

By: Frazier

H.B. No. 4084

A BILL TO BE ENTITLED

AN ACT

relating to certain disclosures and other requirements relating to the sale of concert and other event tickets.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 6, Business & Commerce Code, is amended by adding Chapter 205 to read as follows:

CHAPTER 205. SALE OF EVENT TICKETS

Sec. 205.001. DEFINITIONS. In this chapter:

(1) "Ancillary fee" includes a service charge, surcharge, or any other fee charged in connection with the sale of an event ticket.

(2) "Event" means a concert, theatrical performance, sporting event, exhibition, show, or similar scheduled activity that:

(A) is open to the public;

(B) is held in a public or private venue; and

(C) requires payment of an admission fee to attend the activity.

(3) "Ticket seller" means a person that sells or resells tickets for a concert or other event, including the operator of a ticket website or the operator's agent.

(4) "Ticket website" means an Internet website or mobile application advertising or offering the sale of tickets, or offering tickets for resale, to an event in this state.

1           (5) "Venue" means an arena, stadium, theater, concert  
2 hall, or other place used for events.

3           Sec. 205.002. APPLICABILITY. This chapter applies only to  
4 the sale or resale of a ticket for a concert or other event in this  
5 state.

6           Sec. 205.003. DISCLOSURE OF ANCILLARY FEES. A ticket  
7 seller offering tickets for sale or resale on a ticket website  
8 shall:

9           (1) disclose in a clear and conspicuous manner to a  
10 potential ticket purchaser before the purchaser selects the ticket  
11 for purchase:

12                   (A) the total cost of the ticket purchase,  
13 including all ancillary fees; and

14                   (B) the portion of the total cost, stated in  
15 dollars, of the ticket purchase that is represented by ancillary  
16 fees; and

17           (2) post on the ticket website in a location easily  
18 accessible by a ticket purchaser or a potential ticket purchaser  
19 each ancillary fee that may be charged.

20           Sec. 205.004. PROHIBITED CONDUCT. A ticket seller may not:

21           (1) disclose a fee in a manner that is false or  
22 misleading;

23           (2) display an ancillary fee or any component of the  
24 total price of a ticket purchase more prominently or in the same  
25 font as or a larger font than the total price of the ticket  
26 purchase; or

27           (3) increase the total cost of a ticket purchase

1 during the purchase process, except to charge a reasonable fee  
2 disclosed before the final purchase of the ticket for the delivery  
3 of the ticket by a nonelectronic delivery method selected by the  
4 ticket purchaser.

5 Sec. 205.005. OTHER LAWS NOT AFFECTED. This chapter may not  
6 be construed to nullify, expand, or otherwise affect any other law  
7 regarding the sale of a ticket for a concert or other event.

8 SECTION 2. This Act takes effect September 1, 2023.