

2023 Regular Session

HOUSE BILL NO. 341

BY REPRESENTATIVE DAVIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CONSUMERS/PROTECTION: Provides relative to live event ticketing

1 AN ACT

2 To enact R.S. 4:1.1, relative to event ticketing; to provide for definitions; to provide for
3 certain nontransferable ticketing; to provide protections for ticket holders; to provide
4 for certain permissions of ticket issuers and venue operators; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 4:1.1 is hereby enacted to read as follows:

8 §1.1. Prohibition on certain nontransferable ticketing; reselling tickets for
9 entertainment and sporting events

10 A. For the purposes of this Section, the following definitions apply:

11 (1) "Nontransferable ticketing" means either of the following:

12 (a) Prohibiting a ticket holder from giving away, reselling, or otherwise
13 exchanging a ticket by a method of the ticket holder's choosing.

14 (b) Requiring the ticket holder to facilitate the exchange of a ticket
15 exclusively through the ticket platform affiliated with the original ticket issuer or
16 through any other contractual or technological means provided by the original ticket
17 issuer.

1 (2) "Targeted promotion" means tickets that are offered at a discounted price

2 for any of the following:

3 (a) A person or group that is characterized by a disability or economic
4 hardship.

5 (b) A person's status or affiliation with a religious or charitable institution,
6 society, organization, or civic league.

7 (c) Associations of veterans of any wars of the United States.

8 (d) Nonprofit organizations operating exclusively for the promotion of social
9 welfare.

10 (e) Students.

11 (3) "Ticket holder" means any person who is in possession of a valid ticket
12 for an entertainment or sporting event.

13 (4) "Ticket issuer" means any person or entity that directly or indirectly
14 makes tickets available to an entertainment or sporting event. A ticket issuer may
15 include but is not limited to the operator of a venue, the sponsor or promoter of a
16 sport, a sports team participating in an athletic contest, a league whose teams are
17 participating in an entertainment or sporting event, a theater, dance, or musical
18 group, or similar participant in an entertainment event, or an agent of any such
19 person.

20 (5) "Ticket platform" means a marketplace that enables consumers to
21 purchase and sell tickets.

22 (6) "Transferable form" means both of the following:

23 (a) Tickets to be given away or resold without penalty or discrimination.

24 (b) Tickets to be given away and resold independent of and without requiring
25 the consumer to log into the ticket issuer's preferred ticket platform.

26 B. Notwithstanding any provisions in this Chapter to the contrary, a ticket
27 issuer may employ a nontransferable ticketing system only if the ticket holder is
28 offered an option at the time of initial sale to purchase the same ticket in a
29 transferable form.

1 C.(1) A ticket holder shall not be denied access to an event, discriminated
2 against, or penalized solely on the grounds that a ticket was resold to the ticket
3 holder.

4 (2) A ticket holder shall not be penalized for the resale of or offer to resell
5 tickets.

6 (3) A ticket platform shall not be penalized for the resale of or offer to resell
7 tickets.

8 D. Notwithstanding any provisions in this Chapter to the contrary, a ticket
9 issuer or venue operator may do both of the following:

10 (1) Maintain and enforce policies with respect to conduct, behavior, or age
11 at the venue or entertainment event.

12 (2) Establish limits on the quantity of tickets that may be purchased.

13 E. Notwithstanding any provisions in this Chapter to the contrary, a ticket
14 issuer or venue operator shall not offer tickets in a transferable form if those tickets
15 are sold or given to persons as a part of a private event or a targeted promotion. Such
16 tickets shall not be offered promotionally to the general public and shall be clearly
17 marked as restricted to the specified individual or group.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 341 Reengrossed

2023 Regular Session

Davis

Abstract: Provides for the resale of certain entertainment and sporting event tickets.

Proposed law provides for certain definitions with respect to event ticketing. Additionally, proposed law defines "nontransferable ticketing" as prohibiting the resell or exchange of a ticket or limiting the ticket holder to exchange the ticket exclusively through means provided by the ticket issuer.

Proposed law provides that a ticket issuer may use a nontransferable ticketing system only if the ticket holder is offered to purchase the same ticket in a transferable form at the initial time of sale.

Proposed law provides that the following shall not be penalized on the grounds that a ticket is resold:

- (1) The ticket holder of the resold ticket.

- (2) The ticket holder that offers the ticket for sale.
- (3) A ticket platform.

Proposed law provides that a ticket issuer or venue operator may:

- (1) Maintain and enforce policies with respect to conduct, behavior, or age.
- (2) Establish limits on the quantity of tickets purchased.

Proposed law provides that a ticket issuer or venue operator shall not transfer or resell tickets for a private event or a targeted promotion.

(Adds R.S. 4:1.1)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

- 1. Clarify language in proposed law prohibiting denial of access, discrimination, or penalty against a ticket holder.