

SENATE BILL REPORT

SB 6175

As of January 28, 2026

Title: An act relating to ticket sales.

Brief Description: Concerning ticket sales.

Sponsors: Senators Lovelett, Wilson, J., Wellman, Dhingra, Frame, Pedersen, Nobles, Valdez, Alvarado, Trudeau, Cortes, Conway, Slatter, Lovick, Wilson, C., Kauffman, Shewmake, Salomon, Bateman, Cleveland, Orwall, Hunt, Wagoner, Robinson, Hasegawa and Riccelli.

Brief History:

Committee Activity: Business, Trade & Economic Development: 1/28/26.

Brief Summary of Bill

- Creates a licensing framework for the sale and resale of tickets.
- Prohibits and regulates specified ticket resale practices.
- Establishes price and fee caps for resold tickets.
- Provides penalties and enforcement under the Consumer Protection Act for specified violations of ticket sales practices.

SENATE COMMITTEE ON BUSINESS, TRADE & ECONOMIC DEVELOPMENT

Staff: William Bridges (786-7312)

Background: Regulating Internet Ticket Sales. In 2015, legislation was enacted to address the use of software, commonly referred to as BOTs—web robots, to interfere with the operation of ticket sales over the internet. The legislation prohibits the following conduct:

- the use software to interfere with or disrupt the operation of ticket sales over the Internet; or
- the sale of software that is advertised for profit with the express purpose of interfering

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with or disrupting the operation of ticket sales over the Internet.

Under the 2015 legislation, a ticket seller means a person that makes admission tickets available, directly or indirectly, at an initial presale or sale to the general public, and may include an owner or operator of a place of entertainment, a sponsor or promoter of an event, a sports team participating in an event, a fan club or affinity group, a theater company, a musical group, or similar participant in an event, or an employee or agent of any such person.

The 2015 legislation is enforced through the Consumer Protection Act (CPA). The use or sale of software with the knowing purpose to interfere with or disrupt the operation of Internet ticket sales was found to be an unfair or deceptive act in trade or commerce and an unfair method of competition for the purposes of applying the CPA.

Consumer Protection Act. The CPA allows a person injured by an unfair or deceptive practice to bring a private cause of action for actual damages, injunctive relief, reasonable attorney's fees, and treble damages. The Office of the Attorney General may investigate and prosecute claims under the CPA on behalf of the state or individuals in the state as well.

To prevail on a CPA claim, a plaintiff must prove five elements:

- an unfair or deceptive act or practice occurred;
- the act or practice occurred in trade or commerce;
- there is a public interest impact;
- there is an injury to the plaintiff's business or property; and
- there is causation.

When the Legislature declares a specific act or practice a per se violation of the CPA, a plaintiff need only to show injury and causation to prevail.

Uniform Regulation of Business and Professions Act. The Uniform Regulation of Business and Professions Act (URBPA) provides standardized disciplinary procedures for various businesses and professions. URBPA authorizes the Department of Licensing or relevant boards to investigate violations, issue sanctions, and hold hearings.

Federal Better Online Ticket Sales Act. The Federal Better Online Ticket Sales Act (Act) prohibits the circumvention of a security measure, access control system, or other technological control measure used online by a ticket issuer. The Act also prohibits selling or offering to sell an event ticket obtained through such a circumvention violation if the seller participated in, had the ability to control, or should have known about the violation. The Act applies to event tickets for public concerts, theater performances, sporting events, and similar activities at venues with seating capacity of over 200.

Summary of Bill: Enacting the Washington Access and Venue Equity Act and Expressing Legislative Intent. The Washington Access and Venue Equity (WAVE) Act is enacted to,

among other things, protect consumers by promoting transparency and fair competition in both the primary and secondary ticket markets, while also supporting nonprofit and smaller arts and performance venues that are essential to Washington's culture and economy. The WAVE Act takes effect on July 1, 2027.

Exempting Specified Events from the Washington Access and Venue Equity Act. The WAVE Act does not apply to the following events:

- agricultural fairs;
- K-12 schools, institutions of higher education, or associated booster clubs or student organizations;
- nonprofit organizations or businesses whose primary purpose is the advancement or presentation of arts, culture, science, or heritage, and that have an annual gross revenue from the sale of tickets of less than \$500,000;
- movie theaters;
- professional and collegiate athletic teams;
- federally recognized tribes; and
- tribal cultural institutions.

