

119TH CONGRESS  
1ST SESSION

# S. 281

To require sellers of event tickets to disclose comprehensive information to consumers about ticket prices and related fees, to prohibit speculative ticketing, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2025

Mr. SCHMITT (for himself and Mr. MARKEY) introduced the following bill;  
which was read twice and referred to the Committee on Commerce,  
Science, and Transportation

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## A BILL

To require sellers of event tickets to disclose comprehensive information to consumers about ticket prices and related fees, to prohibit speculative ticketing, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transparency In  
5 Charges for Key Events Ticketing Act” or the “TICKET  
6 Act”.

1 **SEC. 2. ALL INCLUSIVE TICKET PRICE DISCLOSURE.**

2 Beginning 180 days after the date of the enactment  
3 of this Act, it shall be unlawful for a ticket issuer, sec-  
4 ondary market ticket issuer, or secondary market ticket  
5 exchange to offer for sale an event ticket unless the ticket  
6 issuer, secondary market ticket issuer, or secondary mar-  
7 ket ticket exchange—

8 (1) clearly and conspicuously displays the total  
9 event ticket price, if a price is displayed, in any ad-  
10 vertisement, marketing, or price list wherever the  
11 ticket is offered for sale;

12 (2) clearly and conspicuously discloses to any  
13 individual who seeks to purchase an event ticket the  
14 total event ticket price at the time the ticket is first  
15 displayed to the individual and anytime thereafter  
16 throughout the ticket purchasing process; and

17 (3) provides an itemized list of the base event  
18 ticket price and each event ticket fee prior to the  
19 completion of the ticket purchasing process.

20 **SEC. 3. SPECULATIVE TICKETING BAN.**

21 (a) PROHIBITION.—Beginning 180 days after the  
22 date of the enactment of this Act, a ticket issuer, sec-  
23 ondary market ticket issuer, or secondary market ticket  
24 exchange that does not have actual or constructive posses-  
25 sion of an event ticket shall not sell, offer for sale, or ad-  
26 vertise for sale such event ticket.

1 (b) SERVICES PERMITTED.—Notwithstanding sub-  
 2 section (a), a secondary market ticket issuer or secondary  
 3 market ticket exchange may sell, offer for sale, or adver-  
 4 tise for sale a service to an individual to obtain an event  
 5 ticket on behalf of such individual if the secondary market  
 6 ticket issuer or secondary market ticket exchange complies  
 7 with the following:

8 (1) Does not market or list the service as an  
 9 event ticket.

10 (2) Maintains a clear, distinct, and easily dis-  
 11 cernible separation between the service and event  
 12 tickets that persists throughout the entire service se-  
 13 lection and purchasing process.

14 (3) Clearly and conspicuously discloses before  
 15 selection of the service that the service is not an  
 16 event ticket and that the purchase of the service  
 17 does not guarantee an event ticket.

18 **SEC. 4. DISCLOSURES.**

19 A ticket issuer, secondary market ticket issuer, or  
 20 secondary market ticket exchange—

21 (1) if offering an event ticket for resale, shall  
 22 provide a clear and conspicuous statement, before a  
 23 consumer purchases the event ticket from the ticket  
 24 issuer, secondary market ticket issuer, or secondary

1 market ticket exchange, that the issuer or exchange  
 2 is engaged in the secondary sale of event tickets; and

3 (2) shall not state that the ticket issuer, sec-  
 4 ondary market ticket issuer, or secondary market  
 5 ticket exchange is affiliated with or endorsed by a  
 6 venue, team, or artist, as applicable, including by  
 7 using words like “official” in promotional materials,  
 8 social media promotions, or paid advertising, unless  
 9 a partnership agreement has been executed or the  
 10 issuer or exchange has the express written consent  
 11 of the venue, team, or artist, as applicable.

12 **SEC. 5. REFUND REQUIREMENTS.**

13 (a) CANCELLATION.—Beginning 180 days after the  
 14 date of the enactment of this Act, if an event is canceled  
 15 or postponed (except for a case in which an event is can-  
 16 celed or postponed due to a cause beyond the reasonable  
 17 control of the issuer, including a natural disaster, civil dis-  
 18 turbance, or otherwise unforeseeable impediment), a ticket  
 19 issuer, secondary market ticket issuer, or secondary mar-  
 20 ket ticket exchange shall provide the purchaser of an event  
 21 ticket from the issuer or exchange for the canceled or post-  
 22 poned event, at a minimum—

23 (1) if the event is cancelled, a full refund for  
 24 the total event ticket price;

1           (2) subject to availability, if the event is post-  
 2           poned for not more than 6 months and the original  
 3           event ticket is no longer valid for entry to the re-  
 4           scheduled event, a replacement event ticket for the  
 5           rescheduled event in the same or a comparable loca-  
 6           tion once the event has been rescheduled; or

7           (3) if the event is postponed for more than 6  
 8           months, at the option of the purchaser—

9                   (A) a full refund for the total event ticket  
 10                  price; or

11                   (B) if the original event ticket is no longer  
 12                  valid for entry to the rescheduled event, a re-  
 13                  placement event ticket for the rescheduled event  
 14                  in the same or a comparable location once the  
 15                  event has been rescheduled.

16           (b) DISCLOSURE OF GUARANTEE AND REFUND POL-  
 17           ICY REQUIRED.—Beginning 180 days after the date of the  
 18           enactment of this Act, a ticket issuer, secondary market  
 19           ticket issuer, or secondary market ticket exchange shall  
 20           disclose clearly and conspicuously to a purchaser before  
 21           the completion of an event ticket sale the guarantee or  
 22           refund policy of such ticket issuer, secondary market tick-  
 23           et issuer, or secondary market ticket exchange, including  
 24           under what circumstances any refund issued will include  
 25           a refund of any event ticket fee.

