
THIRD SUBSTITUTE HOUSE BILL 1648

State of Washington

68th Legislature

2024 Regular Session

By House Consumer Protection & Business (originally sponsored by Representatives Reeves, Ryu, Berry, Walen, Simmons, Ramel, Orwall, Duerr, Gregerson, Doglio, Stonier, Pollet, and Morgan)

READ FIRST TIME 01/30/24.

1 AN ACT Relating to ticket sales; amending RCW 19.345.010,
2 19.345.020, 43.24.150, and 18.235.020; adding new sections to chapter
3 19.345 RCW; creating new sections; prescribing penalties; and
4 providing an effective date.

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

6 NEW SECTION. **Sec. 1.** This act may be known and cited as the
7 ticket sales warrant integrity, fairness, and transparency for
8 consumer protection act, or TSWIFT consumer protection act.

9 **Sec. 2.** RCW 19.345.010 and 2015 c 129 s 2 are each amended to
10 read as follows:

11 The definitions in this section apply throughout this chapter
12 unless the context clearly requires otherwise.

13 (1) "Admission ticket" means evidence of a right of entry to a
14 venue or an entertainment event.

15 (2) "Affinity group" means an identifiable group of people who
16 are members of the same organization, or who are customers of the
17 same person, and who enjoy special privileges.

18 (3) "All-in price" means the total cost of an admission ticket,
19 including all fees, which may include, but is not limited to, a

1 service fee, processing fee, delivery fee, facility fee, and resale
2 fee that must be paid to purchase the admission ticket.

3 (4) "Base price" means the dollar value of an admission ticket,
4 which value must reflect the dollar amount that the customer is
5 required to pay, and which excludes any charges, fees, and taxes.

6 (5) "Department" means the department of licensing.

7 (6) "Director" means the director of the department of licensing.

8 (7) "Event" means a concert, theatrical performance, sporting
9 event, exhibition, show, or other similar activity held in this
10 state.

11 ~~((4))~~ (8) "Initial sale" means the first sale of an admission
12 ticket by the ticket seller. "Initial sale" also includes the
13 distribution of admission tickets under an agreement between the
14 ticket seller and the recipient.

15 ~~((5))~~ (9) "Internet domain name" means a globally unique,
16 hierarchical reference to an internet host or server, which is
17 assigned through a centralized internet naming authority, and which
18 is composed of a series of character strings separated by periods
19 with the rightmost string specifying the top of the hierarchy.

20 (10) "Person" means any individual, partnership, corporation,
21 limited liability company, other organization, or any combination
22 thereof.

23 ~~((6))~~ (11) "Place of entertainment" means any privately or
24 publicly owned or operated entertainment facility within this state,
25 such as a theater, stadium, museum, arena, park, racetrack, or other
26 place where concerts, theatrical performances, sporting events,
27 exhibitions, shows, or other similar activities are held and for
28 which an entry fee is charged.

29 ~~((7))~~ (12) "Presale" means a sale of admission tickets at or
30 below the ~~((price printed on the ticket by))~~ base price, or with the
31 permission of, a ticket seller, prior to their release to the general
32 public, and which may include an initial sale.

33 ~~((8))~~ (13) "Promoter" means a person who organizes financing
34 and publicity for an entertainment event.

35 ~~((9))~~ (14) "Resale" means a sale other than the initial sale or
36 presale of an admission ticket.

37 (15) "Ticket resale marketplace" means a person or entity that
38 operates a platform or exchange to facilitate the resale or offering
39 for resale of admission tickets between third parties, which includes
40 platforms or exchanges operating by means of an internet website,

1 application, phone system, or other similar technology, and who does
2 not generally maintain their own ticket inventory, and which may
3 include a ticket seller.

4 (16) "Ticket reseller" means a person or entity that resells or
5 offers for resale admission tickets.