Defining Terms. Various terms are defined, for example:

- all-in price means the total cost of an admission ticket, including all fees and charges that must be paid to purchase the ticket, but excluding taxes and shipping costs. The all-in price must be the most prominent price presented to the consumer;
- primary ticket seller replaces the 2015 definition of ticket seller. Primary ticket seller means the person or entity that has the initial contractual right to sell the admission tickets for an event directly to the public, which may include the owner or operator of a venue, a promoter, or an authorized agent of the owner, operator, or promoter;
- resale means the second or subsequent sale of a ticket by any method, including in-person transactions, telephone, mail, email, facsimile, or electronic means through websites or mobile apps;
- reseller means a person, partnership, corporation, limited liability company, other organization, or any combination thereof engaged in the business of the resale of tickets;
- secondary ticket exchange means an electronic marketplace enabling the sale, purchase, and resale of tickets;
- speculative ticket means a ticket not in the actual or constructive possession of the reseller at the time of listing, sale, or advertisement. This includes tickets not owned by the reseller or under contract to be transferred to the reseller at the time of sale;
- ticket issuer means the person or entity that issues tickets and terms for the ticket buyers, which may include an artist, a band, a promoter, a sports team, a venue, a theater, a club, or a festival; and
- ticket resale marketplace means a person or entity that operates a platform or exchange to facilitate the resale or offering for resale of admission tickets between third parties, which includes platforms or exchanges operating by means of an internet website, application, phone system, or other similar technology, and who

does not generally maintain their own ticket inventory, and which may include a ticket seller.

Declaring Unfair or Deceptive Acts Regarding the Transfer of Tickets. Various acts or practices are declared unfair or deceptive.

Transferability of Tickets. Ticket issuers may not restrict the transferability of a sold ticket unless the terms are clearly disclosed and acknowledged by the consumer prior to purchase.

Resellers, Ticket Resale Marketplaces, and Secondary Ticket Exchanges. It is an unfair or deceptive act or practice for a person to engage in the business of a ticket reseller or ticket resale marketplace without:

- the written permission of the original ticket seller, or the owner or operator of the venue, or both, if the resale transaction violates the terms of the original ticket sale;
- clearly and conspicuously disclosing, in specified font size, the all-in price before a consumer selects a ticket to purchase, and an itemized breakdown of the base ticket price and all additional fees, charges, and taxes, before acceptance of payment;
- ensuring that the price of a ticket does not increase from the time it is selected by a consumer to the time of purchase;
- disclosing their name, and their business address, including the name and contact information of a registered agent or agent for out-of-state businesses;
- providing a readily accessible path to contacting for complaints, customer service, and inquiries, including telephone number, email address, a standard refund policy, and virtual support, with anticipated response time, and guaranteeing a response to consumer inquiries within three business days;
- providing the actual location of seats if reserved, or section, if applicable, if there is a general admission event;
- providing clear and conspicuous disclosure of any restrictions on entry to the venue and limitations or restrictions on resale or transferability;
- providing the original face value of the ticket alongside the resellers' price, in the same currency, and disclosed directly adjacent to the resellers' price and be of comparable font size; and
- providing clear and conspicuous disclosure that the person is a reseller and not an official ticket seller.

Prohibiting Acts Regarding the Transfer of Tickets. The WAVE Act prohibits a number of actions including:

- the sale, offer for sale, or advertisement of a speculative ticket is prohibited. An advertisement for a speculative ticket is a violation for each ticket listed in the advertisement;
- resellers and secondary ticket exchanges are prohibited from listing or selling tickets before their initial public on-sale. Fan club presale tickets may not be accessed, listed, or resold by any ticket reseller or exchange;
- resellers must notify ticket buyers in writing within eight hours if they receive

- notification that an event is canceled, rescheduled, delayed, or the venue is changed;
- resellers may not alter original digital tickets to change ticket pricing, order numbers, names, or other information printed on the face of the ticket. Charitable organizations are not subject to the requirements when fundraising for the organization's charitable purpose;
- a person may not knowingly purchase with the intent to resell, tickets from the original ticket seller exceeding the ticket limit set at the point of the original ticket seller. This prohibition does not apply to charitable fundraising activities; and
- a person may not knowingly resell or offer to resell a ticket that was obtained in violation of the WAVE Act.

