

By: Johnson

S.B. No. 1820

A BILL TO BE ENTITLED

AN ACT

relating to certain disclosures and other requirements and prohibited conduct relating to the sale of tickets for concerts and other events.

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

SECTION 1. Subtitle B, Title 10, Business & Commerce Code, is amended by adding Chapter 330 to read as follows:

CHAPTER 330. SALE OF EVENT TICKETS

Sec. 330.001. DEFINITIONS. In this chapter:

(1) "Base ticket price" means the purchase price of a ticket for an event. The term does not include an event ticket fee or any taxes.

(2) "Charitable organization" has the meaning assigned by Section 84.003, Civil Practice and Remedies Code.

(3) "Charitable purpose" has the meaning assigned by Section 163.003, Property Code.

(4) "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.

(5) "Event ticket fee" means a fee or charge added to

1 the base ticket price to obtain an event ticket from either a
2 primary ticket seller or secondary market ticket seller. The term:

3 (A) includes:

4 (i) a service fee or charge;

5 (ii) an order processing fee;

6 (iii) a delivery fee; and

7 (iv) a facility charge fee; and

8 (B) does not include:

9 (i) a tax;

10 (ii) a reasonable postage or carrier charge
11 incurred to ship nonelectronic tickets based on the location or
12 delivery method selected by the purchaser; or

13 (iii) a charge or fee for an optional
14 product or service associated with the event.

15 (6) "Nonprofit organization" has the meaning assigned
16 by Section [541.001](#).

17 (7) "Optional product or service" means a product or
18 service that a person is not required to purchase to use or take
19 possession of an event ticket.

20 (8) "Primary sale" means the initial sale of a ticket
21 for an event.

22 (9) "Primary ticket seller" means any of the following
23 persons that are engaged in the primary sale of tickets for an
24 event:

25 (A) an owner or operator of a venue;

26 (B) a manager or provider of an event;

27 (C) a provider of ticketing services; or

1 (D) an agent of a person described by Paragraph
2 (A), (B), or (C).

3 (10) "Resale" or "reselling" means the sale of an
4 event ticket by a primary ticket seller occurring any time after the
5 primary sale of the ticket.

6 (11) "Secondary market ticket exchange" or "exchange"
7 means a person that operates a platform or exchange for
8 advertising, listing, or selling resale tickets on the person's own
9 behalf or on behalf of a vendor or secondary market ticket seller.
10 The term includes a primary ticket seller offering tickets for
11 resale.

12 (12) "Secondary market ticket seller" means an entity
13 engaged in the business of reselling event tickets to the public.

14 (13) "Total ticket price," with respect to a ticket
15 for an event, means the total cost of the ticket. The term includes
16 the base ticket price and an event ticket fee.

17 (14) "Venue" means a stadium, arena, theater, concert
18 hall, or other place used for events.

19 Sec. 330.002. APPLICABILITY OF CHAPTER. This chapter
20 applies only to the sale, including resale, of a ticket for an event
21 held or to be held in a venue in this state with a seating or
22 attendance capacity of more than 200 people.

23 Sec. 330.003. TRANSPARENCY OF MARKETING, DISTRIBUTION, AND
24 PRICING OF TICKETS. (a) Except as provided by Subsection (b), a
25 primary ticket seller, secondary market ticket seller, or secondary
26 market ticket exchange may not offer for sale an event ticket unless
27 the seller or exchange:

1 (1) clearly and conspicuously discloses to a potential
2 purchaser the total ticket price from the time the price is first
3 displayed and continuously throughout the ticket purchasing
4 process;

5 (2) does not increase the total ticket price from the
6 time the price is first displayed to a potential purchaser; and

7 (3) if applicable to the seat and venue, identifies
8 the row number and zone or section of the ticket.

9 (b) Subsection (a)(2) does not apply if a potential ticket
10 purchaser's transaction time expires before making a purchase.