6 (17) "Ticket seller" means a person that makes admission tickets
7 available, directly or indirectly, at an initial (~~presale or~~) sale
8 or presale to the general public, and may include an owner or
9 operator of a place of entertainment, a sponsor or promoter of an
10 event, a sports team participating in an event, a fan club or
11 affinity group, a theater company, a musical group, or similar
12 participant in an event, or an employee or agent of any such person.

13 **EXCLUSIONS**

14 NEW SECTION. Sec. 3. (1) Sections 9 and 10 of this act do not
15 apply to:

16 (a) Agricultural fairs as provided in RCW 15.76.120;

17 (b) Public and private K-12 schools;

18 (c) Institutions of higher education as defined in RCW
19 28B.92.030;

20 (d) Nonprofit cultural institutions, including accredited zoos
21 and aquariums;

22 (e) Movie theaters;

23 (f) Collegiate athletic teams; and

24 (g) Federally recognized tribes.

25 (2) Sections 1, 5, 6, 8 through 14, and 19 of this act and RCW
26 19.345.010 and 43.24.150 do not apply to:

27 (a) Individual persons who are the original purchaser for
28 personal use of one or more admission tickets to an event covered
29 under this chapter, including persons who are the original purchaser
30 for personal use of season tickets to theatrical performances or
31 sporting events; and

32 (b) Individual employees of a ticket seller, ticket reseller, or
33 ticket resale marketplace if the employee is conducting business in
34 the name of and under the registration of the registered and licensed
35 ticket seller, ticket reseller, or ticket resale marketplace, and all
36 money received by the employee is collected in the name of the
37 registered and licensed ticket seller, ticket reseller, or ticket
38 resale marketplace as required by this chapter.

1 **Sec. 4.** RCW 19.345.020 and 2015 c 129 s 3 are each amended to
2 read as follows:

3 (1) A person may not:

4 (a) Use software to circumvent, thwart, interfere with, or evade
5 a security measure, access control system, or other control or
6 measure on a ticket seller's internet website, application, phone
7 system, or similar technology that is used to enforce posted event
8 admission ticket purchasing limits or to maintain the integrity of
9 posted online admission ticket purchasing order rules; or

10 (b) Sell software that is advertised for profit with the express
11 purpose to circumvent, thwart, interfere with, or evade a security
12 measure, access control system, or other control or measure on a
13 ticket seller's internet website, application, phone system, or
14 similar technology that is used to enforce posted event admission
15 ticket purchasing limits or to maintain the integrity of posted
16 online admission ticket purchasing order rules.

17 (2) The use or sale of software as described in subsection (1) of
18 this section only violates this section if the user or seller knows
19 or should know that the purpose of the software is to circumvent,
20 thwart, interfere with, or evade a security measure, access control
21 system, or other control or measure on a ticket seller's internet
22 website, application, phone system, or similar technology that is
23 used to enforce posted event admission ticket purchasing limits or to
24 maintain the integrity of posted online admission ticket purchasing
25 order rules.

26 (3) A person may not knowingly resell or offer to resell an
27 admission ticket that was obtained using software to circumvent,
28 thwart, interfere with, or evade a security measure, access control
29 system, or other control or measure on a ticket seller's internet
30 website, application, phone system, or similar technology that is
31 used to enforce posted event admission ticket purchasing limits or to
32 maintain the integrity of posted online admission ticket purchasing
33 order rules, and was not obtained for the person's own use or the use
34 of their invitees, employees, or agents.

35 (4) The legislature finds that the conduct described in
36 subsections (1) and (3) of this section, and section 13 of this act
37 (speculative tickets) vitally affects the public interest for the
38 purpose of applying the consumer protection act, chapter 19.86 RCW.
39 Using or selling software to circumvent, thwart, or evade a control
40 or measure, which is used on a ticket seller's internet website,

1 application, phone system, or similar technology to ensure an
2 equitable distribution of tickets, is not reasonable in relation to
3 the development and preservation of business and is an unfair or
4 deceptive act in trade or commerce and an unfair method of
5 competition for the purposes of applying the consumer protection act,
6 chapter 19.86 RCW.

