

Effective 1/1/2020

Chapter 56
Ticket Transferability Act

Part 1
General Provisions

13-56-101 Title.

This chapter is known as the "Ticket Transferability Act."

Enacted by Chapter 423, 2019 General Session

13-56-102 Definitions.

As used in this section:

- (1) "Division" means the Division of Consumer Protection in the Department of Commerce.
- (2) "Event" means a single, specific occurrence of one of the following, that takes place at a venue:
 - (a) a concert;
 - (b) a game;
 - (c) a performance;
 - (d) a show; or
 - (e) an occasion similar to the occasions described in Subsections (2)(a) through (d).
- (3) "Exempt entity" means:
 - (a) a Division I college postseason basketball tournament;
 - (b) a nonprofit organization that:
 - (i) is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code;
 - (ii) is domiciled in the state; and
 - (iii) produces an annual international film festival in the state; or
 - (c) a public or private postsecondary institution that is located in the state.
- (4) "Restricted ticket" means a ticket to an event that is subject to a restriction that prohibits the purchaser from reselling or otherwise transferring the ticket by any lawful method.
- (5) "Transferrable ticket" means a ticket to an event that a person issues using a delivery method that enables the purchaser to lawfully resell the ticket independent of the person who issued the ticket or the person's agent or operator.
- (6)
 - (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.
- (7) "Venue operator" means a person who operates a venue.

Enacted by Chapter 423, 2019 General Session

13-56-103 Scope.

- (1) This chapter does not apply to an event or venue of an exempt entity.
- (2) Nothing in this chapter prohibits a venue operator from maintaining and enforcing one or more policies regarding conduct or behavior at or in connection with the venue.

Enacted by Chapter 423, 2019 General Session

Part 2 Ticket Resale Restrictions

13-56-201 Limitations on ticket resale restrictions -- Disclosures.

- (1) Except as provided in Subsection (2), each ticket issued for an event shall be a transferrable ticket.
- (2)
 - (a)
 - (i) Up to 10% of the total number of tickets issued for an event may be restricted tickets.
 - (ii) The total number of tickets described in Subsection (2)(a)(i):
 - (A) includes each ticket that provides access to the event, regardless of whether the ticket is made available for sale; and
 - (B) does not include a ticket that is part of a youth basketball program associated with a professional sports team where tickets are donated or issued at a reduced rate.
 - (b) Notwithstanding Subsection (2)(a), each calendar year, an unlimited number of restricted tickets may be issued for up to 10% of the total concert and theater events held at the same venue during the calendar year.
- (3) A person who issues a restricted ticket shall provide the purchaser a clear and conspicuous written notice that states the ticket may not be resold or transferred.
- (4) A person may not discriminate against an individual or deny an individual admission to an event solely because the individual:
 - (a) resold a ticket to the event independent of the person who issued the ticket or the person's agent or operator; or
 - (b) purchased a resold ticket to the event independent of the person who issued the ticket or the person's agent or operator.

Enacted by Chapter 423, 2019 General Session

Part 3 Enforcement and Reporting

13-56-301 Enforcement powers -- Penalty.

- (1) The division may enforce the provisions of this chapter in accordance with Chapter 2, Division of Consumer Protection.
- (2) A person who violates a provision of this chapter is subject to a fine of up to \$250 per violation.

Enacted by Chapter 423, 2019 General Session

13-56-302 Reporting.

- (1) As used in this section, "reporting period" means:
 - (a) for a report submitted under this section in compliance with a July 15 deadline, January 1 through June 30 of the calendar year in which the report is submitted; or

- (b) for a report submitted under this section in compliance with a January 15 deadline, July 1 through December 31 of the calendar year immediately preceding the calendar year in which the report is submitted.
- (2) On or before July 15, 2020, and July 15 of each year thereafter, a venue operator shall submit a report described in Subsection (4) to the division, if there was an event scheduled at the venue during the reporting period for which a person issued one or more restricted tickets.
- (3) On or before January 15, 2021, and January 15 of each year thereafter, a venue operator shall submit a report described in Subsection (4) to the division, if there was an event scheduled at the venue during the reporting period for which a person issued one or more restricted tickets.
- (4) A report submitted in accordance with this section shall contain the following information:
 - (a) for each event scheduled at the venue during the reporting period and for which a person issued a restricted ticket:
 - (i) the total number of tickets issued for the event;
 - (ii) the number of restricted tickets issued for the event;
 - (iii) the date of the event; and
 - (iv) the type of event;
 - (b)
 - (i) for a report submitted in compliance with a July 15 deadline, the number of concert or theater events scheduled at the venue during the reporting period; or
 - (ii) for a report submitted in compliance with a January 15 deadline, the number of concert or theater events scheduled at the venue during the preceding calendar year; and
 - (c) the number of concert or theater events scheduled at the venue during the reporting period for which a person issued a restricted ticket under Subsection 13-56-201(2)(b).

Enacted by Chapter 423, 2019 General Session