annotated Code of Maryland  
19 (2025 Replacement Volume)

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

22 **Article – Commercial Law**

23 13–310.1.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

(3) “Reseller” means a person engaged in the resale of tickets.

(4) “Secondary ticket exchange” means an electronic marketplace that enables a person to sell, purchase, and resell tickets.

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

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

1. Is not in the physical possession of the reseller;
2. Is not owned by the reseller; or
3. Is not under contract to be transferred to the reseller.

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

(7) (i) “Ticket issuer” means a person that, directly or indirectly, issues initial tickets for an entertainment event.

(ii) “Ticket issuer” includes:

1. A musician or musical group;
2. An operator of a venue;
3. A sponsor or a promoter of an entertainment event;
4. A sports team participating in an entertainment event;
5. A sports league whose teams are participating in an entertainment event;
6. A theater company;
7. A marketplace operated for consumers to make an initial purchase of tickets; or

8. An agent of any of the persons listed in items 1 through 7 of this subparagraph.

(2) The listing for a ticket and each step of a transaction to purchase a ticket shall:

(ii) Provide an itemized listing of all charges that comprise the total price of the ticket, including all fees [and taxes]; and

(3) (i) The total price of a ticket under paragraph (2)(i) of this subsection may be increased in a noninitial step of a transaction by the amount of reasonable shipping costs for physically delivered tickets.

(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.

(d) A secondary ticket exchange may not provide a marketplace for the sale or resale of a ticket that violates this section.

(1) The ticket purchased is counterfeit;

(3) The ticket fails to conform to the description as advertised or represented to the purchaser by the seller.

(F) (1) IN ADDITION TO ANY OTHER ACTION AUTHORIZED BY THIS TITLE OR OTHERWISE AUTHORIZED BY LAW, A CONSUMER, AN ARTIST, OR A VENUE THAT HAS BEEN DIRECTLY AGGRIEVED BY A VIOLATION OF THIS SECTION MAY BRING AN ACTION UNDER § 13–408 OF THIS TITLE AGAINST THE TICKET ISSUER, SECONDARY TICKET EXCHANGE, OR RESELLER THAT VIOLATED THIS SECTION.

(2) IF A PERSON PREVAILS IN AN ACTION FOR A VIOLATION OF THIS SECTION, THE COURT MAY, IN ADDITION TO ANY RELIEF STATED UNDER § 13–408 OF THIS TITLE, AWARD ECONOMIC AND PUNITIVE DAMAGES AS FOLLOWS:

(I) FOR A FIRST VIOLATION BY A TICKET ISSUER, SECONDARY TICKET EXCHANGE, OR RESELLER, TOTAL DAMAGES NOT EXCEEDING \$10,000; AND

(II) FOR A SECOND OR SUBSEQUENT VIOLATION BY THE SAME TICKET ISSUER, SECONDARY TICKET EXCHANGE, OR RESELLER, TOTAL DAMAGES NOT EXCEEDING \$25,000 FOR EACH VIOLATION.

13–408.

(a) In addition to any action by the Division or Attorney General authorized by this title and any other action otherwise authorized by law, any person may bring an action to recover for injury or loss sustained by him as the result of a practice prohibited by this title.

(b) Any person who brings an action to recover for injury or loss under this section and who is awarded damages may also seek, and the court may award, reasonable attorney's fees.

(c) If it appears to the satisfaction of the court, at any time, that an action is brought in bad faith or is of a frivolous nature, the court may order the offending party to pay to the other party reasonable attorney's fees.

(d) Notwithstanding any other provision of this section, a person may not bring an action under this section to recover for injuries sustained as a result of the professional services provided by a health care provider, as defined in § 3–2A–01 of the Courts Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.