

SENATE BILL 891

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9lr3103
CF HB 934

By: **Senators Feldman, Benson, Hayes, Hershey, and Klausmeier**

Introduced and read first time: February 14, 2019

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Resale of Tickets – Disclosures and Refunds**

3 FOR the purpose of prohibiting a ticket reseller from selling or offering to sell tickets that
4 are not currently in the possession of the reseller unless the reseller makes certain
5 disclosures; requiring a reseller to refund a certain deposit or other consideration
6 within a certain period of time, under certain circumstances; and generally relating
7 to the resale of tickets.

8 BY repealing and reenacting, without amendments,

9 Article – Commercial Law

10 Section 13–310

11 Annotated Code of Maryland

12 (2013 Replacement Volume and 2018 Supplement)

13 BY adding to

14 Article – Commercial Law

15 Section 13–310.1

16 Annotated Code of Maryland

17 (2013 Replacement Volume and 2018 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Commercial Law**

21 13–310.

22 (a) This section does not apply to nonprofit organizations.

23 (b) A person who sells reserved seat tickets for an athletic, recreational, cultural,
24 or entertainment event shall display prominently at the ticket–sale location a seating plan

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 which clearly shows the location of every reserved seat and every physical obstruction to
2 the viewing of the event.

3 **13-310.1.**

4 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.

6 (2) (I) "RESALE" MEANS THE SALE OF A TICKET BY A PERSON
7 OTHER THAN THE ISSUER OF THE TICKET OR A PERSON EXPRESSLY AUTHORIZED TO
8 MAKE THE FIRST SALE OF THE TICKET.

9 (II) "RESALE" INCLUDES A SALE BY ANY MEANS, INCLUDING IN
10 PERSON, BY TELEPHONE, BY MAIL, BY E-MAIL, BY FACSIMILE, OR THROUGH A
11 WEBSITE OR OTHER ELECTRONIC MEANS.

12 (3) "RESELLER" MEANS A PERSON WHO OFFERS A TICKET FOR
13 RESALE.

14 (4) "TICKET" MEANS PHYSICAL, ELECTRONIC, OR OTHER EVIDENCE,
15 THAT GRANTS THE POSSESSOR OF THE EVIDENCE PERMISSION TO ENTER A PLACE
16 OF ENTERTAINMENT FOR ONE OR MORE EVENTS AT A SPECIFIED DATE AND TIME.

17 (B) A RESELLER MAY NOT SELL OR OFFER TO SELL TICKETS THAT ARE NOT
18 CURRENTLY IN THE POSSESSION OF THE RESELLER UNLESS THE RESELLER
19 DISCLOSES TO A PROSPECTIVE PURCHASER AT THE OUTSET OF THE SALES
20 TRANSACTION:

21 (1) THAT THE RESELLER IS NOT IN POSSESSION OF THE TICKETS;

22 (2) AN APPROXIMATE DATE ON WHICH THE TICKETS WILL BE
23 DELIVERED TO THE PURCHASER;

24 (3) THE NAME OR A DESCRIPTION OF THE EVENT FOR WHICH THE
25 TICKETS WILL PERMIT ENTRY;

26 (4) THE TOTAL NUMBER OF TICKETS INCLUDED IN THE
27 TRANSACTION;

28 (5) THE NUMBER OF TICKETS FOR SEATS THAT ARE TOGETHER;

29 (6) THE ZONE OR SECTION NUMBER OF THE TICKETS, TO THE EXTENT
30 APPLICABLE TO THE VENUE; AND

1 **(7) FOR RESERVED SEAT TICKETS, THE SEAT NUMBERS OF THE**
2 **TICKETS.**

3 **(C) (1) A RESELLER SHALL REFUND TO A PURCHASER ANY**
4 **CONSIDERATION OR DEPOSIT PAID FOR TICKETS SOLD UNDER THIS SECTION IF THE**
5 **RESELLER FAILS TO OBTAIN THE TICKETS:**

6 **(I) WITHIN 24 HOURS AFTER THE APPROXIMATE DATE OF**
7 **DELIVERY SPECIFIED IN SUBSECTION (B)(2) OF THIS SECTION, BUT BEFORE THE**
8 **COMMENCEMENT OF THE EVENT FOR WHICH THE TICKETS WERE SOLD; OR**

9 **(II) IN CONFORMITY WITH THE DISCLOSURES REQUIRED UNDER**
10 **THIS SECTION.**

11 **(2) A RESELLER SHALL MAKE A REFUND REQUIRED UNDER THIS**
12 **SUBSECTION NOT LATER THAN 10 DAYS AFTER THE FINAL DAY OF THE EVENT FOR**
13 **WHICH THE TICKETS WERE SOLD.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2019.