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**HOUSE BILL 1494**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Zeiger, Jinkins, Vick, Stokesbary, and Stambaugh

AN ACT Relating to requiring ticket brokers and resellers to make disclosures; and adding a new chapter to Title 19 RCW.

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

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Online ticket broker" means any person who is engaged in the business of facilitating the sale of tickets from ticket resellers to buyers on an internet web site. The term "online ticket broker" does not include persons not taking a financial interest in the purchase and sale of tickets or charging a fee for the use of its web site nor persons acting with the written permission of the sponsor or sponsors of the event for which tickets are being resold.

(2) "Reselling" means selling, offering for sale, or otherwise transferring or offering to transfer a ticket in exchange for money or other things of value, other than the original sale, offering, or transfer of the ticket.

(3) "Ticket" means any paper, certificate, receipt, or other electronic or physical indication that the bearer has paid for entry or other evidence which permits entry to an entertainment event or venue.

(4) "Ticket reseller" means any person who, without the written permission of the owner or operator of the property on which an entertainment event is to be held or is being held or the sponsor or sponsors of the event, is engaged in the business of reselling tickets.

(5) "Try-and-get order policy" means a system by which an online ticket broker or ticket reseller accepts orders for tickets before the online ticket broker or ticket reseller has purchased or otherwise acquired the tickets.

NEW SECTION. **Sec.**  (1) Every online ticket broker doing business in Washington state shall prominently display immediately above the button or other mechanism used to purchase tickets in a typeface no smaller than twelve-point font the following disclosure:

"You are buying tickets from a third party who may not be authorized by the event sponsor to sell tickets. [The owner of this web site] is not the ticket seller. You may be paying more than face value for the tickets you are purchasing."

The ticket broker shall use its trade name in place of [the owner of this web site].

(2) In addition to the disclosures required under subsection (1) of this section, every ticket broker and ticket reseller doing business in Washington state employing a try-and-get order policy shall prominently display to the buyer in the same method prescribed in subsection (1) of this section the following disclosure:

"The person you are about to pay (the ticket reseller) does not have the tickets you are seeking. The ticket reseller will attempt to acquire the tickets and then transfer them to you. It is not certain that the ticket reseller will be able to acquire the tickets."

NEW SECTION. **Sec.**  (1) A person violates this chapter every time that person sells or facilitates the sale of a ticket without making the disclosures required by section 2 of this act.

(2) The legislature finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW. Standing to bring an action to enforce chapter 19.86 RCW for violation of this chapter shall lie solely with the attorney general. Remedies provided by that chapter are cumulative and not exclusive.

NEW SECTION. **Sec.**  Sections 1 through 3 of this act constitute a new chapter in Title 19 RCW.

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