

Todd Weiler proposes the following substitute bill:

**Ticketing Delivery Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd Weiler**

House Sponsor: Paul A. Cutler

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**LONG TITLE**

**General Description:**

This bill enacts provisions relating to the delivery of an e-ticket.

**Highlighted Provisions:**

This bill:

- defines terms;
- provides that it is unlawful for a primary ticket seller or reseller to fail to deliver an e-ticket to an event before the event begins;
- grants an individual a cause of action against a person that engages in a prohibited practice related to ticket sales;
- provides for an award of damages; and
- makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**13-54-102**, as last amended by Laws of Utah 2023, Chapter 251

**13-54-202**, as last amended by Laws of Utah 2023, Chapter 251

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **13-54-102** is amended to read:

**13-54-102 . Definitions.**

As used in this chapter:

(1) "Consumer" means a person [who] that purchases a ticket for use by the person or the

- 29 person's invitee.
- 30 (2) "Division" means the Division of Consumer Protection in the Department of Commerce.
- 31 (3) "Domain" means the portion of text in a URL that is to the left of the top-level domain.
- 32 (4) "E-ticket" means digital evidence of an individual's right of entry to an event that a
- 33 seller delivers through electronic means.
- 34 [(4)] (5) "Event" means a single, specific occurrence of one of the following, that takes
- 35 place at a venue:
- 36 (a) a concert;
- 37 (b) a game;
- 38 (c) a performance;
- 39 (d) a show; or
- 40 (e) an occasion similar to the occasions described in Subsections [(4)(a)] ~~[(through (d))~~
- 41 (5)(a) through (d).
- 42 [(5)] (6) "Event participant" means any of the following persons ~~[who is]~~ that are associated
- 43 with an event or on behalf of ~~[whom]~~ which a person sells a ticket to an event:
- 44 (a) an artist;
- 45 (b) a league;
- 46 (c) a team;
- 47 (d) a tour group;
- 48 (e) a venue; or
- 49 (f) any person similar to the persons described in Subsections ~~[(5)(a) through (e)]~~ (6)(a)
- 50 through (d).
- 51 [(6)] (7) "Person" does not include a government entity.
- 52 [(7)] (8) "Primary ticket seller" means the person ~~[who]~~ that first sells a particular ticket.
- 53 [(8)] (9)(a) "Reseller" means a person ~~[who]~~ that sells or offers for sale a ticket after ~~[it]~~
- 54 the ticket is sold by a primary ticket seller.
- 55 (b) "Reseller" includes a person ~~[who]~~ that engages in conduct described in Subsection [
- 56 ~~(8)(a)]~~ (9)(a), regardless of whether the person is also the primary ticket seller of the
- 57 ticket or the primary ticket seller of another ticket to the same event.
- 58 (c) "Reseller" does not include a person ~~[who]~~ that transfers a ticket to another person
- 59 without reimbursement or consideration.
- 60 (10) "Season ticket" means a ticket that a primary ticket seller sells as a subscription to
- 61 more than one event.
- 62 [(9)] (11) "Ticket" means evidence of an individual's right of entry to an event.

(a) "Ticket" includes an e-ticket.

~~[(10)]~~ (12) "Ticket aggregator" means a person ~~[who]~~ that aggregates the prices for which other persons offer tickets for sale or resale.

~~[(11)]~~ (13) "Ticket purchasing software" means software that is primarily designed for the purpose of:

(a) interfering with the sale of tickets by circumventing controls or measures on a ticket website to bypass posted event ticket purchasing limits; or

(b) undermining the integrity of posted online ticket purchasing order rules.

~~[(12)]~~ (14) "Ticket website" means:

(a) with respect to a reseller, a website on which the reseller sells or offers for sale or resale one or more tickets; or

(b) with respect to a ticket aggregator, a website on which the ticket aggregator aggregates the prices for which other persons offer tickets for sale or resale.

~~[(13)]~~ (15) "Top-level domain" includes .com, .net, and .org.

~~[(14)]~~ (16) "URL" means the uniform resource locator for a website on the Internet.

~~[(15)]~~ (17)(a) "Venue" means real property located in the state where one or more persons host a concert, game, performance, show, or similar occasion.

(b) "Venue" includes an arena, a stadium, a theater, a concert hall, an amphitheater, a fairground, a club, a convention center, a public assembly facility, or a mass gathering location.

Section 2. Section **13-54-202** is amended to read:

**13-54-202 . Prohibited practices.**

(1)(a) It is unlawful for any person ~~[who]~~ that is not a primary ticket seller to represent, directly or indirectly, that the person is a primary ticket seller.

(b) If a presiding officer or court determines appropriate after considering other relevant factors, the following actions by a person ~~[who]~~ that is not a primary ticket seller establish a presumption that the person is representing that the person is a primary ticket seller in violation of Subsection (1)(a):

(i) using the name of an event in the domain of the person's ticket website, unless the person has written authorization from an agent of the event;

(ii) using the name of an event participant in the domain of the person's ticket website, unless the person has written authorization from the event participant or an agent of the event participant;

(iii) using, in paid search results, the name of an event or event participant in a

- manner described in Subsection (1)(b)(i) or (ii); or
- (iv) using on the person's website any of the following that individually or in combination is substantially similar to a primary ticket seller's, venue's, or event's website, with the intent to mislead a potential purchaser, without written authorization:
- (A) text;
- (B) images;
- (C) website graphics;
- (D) website design; or
- (E) Internet address.
- (2) It is unlawful for a person [~~who~~] that lists or offers a ticket for sale to:
- (a) accept payment for the ticket; and
- (b) fail to deliver to the consumer [~~who~~] that purchases the ticket a ticket that reflects the transaction to which the parties agreed.
- (3) It is unlawful for a person to:
- (a) knowingly sell more than one copy of the same ticket; or
- (b) use ticket purchasing software to circumvent any portion of the process for purchasing a ticket on a ticket website, including:
- (i) circumventing:
- (A) security measures;
- (B) identity validation measures; or
- (C) an access control system; or
- (ii) disguising the identity of a ticket purchaser for the purpose of purchasing a number of tickets that exceeds the maximum number of tickets allowed for a person to purchase.
- (4) It is unlawful for a person to fail to comply with a provision of Section 13-54-201.
- (5)(a) Except as provided in Subsection (5)(b), it is unlawful for a primary ticket seller or reseller to fail to deliver an e-ticket to an event to a consumer before the event begins.
- (b) Subsection (5)(a) does not apply to a season ticket.
- (6)(a) An individual has a cause of action against a person that violates this section if the individual suffers harm as a direct result of the person's violation of this section.
- (b) If an individual brings an action against a person under this Subsection (6), and a court with jurisdiction determines the person violated this section, the court shall

131           award the individual:  
132           (i) treble damages; and  
133           (ii) reasonable costs and attorney fees.  
134    ~~[(5)]~~ (7) Nothing in this section prohibits a person from including the name of an event or an  
135           event participant in a URL after the top-level domain.  
136           Section 3. **Effective Date.**  
137    This bill takes effect on May 7, 2025.