7 (5) Ticket sellers have an affirmative obligation to notify the
8 attorney general of the use of software as described in this section.

9 NEW SECTION. **Sec. 5.** Businesses domiciled outside the state of
10 Washington are subject to Washington law when selling admission
11 tickets to events in this state, regardless of where the buyer and
12 seller are domiciled.

13 **TICKET SALES LICENSE**

14 NEW SECTION. **Sec. 6.** (1) In order to engage in the business of
15 a ticket seller, ticket reseller, or ticket resale marketplace, a
16 person must:

17 (a) Apply to the department for a ticket sales license on a form
18 designated by the department, pay an annual license fee, and renew
19 the license annually;

20 (b) Be registered with the department of revenue pursuant to RCW
21 82.32.030 and, if an ownership entity other than sole proprietor or
22 general partnership, be registered with the secretary of state for a
23 business license to do business in this state; and

24 (c) Comply with the requirements of this chapter and department
25 rules adopted under this chapter.

26 (2) A ticket sales license may only be granted upon an
27 application setting forth such information as the department may
28 require. The license must include an endorsement from the department
29 indicating whether the licensee is engaging in the business of a
30 ticket seller, ticket reseller, or ticket resale marketplace. The
31 department must require applicants to disclose in their applications
32 whether the applicant owns, is owned by, or shares common ownership
33 with any other ticket seller or ticket reseller.

34 **Sec. 7.** RCW 43.24.150 and 2017 c 281 s 40 are each amended to
35 read as follows:

1 (1) The business and professions account is created in the state
2 treasury. All receipts from business or professional licenses,
3 registrations, certifications, renewals, examinations, or civil
4 penalties assessed and collected by the department from the following
5 chapters must be deposited into the account:

- 6 (a) Chapter 18.11 RCW, auctioneers;
- 7 (b) Chapter 18.16 RCW, cosmetologists, barbers, and manicurists;
- 8 (c) Chapter 18.145 RCW, court reporters;
- 9 (d) Chapter 18.165 RCW, private investigators;
- 10 (e) Chapter 18.170 RCW, security guards;
- 11 (f) Chapter 18.185 RCW, bail bond agents;
- 12 (g) Chapter 18.280 RCW, home inspectors;
- 13 (h) Chapter 19.16 RCW, collection agencies;
- 14 (i) Chapter 19.31 RCW, employment agencies;
- 15 (j) Chapter 19.105 RCW, camping resorts;
- 16 (k) Chapter 19.138 RCW, sellers of travel;
- 17 (l) Chapter 42.45 RCW, notaries public;
- 18 (m) Chapter 64.36 RCW, timeshares;
- 19 (n) Chapter 67.08 RCW, boxing, martial arts, and wrestling;
- 20 (o) Chapter 18.300 RCW, body art, body piercing, and tattooing;
- 21 (p) Chapter 79A.60 RCW, whitewater river outfitters;
- 22 (q) Chapter 19.158 RCW, commercial telephone solicitation;
- 23 (~~and~~)
- 24 (r) Chapter 19.290 RCW, scrap metal businesses; and
- 25 (s) Chapter 19.345 RCW, ticket sales.

26 Moneys in the account may be spent only after appropriation.
27 Expenditures from the account may be used only for expenses incurred
28 in carrying out these business and professions licensing activities
29 of the department. Any residue in the account must be accumulated and
30 may not revert to the general fund at the end of the biennium.
31 However, during the 2013-2015 fiscal biennium the legislature may
32 transfer to the state general fund such amounts as reflect the excess
33 fund balance in the account.

34 (2) The director must biennially prepare a budget request based
35 on the anticipated costs of administering the business and
36 professions licensing activities listed in subsection (1) of this
37 section, which must include the estimated income from these business
38 and professions fees.

39 **DIRECTOR DUTIES**

1 (c) The price of an admission ticket may not increase between
2 selection and purchase, excluding reasonable fees for the delivery of
3 nonelectronic tickets based on the delivery method selected by the
4 purchaser, which must be disclosed prior to acceptance of payment.

