

HOUSE No. 237

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Moran

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to reform the issuance and sale of sports and entertainment tickets.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael J. Moran</i>	<i>18th Suffolk</i>	<i>1/16/2015</i>

HOUSE No. 237

By Mr. Moran of Boston, a petition (accompanied by bill, House, No. 237) of Michael J. Moran relative to the issuance and sale of sports and entertainment tickets. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to reform the issuance and sale of sports and entertainment tickets.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) Chapter 140 of the General Laws, as appearing in the 2012 edition, is
2 hereby amended by striking section 185D and inserting in place thereof the following section:-

3 Section 185D. Consumer protection standards relative to the reselling of tickets

4 (a) Any reseller of tickets licensed under section 185A of said Chapter 140 shall

5 (i) maintain a toll-free telephone number and an e-mail address for complaints and
6 inquiries regarding its activities in the resale of event tickets;

7 (ii) implement and reasonably publicize a standard refund policy that meets the minimum
8 standards stated in subsection (b)

9 (b) The standard refund policy referenced in subsection (a)

10 (i) shall provide a consumer who purchases an event ticket a full refund if

11 (A) the event is cancelled before the scheduled occurrence of the event, and is not re-
12 scheduled;

13 (B) the event ticket received by the consumer is counterfeit;

14 (C) the event ticket has been cancelled by the ticket issuer for non-payment by the
15 original purchaser, or for any reason other than an act or omission of the consumer;

16 (D) the event ticket materially and to the detriment of the consumer fails to conform to
17 the description provided by the seller or reseller; or

18 (E) the event ticket was not delivered to the consumer prior to the occurrence of the
19 event, unless such failure of delivery was due to any act or omission of the consumer;

20 (ii) shall include in a full refund the full price paid by the consumer for the event ticket,
21 together with any fees charged in connection with that purchase, including but not limited to
22 convenience fees, processing fees, at-home printing charges, but excluding shipping or delivery
23 fees, and

24 (iii) may condition entitlement to a refund upon timely return of the ticket purchased,
25 and may include reasonable safeguards against abuse of the policy.

26 (c) Nothing in this section shall be construed to prohibit any person subject to this section
27 from implementing consumer protection policies that exceed the minimum standard set forth in
28 this section, and that are otherwise compliant with this Act.

29 SECTION 2. This act shall take effect upon its passage.