

118TH CONGRESS  
1ST SESSION

# S. 1303

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

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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

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## 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”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

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

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

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

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

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