HOUSE DOCKET, NO. 1471 FILED ON: 1/15/2025

HOUSE . . . . . No. 320

The Commonwealth of Massachusetts

PRESENTED BY:

Brian M. Ashe

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 protect consumers of tickets.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Brian M. Ashe	*2nd Hampden*	*1/15/2025*

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HOUSE . . . . . No. 320

By Representative Ashe of Longmeadow, a petition (accompanied by bill, House, No. 320) of Brian M. Ashe relative to consumers of tickets. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to protect consumers of tickets.

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

SECTION 1. Section 182A of chapter 140 of the General Laws, inserted by section 248 of chapter 238 of the acts of 2024, is hereby further amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b)(1) No person, firm, corporation or other entity shall employ a paperless ticketing system unless the consumer is given an option at the time of initial sale to purchase the same paperless tickets in transferable form that the consumer can transfer at any price, any time and without additional fees.

(2) The established price for any given ticket shall be the same regardless of the form or transferability of such ticket.

(3) The ability for a ticket to be transferred shall not constitute a special service for the purpose of imposing a service charge subject to section 185D. It shall be unlawful to penalize, discriminate against or deny access to a ticket buyer on the basis that the ticket was transferred or

resold, including if the ticket was transferred or resold independent from the initial sale ticketing system.

(4) Notwithstanding the provisions of this section, an operator of any such theatrical exhibition, public show or public amusement or exhibition, or such operator's agent, may offer paperless tickets that do not allow for transferability; provided, that: (i) those tickets shall be sold or given to individuals or groups as part of a private event or a targeted promotion at a discounted price offered because of the individual's or group's status or affiliation with religious or charitable institutions, societies or organizations or civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, associations of veterans of any wars of the United States, students or groups or individuals characterized by a disability or economic hardship and tickets issued through a non-transferable ticketing system pursuant to the exemption in this paragraph shall not be offered promotionally to the general public and shall be clearly marked as a ticket restricted to the specified individual or group; or (ii) such tickets shall be included in a membership pass at a discounted price offered by a professional sports organization for seating in venues or stadiums with a fixed capacity of not less than 19,000 seats that guarantees entry to a specified number of events in a specified time period with seat assignments: (A) assigned not more than 4 hours prior to the commencement of the event; and (B) variable from game to game and not intended for season ticket holders. Tickets provided under a membership pass may be restricted from being transferred or resold, including through the operator or operator's agents, and shall be clearly marked as such prior to initial offering or sale. Such membership pass shall not mean a subscription or season ticket package offered for sale and shall not result in the sale of more than 5 per cent of the maximum

amount of all seats that will be made available at a venue for a particular event to be sold under this subsection

SECTION 2. Subsection (c) of said section 182A of said chapter 140, as so inserted, is hereby further amended by striking out the first sentence.

SECTION 3. Subsection (a) of section 185A of said chapter 140, inserted by section 249 of said chapter 238, is hereby further amended by adding the following sentence:- Provided, however that any primary ticket issuer and any operator or manager of a website or other platform to facilitate resale, or resale through a competitive bidding process, solely between third parties and that does not in any other manner engage in reselling of tickets shall be exempt from said licensing requirements.

SECTION 4. Subsection (c) of section 185D of said chapter 140, inserted by said section 249 of said chapter 238, shall take effect on July 1, 2025.