

1                   **CONSUMER TICKET PROTECTION AMENDMENTS**

2                                   2018 GENERAL SESSION

3                                   STATE OF UTAH

4                                   **Chief Sponsor: Brad R. Wilson**

5                                   Senate Sponsor: Deidre M. Henderson

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7 **LONG TITLE**

8 **General Description:**

9                   This bill enacts provisions related to consumer protection and event tickets.

10 **Highlighted Provisions:**

11                   This bill:

12                   ▶ enacts the Ticket Sales Act;

13                   ▶ defines terms;

14                   ▶ provides that a person may not issue a ticket to an event by a method that  
15 substantially prevents the purchaser from reselling the ticket on the ticket website or  
16 by the method of the purchaser's choice;

17                   ▶ prohibits a person from treating an individual differently because the individual  
18 resold a ticket to an event or purchased a resold ticket to an event on a particular  
19 website or by a particular method; and

20                   ▶ addresses enforcement of the Ticket Sales Act.

21 **Money Appropriated in this Bill:**

22                   None

23 **Other Special Clauses:**

24                   None

25 **Utah Code Sections Affected:**

26 AMENDS:

27                   **13-2-1**, as last amended by Laws of Utah 2017, Chapter 98



28 ENACTS:

29 **13-52-101**, Utah Code Annotated 1953

30 **13-52-102**, Utah Code Annotated 1953

31 **13-52-201**, Utah Code Annotated 1953

32 **13-52-301**, Utah Code Annotated 1953

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

35 Section 1. Section **13-2-1** is amended to read:

36 **13-2-1. Consumer protection division established -- Functions.**

37 (1) There is established within the Department of Commerce the Division of Consumer  
38 Protection.

39 (2) The division shall administer and enforce the following:

40 (a) Chapter 5, Unfair Practices Act;

41 (b) Chapter 10a, Music Licensing Practices Act;

42 (c) Chapter 11, Utah Consumer Sales Practices Act;

43 (d) Chapter 15, Business Opportunity Disclosure Act;

44 (e) Chapter 20, New Motor Vehicle Warranties Act;

45 (f) Chapter 21, Credit Services Organizations Act;

46 (g) Chapter 22, Charitable Solicitations Act;

47 (h) Chapter 23, Health Spa Services Protection Act;

48 (i) Chapter 25a, Telephone and Facsimile Solicitation Act;

49 (j) Chapter 26, Telephone Fraud Prevention Act;

50 (k) Chapter 28, Prize Notices Regulation Act;

51 (l) Chapter 32a, Pawnshop and Secondhand Merchandise Transaction Information Act;

52 (m) Chapter 34, Utah Postsecondary Proprietary School Act;

53 (n) Chapter 34a, Utah Postsecondary School State Authorization Act;

54 (o) Chapter 39, Child Protection Registry;

55 (p) Chapter 41, Price Controls During Emergencies Act;

56 (q) Chapter 42, Uniform Debt-Management Services Act;

57 (r) Chapter 49, Immigration Consultants Registration Act; **[and]**

58 (s) Chapter 51, Transportation Network Company Registration Act~~[-]~~; and

59 (t) Chapter 52, Ticket Sales Act.

60 Section 2. Section 13-52-101 is enacted to read:

61 **CHAPTER 52. TICKET SALES ACT**

62 **Part 1. General Provisions**

63 **13-52-101. Title.**

64 This chapter is known as the "Ticket Sales Act."

65 Section 3. Section 13-52-102 is enacted to read:

66 **13-52-102. Definitions.**

67 As used in this section "ticket website" means a website that:

- 68 (1) advertises or offers for sale tickets to an event; or
- 69 (2) facilitates a secondary ticket exchange for tickets to an event.

70 Section 4. Section 13-52-201 is enacted to read:

71 **13-52-201. Prohibited ticket resale restrictions.**

72 (1) A person who issues a ticket for admission to an event may not issue the ticket  
73 solely through a delivery method that substantially prevents a purchaser from lawfully reselling  
74 the ticket through the ticket website or by the method of the purchaser's choice.

75 (2) A person may not discriminate against an individual or deny an individual  
76 admission to an event solely because the individual:

77 (a) resold a ticket to the event on a particular ticket website or by a particular method;

78 or

79 (b) purchased a resold ticket to the event on a particular ticket website or by a  
80 particular method.

81 Section 5. Section 13-52-301 is enacted to read:

82 **Part 3. Enforcement**

83 **13-52-301. Enforcement powers -- Penalty.**

84 (1) The division may enforce the provisions of this chapter in accordance with Chapter  
85 2, Division of Consumer Protection.

86 (2) A person who violates a provision of this chapter is subject to a fine of up to \$2,500  
87 per violation.

**Legislative Review Note**  
**Office of Legislative Research and General Counsel**