AMENDMENT NO._______ Calendar No._______

Purpose: In the nature of a substitute.


S. 1303

To require sellers of event tickets to disclose comprehensive information to consumers about ticket prices and related fees.

Referred to the Committee on _________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. CRUZ (for himself and Ms. CANTWELL)

Viz:

1 Strike all after the enacting clause and insert the following:

3 SECTION 1. SHORT TITLE.

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

7 SEC. 2. DEFINITIONS.

8 In this Act:

9 (1) COMMISSION; EVENT TICKET; TICKET ISSUER.—The terms “Commission”, “event ticket”, and “ticket issuer” have the same meanings as in
the Better Online Ticket Sales Act of 2016 (Public Law 114–274).

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

(3) **EVENT.**—The term “event” means any live concert, theatrical performance, sporting event, show, or similarly scheduled live activity, taking place in a venue with a seating or attendance capacity exceeding 200 persons that is—

(A) open to the general public; and

(B) promoted, advertised, or marketed in interstate commerce, or for which event tickets are generally sold or distributed in interstate commerce.

(4) **TOTAL EVENT TICKET PRICE.**—The term “total event ticket price” means, with respect to an event ticket, the total cost of the event ticket, including the base event ticket price and any event ticket fees.

(5) **EVENT TICKET FEE.**—The term “event ticket fee” means a charge that must be paid in addition to the base event ticket price in order to obtain an event ticket from a ticket issuer or sec-
ondary market ticket issuer, including service fees, charge and order processing fees, delivery fees, facility charge fees, taxes, and other charges, and does not include any charge or fee for an optional product or service associated with the event that may be selected by a purchaser of an event ticket.

(6) **OPTIONAL PRODUCT OR SERVICE.**—The term "optional product or service" means a product or service that an individual does not need to purchase to use or take possession of an event ticket.

(7) **SECONDARY MARKET TICKET ISSUER.**—The term "secondary market ticket issuer" means any entity for which it is in the regular course of the trade or business of the entity to resell or make a secondary sale of an event ticket to the general public.

(8) **RESALE; SECONDARY SALE.**—The terms "resale" and "secondary sale" mean any sale of an event ticket that occurs after the initial sale of the event ticket by a ticket issuer.

**SEC. 3. ALL-INCLUSIVE TICKET PRICE DISCLOSURE.**

Beginning 120 days after the date of enactment of this Act, it shall be unlawful for a ticket issuer or secondary market ticket issuer to offer for sale an event tick-
et unless the ticket issuer or secondary market ticket issuer—

(1) clearly and conspicuously displays the total event ticket price, if a price is displayed, in any advertisement, marketing, or price list wherever the ticket is offered for sale;

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

(3) provides an itemized list of the base event ticket price and each event ticket fee.

SEC. 4. ENFORCEMENT.

(a) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A violation of section 3 shall be treated as a violation of a rule defining an unfair or deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) POWERS OF COMMISSION.—

(1) IN GENERAL.—The Commission shall enforce section 3 in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41
et seq.) were incorporated into and made a part of this Act.

(2) PRIVILEGES AND IMMUNITIES.—Any person who violates section 3 shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

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