11 Sec. 330.004. PRIMARY TICKET SELLER REQUIREMENTS. (a) A
12 primary ticket seller may not restrict or impair the ability of a
13 purchaser of an event ticket sold by the seller or by the venue
14 holding the event from reselling the ticket:

15 (1) independently of the seller or of any secondary
16 market ticket exchange owned by or affiliated with the seller; or

17 (2) on a secondary market ticket exchange chosen by
18 the purchaser.

19 (b) A primary ticket seller may not require a minimum or
20 maximum price for the resale of any ticket purchased from the
21 seller.

22 (c) For purposes of this subsection, a sanction includes
23 denial of admission to an event or denial of rights to or renewal of
24 bundled series tickets. A primary ticket seller may not sanction or
25 discriminate against a ticket purchaser for:

26 (1) reselling or gifting a ticket; or

27 (2) purchasing a resold ticket.

1 (d) A primary ticket seller shall deliver an event ticket to
2 a ticket purchaser not later than the seventh day after the date the
3 purchaser purchases the ticket.

4 (e) Subject to the requirements of Subsections (a)-(d),
5 this section may not be construed to prohibit an operator of a venue
6 at which an event is held or to be held from maintaining and
7 enforcing policies regarding access control to, or conduct or
8 behavior at, the venue. An operator of a venue may revoke or
9 restrict tickets:

10 (1) for a reason relating to a violation of venue
11 policies that are available in writing;

12 (2) for the safety of the venue's patrons; or

13 (3) to address misconduct occurring on the venue's
14 premises.

15 (f) An operator of a venue may prohibit the resale of a
16 ticket initially offered:

17 (1) at no charge and access to which is not contingent
18 on providing any form of monetary consideration; or

19 (2) by or on behalf of a charitable organization for a
20 charitable purpose if all the ticket sale proceeds are provided to
21 the charitable organization.

22 (g) Notwithstanding any other provision of this section to
23 the contrary, any educational institution or nonprofit
24 organization associated with the educational institution may
25 establish and enforce prohibitions, restrictions, or conditions on
26 the resale and transfer of tickets sold or otherwise made available
27 to the educational institution's or nonprofit organization's

1 officers, directors, employees, sponsors, or vendors.

2 Sec. 330.005. REQUIREMENTS FOR SECONDARY MARKET TICKET
3 SELLERS AND EXCHANGES. (a) A secondary market ticket seller or
4 exchange may not sell, or offer or advertise for sale, an event
5 ticket unless the seller or exchange has actual or constructive
6 possession of the ticket.

7 (b) This section may not be construed to prohibit a
8 secondary market ticket seller or exchange from offering a service
9 to a consumer to obtain an event ticket on the consumer's behalf if
10 the seller or exchange:

11 (1) does not market or list the service as an event
12 ticket;

13 (2) maintains a clear, distinct, and easily
14 discernible separation between the service and the direct purchase
15 of event tickets through an unavoidable visual demarcation that
16 persists throughout the entire service selection and purchasing
17 process;

18 (3) clearly and conspicuously discloses to a potential
19 purchaser that purchase of the service:

20 (A) is not considered the direct purchase of an
21 event ticket; and

22 (B) does not guarantee the purchaser will receive
23 an event ticket;

24 (4) if the service is unable to obtain tickets to a
25 specified event purchased through the service, provides to the
26 purchaser of the service within a reasonable time:

27 (A) a full refund for the total cost charged by

1 the service to obtain the event ticket; or

2 (B) subject to availability, a replacement event
3 ticket in the same or a comparable location with prior approval of
4 the purchaser; and

5 (5) does not obtain more tickets than the maximum
6 number of tickets that can be purchased in a single transaction as
7 set by the venue and artist for each event.

8 Sec. 330.006. OTHER LAWS NOT AFFECTED. This chapter may not
9 be construed to nullify, expand, or otherwise affect any other law
10 regarding the sale of a ticket for a concert or other event.

11 SECTION 2. This Act takes effect October 1, 2025.