

FINAL BILL REPORT

EHB 1091

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Synopsis as Enacted

Brief Description: Concerning the unauthorized interference of ticket sales over the internet.

Sponsors: Representatives Van De Wege, Klippert, Carlyle, Fey, Goodman, Tarleton, Holy, Gregerson, Jinkins, Lytton, Stanford, Orwall, Kirby, Fitzgibbon, Sawyer, Ryu, Riccelli and Morris; by request of Attorney General.

House Committee on Technology & Economic Development
Senate Committee on Commerce & Labor

Background:

Ticket Web Robots.

Ticket bots or web robots are software programs used to interfere with or disrupt the operation of ticket sales over the Internet or to buy up a substantial portion of the available tickets for later private resale. Interference by ticket bots includes gaining unauthorized priority access to purchasing tickets and reducing access of the general public to online ticket sales at the intended, original price. Commonly affected ticket sales include those for concerts, sporting events, and other entertainment events.

Consumer Protection Act.

The Washington Consumer Protection Act (CPA) declares that unfair and deceptive practices in trade or commerce are illegal. The CPA allows a person injured by an unfair or deceptive practice to bring a private cause of action for damages. The Office of the Attorney General may investigate and prosecute claims under the CPA on behalf of the state or individuals in the state.

Under the CPA, "person" includes natural persons, corporations, trusts, unincorporated associations, and partnerships.

Summary:

A person may not:

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- use software to interfere with or disrupt the operation of ticket sales over the Internet;
or
- sell software that is advertised for profit with the express purpose of interfering with or disrupting the operation of ticket sales over the Internet.

A "ticket seller" is a person that makes admission tickets available at an initial presale or sale to the general public, either directly or indirectly.

The use or sale of software with the purpose to interfere with or disrupt the operation of Internet ticket sales is found to be an unfair or deceptive act in trade or commerce and an unfair method of competition for the purposes of applying the CPA.

The use or sale of applicable software is only a violation of the CPA if the user or seller knows or should know that the purpose of the software is to interfere with or disrupt ticket sales over the Internet.

Votes on Final Passage:

House	98	0	
Senate	49	0	(Senate amended)
House	94	1	(House concurred)

Effective: