

By Senator Berman

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2025404__

1 A bill to be entitled
2 An act relating to ticket sales and resales; providing
3 a short title; creating s. 817.362, F.S.; providing
4 definitions; requiring operators, ticket resellers,
5 and online ticket marketplaces to disclose specified
6 information in a specified manner during the ticket
7 listing and purchasing process; requiring ticket
8 resellers and online ticket marketplaces to provide to
9 purchasers proof of purchase that includes specified
10 information within a specified period of time;
11 prohibiting specified practices by online ticket
12 marketplaces and ticket resellers; providing
13 applicability; prohibiting ticket resellers and ticket
14 marketplaces from engaging in specified actions;
15 prohibiting persons from taking specified actions
16 relating to the use of Internet domain names and
17 ticket purchases under certain conditions; providing
18 conditions under which tickets may not be sold;
19 requiring online ticket marketplaces to disclose
20 specified information to the Secretary of Commerce
21 upon his or her request; providing that trade secrets
22 received by the secretary remain confidential when
23 shared with the Attorney General; authorizing the
24 secretary or his or her designee to enforce certain
25 provisions; providing an effective date.

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27 Be It Enacted by the Legislature of the State of Florida:

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29 Section 1. This act may be cited as the "Transparency and

26-00768-25

2025404__

30 Improvement in Consumer Knowledge for Entertainment Ticketing
31 (TICKET) Act."

32 Section 2. Section 817.362, Florida Statutes, is created to
33 read:

34 817.362 Sale and resale of tickets at entertainment
35 venues.-

36 (1) As used in this section, the term:

37 (a) "Entertainment" means theatrical or operatic
38 performances, concerts, motion pictures, entertainment at
39 fairgrounds, amusement parks, athletic competitions, and other
40 sports, and includes all other forms of diversion, recreation,
41 or show.

42 (b) "Internet domain name" has the same meaning as provided
43 in s. 668.602.

44 (c) "Online ticket marketplace" means the administrator of
45 a website or other electronic service, including an agent,
46 employee, or assignee of the administrator, that sells tickets
47 or maintains a platform to facilitate the sale of tickets.

48 (d) "Operator" means a person, including an agent,
49 employee, or assignee of the person, who:

50 1. Owns, operates, or controls a place of entertainment;
51 2. Produces entertainment; or
52 3. Sells a ticket to a place of entertainment for sale but
53 who does not resell tickets.

54 (e) "Place of entertainment" means an entertainment venue,
55 including an amphitheater, theater, stadium, arena, racetrack,
56 museum, amusement park, facility, club, or other place where
57 performances, concerts, exhibits, athletic games, contests, or
58 other forms of entertainment are held. The term does not include

26-00768-25

2025404__

59 movie theaters.

60 (f) "Secretary" means the Secretary of Commerce.

61 (g) "Ticket reseller" means a person who offers a ticket
62 for sale or resale to an entertainment event located in this
63 state and includes an operator to the extent that the operator
64 offers or sells tickets for resale. Sales by a ticket reseller
65 include sales by any means, including in person or by telephone,
66 mail, delivery service, facsimile, Internet, e-mail, or other
67 electronic means. A ticket reseller does not include a person
68 who purchases a ticket solely for the person's own use or the
69 use of the person's invitees, employees, or agents.

70 (2) (a) An operator, a ticket reseller, or an online ticket
71 marketplace shall, at all times during the ticket listing and
72 purchasing process, disclose to purchasers in an easily readable
73 and conspicuous manner, expressed in dollars:

74 1. The total cost of the ticket, including all taxes, fees,
75 and surcharges that must be paid to purchase the ticket.

76 2. The portion of the ticket price that represents a
77 service charge.

78 3. Any other taxes, fees, or surcharges charged to the
79 purchaser.

80 (b) The disclosure of subtotals, fees, charges, and all
81 other components of the total price may not be false or
82 misleading and may not be presented more prominently or in the
83 same or larger font than the total price. The disclosure of
84 subtotals, fees, charges, and all other components of the total
85 price may be displayed in a manner that allows the purchaser to
86 hide or minimize the itemized list. The price of a ticket may
87 not increase with respect to a particular person after the

26-00768-25

2025404__

88 ticket is first displayed to the person, excluding reasonable
89 fees for the delivery of nonelectronic tickets based on the
90 delivery method selected by the purchaser and any additional
91 purchases made by the purchaser, which must be disclosed before
92 accepting payment.

93 (c) Each ticket reseller and online ticket marketplace
94 shall disclose all of the following in an easily readable and
95 conspicuous manner on the website or electronic service of the
96 ticket reseller or online ticket marketplace:

97 1. That the website or electronic service is owned or
98 operated by a ticket reseller or online ticket marketplace and
99 that the price of a resale ticket offered for sale may be higher
100 or lower than the original purchase price.

101 2. That the purchaser is responsible for checking with the
102 place of entertainment for information on changes to the event
103 or cancellations prior to the event's start time.

