

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was  
3 referred House Bill No. 512 entitled “An act relating to the regulation of the  
4 event ticketing market” respectfully reports that it has considered the same and  
5 recommends that the bill be amended by striking out all after the enacting  
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 9 V.S.A. chapter 63, subchapter 2B is added to read:

8 Subchapter 2B. Event Tickets

9 § 2479f. RESALE OF EVENT TICKETS

10 (a) Definitions. As used in this section:

11 (1) “Resale” means the second or subsequent sale of a ticket by any  
12 method, including in-person transactions, telephone, mail, email, facsimile, or  
13 electronic means through websites or mobile phone applications.

14 (2) “Reseller” means a person engaged in the resale of tickets.

15 (3) “Secondary ticket exchange” means an electronic marketplace  
16 enabling the sale, purchase, and resale of tickets.

17 (4) “Speculative ticket” means a ticket not in the actual or constructive  
18 possession of the reseller at the time of listing, sale, or advertisement. This  
19 includes tickets not owned by the reseller or under contract to be transferred to  
20 the reseller at the time of sale.

1           (5) “Ticket” means any form of physical, electronic, or other evidence  
2           that grants the possessor of the evidence license to enter a place of  
3           entertainment for one or more events at a specified date and time.

4           (6) “Ticket issuer” means a person or entity that issues tickets for initial  
5           sale, including musicians, venues, promoters, theater companies, marketplaces  
6           for initial purchases, or their agents.

7           (b) Price cap on secondary ticket exchange. A ticket reseller or ticket  
8           issuer shall not charge more than 110 percent of the total price of an original  
9           ticket, including taxes and fees for the service of providing a marketplace for  
10           the resale of a ticket.

11           (c) Ban on deceptive URLs and improper use of intellectual property. It  
12           shall be unlawful for a secondary ticketing exchange, reseller, or the operator  
13           of any website purporting to sell or offer for sale event tickets that links or  
14           redirects to a secondary ticketing exchange or reseller to do any of the  
15           following:

16           (1) use any artist name, venue name, or event organizer name, graphic  
17           marketing logo, image, or other intellectual property of the artist, venue, or  
18           event organizer, including any proprietary resemblance of the venue where an  
19           event shall occur in promotional materials, social media promotions, or URLs  
20           of the secondary ticketing exchange, reseller, or website without the prior  
21           authorization of the respective artist, venue, or event organizer under the terms

1 of an agreement between the artist, venue, or event organizer and the  
2 secondary ticketing exchange, reseller, or website; or

3 (2) state or imply that the secondary ticketing exchange, reseller, or  
4 website is affiliated with or endorsed by a venue, team, or artist, including by  
5 using words such as “official” in promotional materials, social media  
6 promotions, search engine optimization, paid advertising, URLs, or search  
7 engine monetization, unless the secondary ticketing exchange, reseller, or  
8 website has the express written consent of the venue, team, or artist.

9 (d) Prohibition on speculative ticket sales. A reseller shall not sell or offer  
10 for sale speculative tickets.

11 (e) Registration requirements.

12 (1)(A) Any individual or entity that resells more than 99 tickets per year  
13 above a ticket’s original value shall register annually with the Vermont  
14 Secretary of State as an event ticket reseller.

15 (B) The resale of tickets as part of a season ticket package for a  
16 sports team, where the buyer purchases tickets for half or more of all home  
17 games, shall not count toward the threshold established in subdivision (A) of  
18 this subdivision (e)(1).

19 (2) Individuals or entities under common ownership or control shall be  
20 treated as a single event ticket reseller for the purposes of determining  
21 registration requirements under this subsection.

1           (3) Each event ticket reseller shall provide the following information at  
2           the time of registration on a form provided by the Secretary of State:

3                   (A) full legal name and any aliases or usernames used for ticket  
4           resale;

5                   (B) contact information, including a physical street addresses, email  
6           address, and phone number;

7                   (C) any applicable employer identification number and contact  
8           information of any employer;

9                   (D) all associated entities or subsidiaries involved in ticket resale;  
10          and

11                   (E) any other information required by the Secretary of State.

12           (4) The Secretary of State may charge a registration fee to cover the  
13          costs of registration and compliance with this subsection.

14           (5) A registered event ticket reseller that sells over 1,000 tickets per year  
15          shall maintain a surety bond of not less than \$10,000.00 to ensure  
16          compensation to consumers in cases where the reseller fails to deliver  
17          purchased tickets or engages in fraudulent activities.

18           (f) Violations. A person that violates a provision of this section commits  
19          an unfair and deceptive act in commerce in violation of section 2453 of this  
20          title.

