

2024 Regular Session

HOUSE BILL NO. 388

BY REPRESENTATIVE ILLG

CONSUMERS/PROTECTION: Provides relative to live event ticketing

1 AN ACT

2 To enact R.S. 4:1.1, relative to event ticketing; to provide for definitions; to provide for
3 certain nontransferable ticketing; to provide protections for ticket holders; to provide
4 for certain permissions of ticket issuers and venue operators; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 4:1.1 is hereby enacted to read as follows:

8 §1.1. Prohibition on certain nontransferable ticketing; reselling tickets for
9 entertainment and sporting events

10 A. For the purposes of this Section, the following definitions apply:

11 (1) "Nontransferable ticketing" means prohibiting a ticket holder from giving
12 away, reselling, or otherwise exchanging a ticket by a method of the ticket holder's
13 choosing.

14 (2) "Targeted promotion" means tickets that are offered at a discounted
15 price, which may include a discount in the ticket price or a waiver of contributions
16 for the right to purchase a ticket for any of the following:

17 (a) A person or group that is characterized by a disability or economic
18 hardship.

19 (b) A person's status or affiliation with a religious or charitable institution,
20 society, organization, or civic league.

1 (c) Associations of members or veterans of the United States military, first
2 responders, educators, healthcare providers, and other professionals serving the
3 public good.

4 (d) Nonprofit organizations operating exclusively for the promotion of
5 religious, scientific, educational, literary, or social welfare interests.

6 (e) Students.

7 (3) "Ticket holder" means any person who is in possession of a valid ticket
8 for an entertainment or sporting event.

9 (4) "Ticket issuer" means any person or entity that makes tickets available
10 for primary sale to an entertainment or sporting event. A ticket issuer may include
11 but is not limited to the operator of a venue, the sponsor or promoter of a sport, a
12 sports team participating in an athletic contest, a league whose teams are
13 participating in an entertainment or sporting event, a theater, dance, or musical
14 group, or similar participant in an entertainment event, or an agent of any such
15 person.

16 (5) "Ticket platform" means a marketplace that enables consumers to
17 purchase and sell tickets.

18 (6) "Transferable form" means tickets to be given away or resold without
19 penalty or discrimination.

20 B. Notwithstanding any provisions in this Chapter to the contrary, a ticket
21 issuer may employ a nontransferable ticketing system only if the ticket holder is
22 offered an option at the time of initial sale to purchase the same ticket in a
23 transferable form.

24 C.(1) A ticket holder shall not be denied access to an event, discriminated
25 against, or penalized solely on the grounds that a ticket was resold to the ticket
26 holder.

27 (2) A ticket holder shall not be penalized for the resale of or offer to resell
28 tickets.

1 (3) A ticket platform shall not be penalized for the resale of or offer to resell
2 tickets.

3 D. Notwithstanding any provisions in this Chapter to the contrary, a ticket
4 issuer or venue operator may do both of the following:

5 (1) Maintain and enforce policies with respect to conduct, behavior, or age
6 at the venue or entertainment event.

7 (2) Establish limits on the quantity of tickets that may be purchased.

8 E. Notwithstanding any provisions in this Chapter to the contrary, a ticket
9 issuer or venue operator shall not offer tickets in a transferable form if those tickets
10 are sold or given to persons as a part of a private event or a targeted promotion. Such
11 tickets shall not be offered promotionally to the general public and shall be clearly
12 marked as restricted to the specified individual or group.

13 F. Notwithstanding any provisions of this Chapter to the contrary, any
14 education institution or associated nonprofit organization may establish and enforce
15 prohibitions, restrictions, or conditions on the resale and transfer of tickets sold or
16 otherwise made available to either of the following:

17 (1) The institution or organization's officers, directors, employees, sponsors,
18 or vendors.

19 (2) Donors who have made a financial contribution to obtain the right to
20 purchase tickets.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 388 Engrossed

2024 Regular Session

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Abstract: Provides for the resale of certain entertainment and sporting event tickets.

Proposed law provides for certain definitions with respect to event ticketing. Additionally, proposed law defines "nontransferable ticketing" as prohibiting a ticket holder from giving away, reselling, or otherwise exchanging a ticket by a method of the ticket holder's choosing.

Proposed law provides that a ticket issuer may use a nontransferable ticketing system only if the ticket holder is offered to purchase the same ticket in a transferable form at the initial time of sale.

Proposed law provides that the following shall not be penalized on the grounds that a ticket is resold:

- (1) The ticket holder of the resold ticket.
- (2) The ticket holder that offers the ticket for sale.
- (3) A ticket platform.

Proposed law provides that a ticket issuer or venue operator may:

- (1) Maintain and enforce policies with respect to conduct, behavior, or age.
- (2) Establish limits on the quantity of tickets purchased.

Proposed law provides that a ticket issuer or venue operator shall not transfer or resell tickets for a private event or a targeted promotion.

Proposed law permits education institutions and associated nonprofit organizations to prohibit, restrict or condition the resale or transfer of tickets for certain individuals.

(Adds R.S. 4:1.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Amend the definitions of "nontransferable ticketing", "targeted promotion", "ticket issuer", and "transferable form".
2. Provide an exception for education institutions and associated nonprofit organizations.
3. Make technical changes.