

1-1 By: Menéndez S.B. No. 2409
 1-2 (In the Senate - Filed March 8, 2019; March 21, 2019, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 April 15, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 15, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2409 By: Menéndez

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the Internet domain name used by a website that sells
 1-22 tickets to events.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle B, Title 10, Business & Commerce Code,
 1-25 is amended by adding Chapter 327 to read as follows:

1-26 CHAPTER 327. INTERNET WEBSITE DOMAIN NAMES FOR TICKET SELLERS

1-27 Sec. 327.001. DEFINITIONS. In this chapter:

1-28 (1) "Internet domain name" means a globally unique,
 1-29 hierarchical reference to an Internet host or service that is:

1-30 (A) assigned through a centralized Internet
 1-31 naming authority; and

1-32 (B) composed of a series of character strings
 1-33 separated by periods with the right-most string specifying the top
 1-34 of the hierarchy.

1-35 (2) "Performer" means an individual, team, group, or
 1-36 other person that entertains an audience.

1-37 (3) "Ticket website" means an Internet website or
 1-38 mobile application advertising or offering the sale of tickets, or
 1-39 offering tickets for resale, to an event in this state.

1-40 (4) "URL" means the uniform resource locator address
 1-41 for an Internet website that may include the website's Internet
 1-42 domain name or a subdomain of the Internet domain name.

1-43 (5) "Venue" means an arena, stadium, theater, concert
 1-44 hall, or other place used for events such as exhibitions, sporting
 1-45 events, concerts, or other live entertainment events.

1-46 (6) "Website operator" means a person who owns,
 1-47 operates, manages, licenses, or controls a ticket website for an
 1-48 event scheduled at a venue in this state.

1-49 Sec. 327.002. TICKET WEBSITE DOMAIN NAME RESTRICTED.

1-50 (a) Except as provided by Subsection (b), a website operator may
 1-51 not intentionally use an Internet domain name, or any subdomain of
 1-52 the Internet domain name, in a ticket website's URL that contains
 1-53 any of the following:

1-54 (1) the name of:

1-55 (A) a performer;

1-56 (B) an organization or association that is
 1-57 associated with a performer, such as a professional sports league;

1-58 (C) a venue in this state; or

1-59 (D) an exhibition, performance, or other event to
 1-60 be held at a venue in this state;

2-1 (2) a trademark not owned by the website operator,
2-2 including a trademark owned by an authorized agent or partner of the
2-3 venue or event; or

2-4 (3) any name substantially similar to a name described
2-5 by Subdivision (1), including a misspelling of the name.

2-6 (b) Subsection (a) does not apply to a website operator who
2-7 is authorized by a performer, organization, venue, or event's
2-8 organizer to use the name or trademark on the performer's,
2-9 organization's, venue's, or event's behalf for the purpose of
2-10 selling or reselling tickets.

2-11 Sec. 327.003. DECEPTIVE TRADE PRACTICE. A violation of
2-12 this chapter is a deceptive trade practice under Subchapter E,
2-13 Chapter 17, and is actionable under that subchapter.

2-14 SECTION 2. This Act takes effect September 1, 2019.

2-15 * * * * *