5 **CONSUMER DISCLOSURES**

6 NEW SECTION. **Sec. 10.** (1) Prior to a user's completion of a
7 purchase of an admission ticket, including by means of an internet
8 website, application, phone system, or other technology used to sell
9 tickets, the following must be disclosed to a user by a ticket
10 seller, ticket reseller, and ticket resale marketplace:

11 (a) The terms of a purchaser's right to cancel the purchase of an
12 admission ticket from the ticket seller or ticket reseller;

13 (b) The refund policy of the ticket seller or ticket reseller
14 should an event be canceled;

15 (c) Whether the ticket seller, ticket reseller, or ticket resale
16 marketplace is owned by, owns, or shares common ownership with
17 another ticket seller or ticket reseller;

18 (d) Whether an admission ticket is transferable, as provided for
19 in section 11 of this act;

20 (e) A hyperlink to a copy of the licensee's license;

21 (f) Contact information to submit a consumer complaint including,
22 but not limited to, information for the Washington state consumer
23 protection division complaint website; and

24 (g) A statement that Washington state has consumer protections
25 for consumers of admission tickets for events, and where those laws
26 may be found.

27 (2) If a ticket reseller is owned by, owns, or shares common
28 ownership with a ticket seller, prior to a user's completion of a
29 purchase of an admission ticket the ticket reseller must disclose the
30 following:

31 (a) Whether admission tickets for an event are still available
32 for purchase from the ticket seller with whom the ticket reseller
33 shares common ownership, owns, or is owned by; and

34 (b) The base price of the admission ticket available for purchase
35 from that ticket seller.

36 **TICKET TRANSFERABILITY**

1 reseller or any affiliate of a ticket reseller shall not resell an
2 admission ticket or advertise an admission ticket for resale unless:

3 (a) (i) The admission ticket is in the possession or constructive
4 possession of the ticket reseller; or

5 (ii) The ticket reseller has a written contract with the rights
6 holder of the admission ticket to obtain the admission ticket; and

7 (b) The ticket reseller discloses to an admission ticket
8 purchaser at the outset of the transaction the information required
9 under subsection (2) of this section, as applicable.

10 (2) The disclosure under subsection (1) of this section must
11 include an approximate delivery date and the number of admission
12 tickets that are guaranteed to be grouped together, including any
13 designation by the venue of an assigned seating zone, section number,
14 or seat number. If the ticket reseller cannot guarantee specific
15 seats, then the ticket reseller must also disclose this fact to an
16 admission ticket purchaser at the outset of the transaction.

17 (3) If a ticket reseller is unsuccessful in securing the
18 tentative tickets contemplated in this section, then the ticket
19 reseller must refund any deposit made by the purchaser of those
20 admission tickets no later than 10 days after the date of the
21 ticketed event.

22 **UNIFORM REGULATION OF BUSINESS AND PROFESSIONS ACT**

23 NEW SECTION. **Sec. 14.** The uniform regulation of business and
24 professions act, chapter 18.235 RCW, governs unlicensed practice, the
25 issuance and denial of licenses, and the discipline of licensees
26 under this chapter.

27 **Sec. 15.** RCW 18.235.020 and 2017 c 281 s 37 are each amended to
28 read as follows:

29 (1) This chapter applies only to the director and the boards and
30 commissions having jurisdiction in relation to the businesses and
31 professions licensed under the chapters specified in this section.
32 This chapter does not apply to any business or profession not
33 licensed under the chapters specified in this section.

