
HOUSE BILL 1494

State of Washington 64th Legislature 2015 Regular Session

By Representatives Zeiger, Jinkins, Vick, Stokesbary, and Stambaugh

Read first time 01/21/15. Referred to Committee on Technology & Economic Development.

1 AN ACT Relating to requiring ticket brokers and resellers to make
2 disclosures; and adding a new chapter to Title 19 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.

7 (1) "Online ticket broker" means any person who is engaged in the
8 business of facilitating the sale of tickets from ticket resellers to
9 buyers on an internet web site. The term "online ticket broker" does
10 not include persons not taking a financial interest in the purchase
11 and sale of tickets or charging a fee for the use of its web site nor
12 persons acting with the written permission of the sponsor or sponsors
13 of the event for which tickets are being resold.

14 (2) "Reselling" means selling, offering for sale, or otherwise
15 transferring or offering to transfer a ticket in exchange for money
16 or other things of value, other than the original sale, offering, or
17 transfer of the ticket.

18 (3) "Ticket" means any paper, certificate, receipt, or other
19 electronic or physical indication that the bearer has paid for entry
20 or other evidence which permits entry to an entertainment event or
21 venue.

1 (4) "Ticket reseller" means any person who, without the written
2 permission of the owner or operator of the property on which an
3 entertainment event is to be held or is being held or the sponsor or
4 sponsors of the event, is engaged in the business of reselling
5 tickets.

6 (5) "Try-and-get order policy" means a system by which an online
7 ticket broker or ticket reseller accepts orders for tickets before
8 the online ticket broker or ticket reseller has purchased or
9 otherwise acquired the tickets.

10 NEW SECTION. **Sec. 2.** (1) Every online ticket broker doing
11 business in Washington state shall prominently display immediately
12 above the button or other mechanism used to purchase tickets in a
13 typeface no smaller than twelve-point font the following disclosure:

14 "You are buying tickets from a third party who may not be
15 authorized by the event sponsor to sell tickets. [The owner of this
16 web site] is not the ticket seller. You may be paying more than face
17 value for the tickets you are purchasing."

18 The ticket broker shall use its trade name in place of [the owner
19 of this web site].

20 (2) In addition to the disclosures required under subsection (1)
21 of this section, every ticket broker and ticket reseller doing
22 business in Washington state employing a try-and-get order policy
23 shall prominently display to the buyer in the same method prescribed
24 in subsection (1) of this section the following disclosure:

25 "The person you are about to pay (the ticket reseller) does not
26 have the tickets you are seeking. The ticket reseller will attempt to
27 acquire the tickets and then transfer them to you. It is not certain
28 that the ticket reseller will be able to acquire the tickets."

29 NEW SECTION. **Sec. 3.** (1) A person violates this chapter every
30 time that person sells or facilitates the sale of a ticket without
31 making the disclosures required by section 2 of this act.

32 (2) The legislature finds that the practices covered by this
33 chapter are matters vitally affecting the public interest for the
34 purpose of applying the consumer protection act, chapter 19.86 RCW. A
35 violation of this chapter is not reasonable in relation to the
36 development and preservation of business and is an unfair or
37 deceptive act in trade or commerce and an unfair method of
38 competition for the purpose of applying the consumer protection act,

1 chapter 19.86 RCW. Standing to bring an action to enforce chapter
2 19.86 RCW for violation of this chapter shall lie solely with the
3 attorney general. Remedies provided by that chapter are cumulative
4 and not exclusive.

5 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act
6 constitute a new chapter in Title 19 RCW.

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