

# HOUSE BILL NO. 2715

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ROWDEN.

6805H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to event tickets.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be  
2 known as section 407.1390, to read as follows:

**407.1390. 1. As used in this section, the following terms shall mean:**

- 2       **(1) "Consumer", the purchaser of an event ticket;**  
3       **(2) "Credit card", the same as defined in section 407.432;**  
4       **(3) "Credit card entry", allowed entry to a live event or sporting event based solely**  
5 **upon the presentation of the purchasing consumer's credit card and valid identification;**  
6       **(4) "Event ticket", a printed, electronic, or other type of evidence of the right,**  
7 **option, or opportunity for a consumer to occupy a space at, or to enter, or to attend a place**  
8 **of entertainment. Event tickets do not include tickets issued for a private event;**  
9       **(5) "Event ticket vendor", primary ticket sales platforms, secondary ticket**  
10 **exchanges, and ticket issuers;**  
11       **(6) "Primary ticket sales platform", a marketplace operated by or on behalf of a**  
12 **ticket issuer for the use of consumers for the initial purchase of event tickets from the ticket**  
13 **issuer;**  
14       **(7) "Secondary ticket exchange", an electronic marketplace that enables a**  
15 **consumer to buy, sell, and resell event tickets;**  
16       **(8) "Ticket issuer", any person that makes event tickets available, directly or**  
17 **indirectly, or an agent of any such person.**  
18       **2. An event ticket vendor shall:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19           **(1) Not sell an event ticket to a consumer that has a credit card entry restriction**  
20 **without:**

21           **(a) An acknowledgment signed, either in writing or electronically, by the consumer**  
22 **prior to the beginning of any time limitation placed on event ticket purchases and prior to**  
23 **the purchase of such event ticket for all other purchases. The acknowledgment shall**  
24 **include, but not be limited to, any restriction on event ticket transferability, event ticket**  
25 **resale price, or choice of marketplace on event ticket resale; and**

26           **(b) The option for consumers to purchase an event ticket that is transferable at any**  
27 **price, at any time, and without additional fees through the event ticket vendor of the**  
28 **consumer's choice;**

29           **(2) Not issue tickets in an electronic form that is not readily transferable at any**  
30 **price, at any time, and without additional fees through the event ticket vendor of the**  
31 **consumer's choice;**

32           **(3) Maintain a toll-free telephone number for consumer complaints and inquiries;**

33           **(4) Implement a standard refund policy that provides a consumer a full refund or**  
34 **comparable replacement event tickets to consumers who purchased events tickets through**  
35 **that event ticket vendor if:**

36           **(a) The event is cancelled and not rescheduled;**

37           **(b) The event ticket received by the consumer is counterfeit;**

38           **(c) The event ticket has been cancelled by the ticket issuer for non-payment by the**  
39 **original purchaser, or for any reason other than an act or omission of the original**  
40 **purchaser;**

41           **(d) The event ticket fails to conform to the description provided by the event ticket**  
42 **vendor;**

43           **(e) The event ticket was not delivered to the consumer prior to the occurrence of**  
44 **the event, unless such delivery failure was due to an act or omission by the consumer;**

45           **(f) The event ticket does not provide the consumer admission to the event for which**  
46 **the event ticket was purchased.**

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48 **Any standard refund policy implemented under this subdivision shall include the full price**  
49 **paid by the consumer for the event ticket, in addition to all fees charged in connection with**  
50 **the purchase, including but not limited to download, delivery, and shipping fees.**

51           **3. Nothing in this section shall prohibit an event ticket vendor from taking**  
52 **reasonable steps to remediate incidents of fraud, or from implementing consumer**  
53 **protection policies that exceed the minimum requirements set forth in this section.**

54           **4. It shall be considered an unlawful practice subject to the penalties in section**  
55 **407.020 for:**

56           **(1) Any person to knowingly use or sell software to circumvent, thwart, interfere**  
57 **with, or evade a security measure, access control system, or other control or measure on**  
58 **an event ticket vendor platform, website, or online marketplace;**

59           **(2) Any person or event ticket vendor to violate the provisions of this section.**

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