1       (c) DISCLOSURE OF HOW TO OBTAIN A REFUND RE-  
 2       QUIRED.—Beginning 180 days after the date of the enact-  
 3       ment of this Act, a ticket issuer, secondary market ticket  
 4       issuer, or secondary market ticket exchange shall provide  
 5       a clear and conspicuous explanation of how to obtain a  
 6       refund of the total event ticket price.

7       **SEC. 6. REPORT BY THE FEDERAL TRADE COMMISSION ON**  
 8                               **BOTS ACT OF 2016 ENFORCEMENT.**

9       Not later than 6 months after the date of the enact-  
 10      ment of this Act, the Commission shall submit to Congress  
 11      a report on enforcement of the Better Online Ticket Sales  
 12      Act of 2016 (Public Law 114–274; 15 U.S.C. 45c), includ-  
 13      ing any enforcement action taken, challenges with enforce-  
 14      ment and coordination with State Attorneys General, and  
 15      recommendations on how to improve enforcement and in-  
 16      dustry compliance.

17      **SEC. 7. ENFORCEMENT.**

18      (a) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A  
 19      violation of this Act shall be treated as a violation of a  
 20      rule defining an unfair or deceptive act or practice under  
 21      section 18(a)(1)(B) of the Federal Trade Commission Act  
 22      (15 U.S.C. 57a(a)(1)(B)).

23      (b) POWERS OF COMMISSION.—

24               (1) IN GENERAL.—The Commission shall en-  
 25      force this Act in the same manner, by the same

1 means, and with the same jurisdiction, powers, and  
 2 duties as though all applicable terms and provisions  
 3 of the Federal Trade Commission Act (15 U.S.C. 41  
 4 et seq.) were incorporated into and made a part of  
 5 this Act.

6 (2) PRIVILEGES AND IMMUNITIES.—Any person  
 7 who violates this Act shall be subject to the penalties  
 8 and entitled to the privileges and immunities pro-  
 9 vided in the Federal Trade Commission Act (15  
 10 U.S.C. 41 et seq.).

11 (3) AUTHORITY PRESERVED.—Nothing in this  
 12 Act shall be construed to limit the authority of the  
 13 Commission under any other provision of law.

14 **SEC. 8. DEFINITIONS.**

15 In this Act:

16 (1) ARTIST.—The term “artist” means any per-  
 17 former, musician, comedian, producer, ensemble or  
 18 production entity of a theatrical production, sports  
 19 team owner, or similar person.

20 (2) BASE EVENT TICKET PRICE.—The term  
 21 “base event ticket price” means, with respect to an  
 22 event ticket, the price of the event ticket excluding  
 23 the cost of any event ticket fees.

24 (3) COMMISSION.—The term “Commission”  
 25 means the Federal Trade Commission.

1           (4) EVENT.—The term “event” means any live  
 2           concert, theatrical performance, sporting event,  
 3           show, or similarly scheduled live activity, that is—

4                   (A) taking place in a venue with a seating  
 5                   or attendance capacity exceeding 200 persons;

6                   (B) open to the general public; and

7                   (C) promoted, advertised, or marketed in  
 8           interstate commerce, or for which event tickets  
 9           are generally sold or distributed in interstate  
 10          commerce.

11          (5) EVENT TICKET; TICKET ISSUER.—The  
 12          terms “event ticket” and “ticket issuer” have the  
 13          meaning given those terms in the Better Online  
 14          Ticket Sales Act of 2016 (Public Law 114–274).

15          (6) EVENT TICKET FEE.—The term “event  
 16          ticket fee”—

17                   (A) means a charge for an event ticket  
 18                  that must be paid in addition to the base event  
 19                  ticket price in order to obtain an event ticket  
 20                  from a ticket issuer, secondary market ticket  
 21                  issuer, or secondary market ticket exchange, in-  
 22                  cluding any service fee, charge and order proc-  
 23                  essing fee, delivery fee, facility charge fee, tax,  
 24                  and any other charge; and



1 (B) does not include any charge or fee for  
2 an optional product or service associated with  
3 the event that may be selected by a purchaser  
4 of an event ticket.

5 (7) OPTIONAL PRODUCT OR SERVICE.—The  
6 term “optional product or service” means a product  
7 or service that an individual does not need to pur-  
8 chase to use or take possession of an event ticket.

9 (8) RESALE; SECONDARY SALE.—The terms  
10 “resale” and “secondary sale” mean any sale of an  
11 event ticket that occurs after the initial sale of the  
12 event ticket by a ticket issuer.

13 (9) SECONDARY MARKET TICKET EXCHANGE.—  
14 The term “secondary market ticket exchange”  
15 means any person that in the regular course of trade  
16 or business of that person operates a platform or ex-  
17 change for advertising, listing, or selling resale tick-  
18 ets, on behalf of itself, vendors, or a secondary mar-  
19 ket ticket issuer.

20 (10) SECONDARY MARKET TICKET ISSUER.—  
21 The term “secondary market ticket issuer” means  
22 any person, including a ticket issuer, that resells or  
23 makes a secondary sale of an event ticket to the gen-  
24 eral public in the regular course of the trade or busi-  
25 ness of the person.

1           (11) TOTAL EVENT TICKET PRICE.—The term  
2           “total event ticket price” means, with respect to an  
3           event ticket, the total cost of the event ticket, includ-  
4           ing the base event ticket price and any event ticket  
5           fee.

6           (12) VENUE.—The term “venue” means a  
7           physical space at which an event takes place.

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