Limiting Service Fees and the Price of Resold Tickets. The total price a reseller may sell or offer to sell a ticket to a consumer, including any fees and taxes, may not exceed 110 percent of the total price of the initial ticket. Service fees may not exceed 10 percent of the initial ticket's total price to the consumer. The fee and price limitations do not apply to the resale of tickets for a sporting event where the ticket issuer is a professional or minor league sports team, sports organization, or promoter.

Regulating Secondary Ticket Exchanges. Secondary ticket exchanges, resellers, or website operators offering entertainment event tickets are prohibited from using an artist's name, venue logos, or similar information used to imply endorsement or affiliation without the express written consent of the venue or performing artist.

Resellers are prohibited from using the name of an artist, performer, team, or venue in the website's address with the intent to gain an unfair search engine optimization advantage or to mislead consumers into believing the site is an official or primary seller.

Digital or internet advertising must include a clear disclosure in the top 20 percent of the webpage, including the homepage, landing pages, and any page where tickets are purchased, stating, among other things, the website is a reseller and not an original or primary ticket seller.

Guaranteeing Refunds. Ticket resellers or ticket resale market laces must guarantee a full refund to a purchaser within two weeks if the event for which the ticket was resold is canceled, if the ticket is not legitimate, or the purchaser is denied entrance into the facility due to violation of permissive terms by the reseller. Nonprofit event presenters may offer purchasers the ability to choose between receiving a full refund in the event of a cancellation or another option, including donating the amount paid for their ticket to the nonprofit, or receiving an exchange or gift certificate. A failure to comply with the refund requirements is an unfair or deceptive act or practice.

Creating a Licensing Framework for Entities Engaged in the Resale of Tickets. The Department of Licensing (DOL) is required to establish licensing requirements for ticket resale marketplaces and commercial ticket resellers, establish fees, enforcement tools,

bonding requirements, civil penalties, and other enforcement provisions. Entities licensed under the WAVE Act are subject to URBPA. Persons who resell fewer than ten tickets within a single calendar year are exempt from the licensing requirements.

Establishing Enforcement Mechanisms. Various enforcement provisions are created.

Civil Penalties. Persons who violate the WAVE Act are liable for the following civil penalties:

- a base penalty of at least \$1,000 for each day the violation occurs or continues; and
- an additional penalty equal to the greater of:
 1. \$1,000 per ticket listed, advertised, sold, or resold in violation of this chapter; or
 2. an amount equal to three times the total ticket price of each ticket listed, advertised, sold, or resold in violation of this chapter.

An applicant intentionally providing false information in a license application is subject to denial of the application, or if the license is issued, suspension or revocation of the license, or a civil penalty up to \$1,000 per violation, or both.

Failure to provide 30 day notice of a change in business name, address, or primary contact information may result in suspension or revocation of the license, or a civil penalty of up to \$1,000 per violation, or both, as determined by DOL.

Civil Cause of Action. Consumers who claim violations of the WAVE Act's provisions regarding ticket price limitations and speculative tickets, and can demonstrate actual monetary damages or denial of entry to the event resulting from the violation, may bring a civil action against the violating party for damages limited to the greater of: three times the amount of the initial ticket price or \$500 per violation. This remedy does not apply if the tickets are sold as part of a package that includes additional goods or services such as transportation or lodging.

Requiring Surety Bonds. Resellers are required to maintain a minimum of \$25,000 surety bond. DOL is authorized to adjust the amount up to \$100,000. DOL may enforce collection and must oversee the consumer claim process.

Applying the Consumer Protection Act to Violations of the Washington Access and Venue Equity Act. The Legislature finds that practices covered by the WAVE Act are matters vitally affecting the public interest for the purpose of applying the CPA. But a consumer's private right of action for a violation of this act is limited to only those provisions that involve fraud, speculative ticketing, BOT use, or the failure to provide a guaranteed refund in the case of a canceled or illegitimate ticket. No private right of action is authorized for a violation of administrative requirements or disclosure requirements unless the violation results in a direct and demonstrable injury to the consumer.

Requiring Annual Reports. DOL must establish a publicly accessible website to allow individuals to report violations of the WAVE Act. DOL must also prepare an annual report on enforcement actions, penalty collections, and the overall effectiveness of the WAVE Act. The report must be submitted to the relevant legislative committee and made available to the public.

