

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3950
OFFERED BY MR. BILIRAKIS OF FLORIDA**

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

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

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

18 (3) EVENT.—The term “event” means any live
19 concert, theatrical performance, sporting event,
20 show, or similarly scheduled live activity, taking

1 place in a venue with a seating or attendance capac-
2 ity exceeding 200 persons that is—

3 (A) open to the general public; and

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

8 (4) TOTAL EVENT TICKET PRICE.—The term
9 “total event ticket price” means, with respect to an
10 event ticket, the total cost of the event ticket, includ-
11 ing the base event ticket price and any event ticket
12 fees.

13 (5) EVENT TICKET FEE.—The term “event
14 ticket fee” means a charge that must be paid in ad-
15 dition to the base event ticket price in order to ob-
16 tain an event ticket from a ticket issuer or sec-
17 ondary market ticket issuer, including service fees,
18 charge and order processing fees, delivery fees, facil-
19 ity charge fees, taxes, and other charges, and does
20 not include any charge or fee for an optional product
21 or service associated with the event that may be se-
22 lected by a purchaser of an event ticket.

23 (6) OPTIONAL PRODUCT OR SERVICE.—The
24 term “optional product or service” means a product

1 or service that an individual does not need to pur-
2 chase to use or take possession of an event ticket.

3 (7) **SECONDARY MARKET TICKET ISSUER.**—The
4 term “secondary market ticket issuer” means any
5 entity for which it is in the regular course of the
6 trade or business of the entity to resell or make a
7 secondary sale of an event ticket to the general pub-
8 lic.

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

14 Beginning 180 days after the date of enactment of
15 this Act, it shall be unlawful for a ticket issuer, secondary
16 market ticket issuer, or secondary market ticket exchange
17 to offer for sale an event ticket unless the ticket issuer,
18 secondary market ticket issuer, or secondary market ticket
19 exchange—

20 (1) clearly and conspicuously displays the total
21 event ticket price, if a price is displayed, in any ad-
22 vertisement, marketing, or price list wherever the
23 ticket is offered for sale;

24 (2) clearly and conspicuously discloses to any
25 individual who seeks to purchase an event ticket the

1 total event ticket price at the time the ticket is first
2 displayed to the individual and anytime thereafter
3 throughout the ticket purchasing process; and

4 (3) provides an itemized list of the base event
5 ticket price and each event ticket fee prior to the
6 completion of the ticket purchasing process.

7 **SEC. 4. ENFORCEMENT.**

8 (a) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A
9 violation of section 3 shall be treated as a violation of a
10 rule defining an unfair or deceptive act or practice under
11 section 18(a)(1)(B) of the Federal Trade Commission Act
12 (15 U.S.C. 57a(a)(1)(B)).

13 (b) POWERS OF COMMISSION.—

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

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

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

