

SENATE BILL REPORT

HB 1584

As of February 12, 2018

Title: An act relating to the sale of software used in the unauthorized interference of ticket sales over the internet.

Brief Description: Concerning the sale of software used in the unauthorized interference of ticket sales over the internet.

Sponsors: Representatives Young, Shea, Taylor and Condotta.

Brief History: Passed House: 1/29/18, 95-0.

Committee Activity: Energy, Environment & Technology: 2/15/18.

Brief Summary of Bill

- Changes the violation standard for ticket bot sellers.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TECHNOLOGY

Staff: Angela Kleis (786-7469)

Background: Ticket Bots. Ticket bots or web robots are software used to interfere with the operation of ticket sales over the Internet. 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 (CPA). The CPA declares that unfair and deceptive practices in trade or commerce are unlawful. 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.

Washington Ticket Seller Laws. Legislation enacted in 2015 prohibits the use or sale of ticket bots. The use or sale of ticket bots 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

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use or sale of tickets bots are 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 ticket sales over the Internet.

Ticket seller means a person that makes admission tickets available, directly or indirectly, at an initial presale or sale to the general public.

Summary of Bill: The CPA violation standard for a ticket bot seller is changed. The use or sale of ticket bots is only a violation of the CPA if a seller knows or markets that the purpose of the software is to interfere with ticket sales over the Internet.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.