Providing a Severability Clause. If any provision of the WAVE Act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on July 1, 2027.

Staff Summary of Public Testimony: PRO: Like Napster harming record stores by facilitating pirated music, the use of bots and other ticketing technology is undermining artists and cultural hubs. Consumers are being harmed by predatory practices in the ticket resale marketplace. This commonsense legislation brings transparency and accountability to ticket sales and protects artists, venues, and consumers. When fans overpay for one event, they cannot afford others. Nonprofit arts organizations rely on trust and have a mission to keep prices accessible. When tickets are resold at a higher price to make a profit, that trust is broken. Consumers want an honest ticket market, not one driven by speculators. Artists have a right to fair compensation. Ticket reselling has become a predatory and exploitive business, creating artificial scarcity and charging fans ransom to access tickets. This bill addresses critical issues such as all-in pricing, ending deceptive practices, resale caps, bot enforcement, and bans on speculative ticketing. In a recent run of Lion King, \$350,000 worth of tickets had to be cancelled because they were purchased in large quantities by scalpers using bots. Non-profit organizations are often subsidized by government, allowing their tickets to be sold below market value, which resellers unfairly sell for a profit. The bill aligns with what artists have been requesting. Nonprofits spend valuable resources combatting unscrupulous resellers and the problems they cause. When tickets get flipped, venues and their staff get blamed, and the scammer makes off with the profits. Tickets have always been a license, not property. The bill was vetted by real frontline workers who have to deal with the consequences of fraudulent tickets.

CON: Does not address anti-fan behavior, such as what some Seahawks fans experienced when reselling their tickets. By excluding sports tickets, it creates a two-tiered system where fans attending a concert at Climate Pledge Area receive consumer protections but sports fans attending the same venue do not. Sports fans and music fans should not be subject to different sets of rules. Price caps can spike fraud, which is why Massachusetts

and Ontario, Canada recently repealed their caps. Caps drive consumers to unregulated service on social media where scammers flourish. Secondary markets can save money for consumers. Since 2017, consumers saved \$19.5 million dollars buying secondary market tickets. StubHub moved ticket reselling from the street corner to a safe and transparent online marketplace where sellers choose their price and buyers decide what works for their budget. StubHub guarantees its tickets. StubHub support legislation directed at bots and fake websites, but not price caps. The legislation treats a ticket as a license and not property the consumer owns. Three recommended amendments: prohibit reselling platforms from selling speculative tickets, clarity on price caps, and the cancellation notice be extended from to 24 hours, instead of eight hours. Price caps will force legitimate resellers out of the state. The bill will prevent consumers from saving money, and will undermine the rights of season ticket holders. The bill will entrench the power of dominant ticket incumbents, restrict the transferability of tickets, and reduce competition and innovation in the online ticketing marketplace.

OTHER: The Arts Commission took a lead role in drafting the bill, in conjunction with the prime sponsor, national venue associations, the Attorney General, DOL, and other venues and artists statewide. The bill is based on transparency; it bans drip pricing, mandates comparative pricing, and fairness. The live event marketplace is broken because it is designed to extract the maximum possible value from consumers. There are no white knights in this industry. While the provisions regarding all-in pricing, bots protection, and speculative ticketing are good, but the bill has weak enforcement mechanisms and guarantees for cancelled resold tickets but not primary tickets.

Persons Testifying: PRO: Senator Liz Lovelett, Prime Sponsor; Ron Gubitz, Music Artists Coalition; Jill Barnes, The Washington Center for the Performing Arts; Steven Ginsburg, Field Arts & Events Hall; Kevin Erickson, Future of Music Coalition; Charlie Robin, Capitol Theatre Committee; David Touhey, International Association of Venue Managers; Josh LaBelle, Seattle Theatre Group; Mason Reed, TIMs (Together In Music); Adam Immerwahr, Village Theatre; Leigh Bezezekoff, Washington Nightlife and Music Association; Kari Johnson; Manny Cawaling, Inspire Washington.

CON: Brian Young, Sports Fans Coalition; Sean Auyash, StubHub; Ian Lee, Ticket Policy Forum; Robert Singleton, Chamber of Progress.

OTHER: John Breyault, National Consumers League; Karen Hanan, ArtsWA (WA State Arts Commission); Josh Stephens, Live Nation.

Persons Signed In To Testify But Not Testifying: No one.