34 (2) (a) The director has authority under this chapter in relation
35 to the following businesses and professions:

36 (i) Auctioneers under chapter 18.11 RCW;

1 (ii) Bail bond agents and bail bond recovery agents under chapter
2 18.185 RCW;

3 (iii) Camping resorts' operators and salespersons under chapter
4 19.105 RCW;

5 (iv) Commercial telephone solicitors under chapter 19.158 RCW;

6 (v) Cosmetologists, barbers, manicurists, and estheticians under
7 chapter 18.16 RCW;

8 (vi) Court reporters under chapter 18.145 RCW;

9 (vii) Driver training schools and instructors under chapter 46.82
10 RCW;

11 (viii) Employment agencies under chapter 19.31 RCW;

12 (ix) For hire vehicle operators under chapter 46.72 RCW;

13 (x) Limousines under chapter 46.72A RCW;

14 (xi) Notaries public under chapter 42.45 RCW;

15 (xii) Private investigators under chapter 18.165 RCW;

16 (xiii) Professional boxing, martial arts, and wrestling under
17 chapter 67.08 RCW;

18 (xiv) Real estate appraisers under chapter 18.140 RCW;

19 (xv) Real estate brokers and salespersons under chapters 18.85
20 and 18.86 RCW;

21 (xvi) Scrap metal processors, scrap metal recyclers, and scrap
22 metal suppliers under chapter 19.290 RCW;

23 (xvii) Security guards under chapter 18.170 RCW;

24 (xviii) Sellers of travel under chapter 19.138 RCW;

25 (xix) Timeshares and timeshare salespersons under chapter 64.36
26 RCW;

27 (xx) Whitewater river outfitters under chapter 79A.60 RCW;

28 (xxi) Home inspectors under chapter 18.280 RCW;

29 (xxii) Body artists, body piercers, and tattoo artists, and body
30 art, body piercing, and tattooing shops and businesses, under chapter
31 18.300 RCW; (~~and~~)

32 (xxiii) Appraisal management companies under chapter 18.310 RCW;
33 and

34 (xxiv) Ticket sales under chapter 19.345 RCW.

35 (b) The boards and commissions having authority under this
36 chapter are as follows:

37 (i) The state board for architects established in chapter 18.08
38 RCW;

39 (ii) The Washington state collection agency board established in
40 chapter 19.16 RCW;

1 (iii) The state board of registration for professional engineers
2 and land surveyors established in chapter 18.43 RCW governing
3 licenses issued under chapters 18.43 and 18.210 RCW;

4 (iv) The funeral and cemetery board established in chapter 18.39
5 RCW governing licenses issued under chapters 18.39 and 68.05 RCW;

6 (v) The state board of licensure for landscape architects
7 established in chapter 18.96 RCW; and

8 (vi) The state geologist licensing board established in chapter
9 18.220 RCW.

10 (3) In addition to the authority to discipline license holders,
11 the disciplinary authority may grant or deny licenses based on the
12 conditions and criteria established in this chapter and the chapters
13 specified in subsection (2) of this section. This chapter also
14 governs any investigation, hearing, or proceeding relating to denial
15 of licensure or issuance of a license conditioned on the applicant's
16 compliance with an order entered under RCW 18.235.110 by the
17 disciplinary authority.

18 NEW SECTION. **Sec. 16.** If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

22 NEW SECTION. **Sec. 17.** Sections 3, 5, 6, and 8 through 14 of
23 this act are each added to chapter 19.345 RCW.

24 NEW SECTION. **Sec. 18.** This act takes effect January 1, 2026.

25 NEW SECTION. **Sec. 19.** (1) The legislature finds that
26 Washingtonians are proud to support the arts and music and
27 entertainment events; value the opportunity to attend live events;
28 and appreciate the economic benefit these events and venues bring to
29 local communities.

30 (2) The legislature submits that in multiple instances, consumers
31 have had negative ticket sales experiences, including the most recent
32 Taylor Swift concert tour. These concert fans were frustrated at the
33 "nightmare dressed like a daydream" when trying to get access to
34 their favorite artist's live events. When fans felt the ticket sales
35 industry created "bad blood" with consumers, they refused to be told
36 "you need to calm down."

1 (3) The legislature believes ticket sellers should be "fearless"
2 in providing integrity, fairness, and transparency with consumers,
3 and therefore, the legislature refuses to "shake it off."

--- **END** ---