

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 1, 2013**

**TO:** Honorable René Oliveira, Chair, House Committee on Business & Industry

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB3041** by Oliveira (Relating to the sale of event tickets; providing penalties.), As  
**Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code to prohibit an event ticket issuer from restricting the resale of an event ticket or issuing a non-transferrable ticket. The bill would also impose a penalty on a person who resells a ticket or places a maximum or minimum price on the resale of a ticket. Furthermore, the Office of the Attorney General (OAG) would be authorized to file suit for damages on behalf of a consumer who is a resident of this state and to recover a civil penalty of not less than \$100 or more than \$500 for each violation. The OAG has indicated that any costs associated with the bill could be absorbed within existing resources. The Comptroller of Public Accounts indicates that additional revenue may be generated; however, the amount of revenue cannot be determined.

**Local Government Impact**

The bill creates a class C misdemeanor and a civil penalty of \$100 to \$500 per violation. A Class C misdemeanor is punishable by a fine of not more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

**LBB Staff:** UP, RB, EP, JM, KKR