104 3. The refund policy of the ticket reseller or online
105 ticket marketplace.

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107 A ticket reseller or online ticket marketplace shall require a
108 purchaser to confirm having read the disclosures required by
109 this paragraph before completing a transaction.

110 (d) Each ticket reseller or online ticket marketplace shall
111 provide to the purchaser proof of purchase, which must include
112 all event and ticket information, within 24 hours of the
113 purchase, including:

114 1. That the purchaser is responsible for checking with the
115 place of entertainment for information on changes to the event
116 or cancellations before the event's start time.

26-00768-25

2025404__

117 2. The refund policy of the ticket reseller or online
118 ticket marketplace.

119 (e) An online ticket marketplace may not use any
120 combination of texts, images, trademarks, copyrights, web
121 designs, or Internet addresses that are identical or
122 substantially similar to texts, images, trademarks, copyrights,
123 web designs, or Internet addresses associated with a place of
124 entertainment without the written permission of the place of
125 entertainment duly authorized to provide the permission. This
126 paragraph does not prohibit an online ticket marketplace from
127 using text containing the name of a place of entertainment or of
128 an event in order to describe the location of the event or the
129 event itself. This paragraph does not prohibit an online ticket
130 marketplace from providing information or images identifying the
131 specific seat or area the purchaser will occupy in the place of
132 entertainment.

133 (f) Paragraphs (a)-(d) apply only to operators, ticket
134 resellers, and online ticket marketplaces that engaged in annual
135 aggregate transactions that were equal to or greater than \$5,000
136 in the most recent fiscal year.

137 (3) (a) A ticket reseller or online ticket marketplace may
138 not:

139 1. Sell or offer to sell more than one copy of the same
140 ticket to a place of entertainment;

141 2. Directly or indirectly employ another person to wait in
142 line to purchase tickets for the purpose of reselling the
143 tickets if the practice is prohibited or if the place of
144 entertainment has posted a policy prohibiting the practice;

145 3. Sell or offer to sell a ticket without first informing

26-00768-25

2025404__

146 the person of the location of the place of entertainment and the
147 ticket's assigned seat, including the number, row, and section
148 number of the seat;

149 4. Sell or offer to sell a ticket for which there is no
150 assigned seat without first informing the person of the general
151 admission area to which the ticket corresponds; or

152 5. Advertise, offer for sale, or contract for the sale of a
153 ticket before the ticket has been made available to the public,
154 including via presale, without first obtaining permission from
155 the place of entertainment and having actual or constructive
156 possession of the ticket, unless the ticket reseller owns the
157 ticket pursuant to a season ticket package purchased by the
158 ticket reseller.

159 (b) A person may not use or cause to be used an Internet
160 domain name or subdomain thereof in an operator, a ticket
161 reseller, or an online ticket marketplace website's uniform
162 resource locator (URL) which contains any of the following,
163 unless acting on behalf of the place of entertainment, event, or
164 person scheduled to perform or appear at the event:

165 1. The name of a place of entertainment;

166 2. The name of an event, including the name of a person
167 scheduled to perform or appear at the event; or

168 3. A name substantially similar to those described in
169 subparagraph 1. or subparagraph 2.

170 (c) A person may not:

171 1. Circumvent any portion of the process for purchasing a
172 ticket on the Internet or for admission to a place of
173 entertainment, including security or identity validation
174 measures or an access control system; or

26-00768-25

2025404__

175 2. Disguise the identity of a purchaser to purchase a
176 number of tickets for admission to a place of entertainment
177 which exceeds the maximum number of tickets allowed for purchase
178 by a person.

179 (d) A person may not sell a ticket obtained in violation of
180 paragraph (c) if the person:

181 1. Participated in or had the ability to control the
182 conduct committed in violation of paragraph (c); or

183 2. Knew that the ticket was acquired in violation of
184 paragraph (c).

185 (e) An operator, a ticket reseller, or an online ticket
186 marketplace may not sell a ticket unless:

187 1. The ticket is in the possession or constructive
188 possession of the operator, ticket reseller, or online ticket
189 marketplace; or

190 2. The operator, ticket reseller, or online ticket
191 marketplace has a written contract with the place of
192 entertainment to obtain the ticket.

193 (f) Pursuant to 15 U.S.C. s. 45c, an online ticket
194 purchasing marketplace may not circumvent a security measure, an
195 access control system, or any other technological control
196 measure to enforce posted event ticket purchasing limits or to
197 maintain the integrity of posted online ticket purchasing order
198 rules.

199 (4) If the secretary requests, an online ticket marketplace
200 must disclose to the secretary information about technology and
201 security methods used in any alleged violation of paragraph
202 (3) (f). Any information the secretary receives under this
203 subsection, including information that is considered a trade

26-00768-25

2025404__

204 secret, may be shared with the Attorney General, and any portion
205 of the material which is considered a trade secret remains
206 confidential pursuant to s. 119.0715.

207 (5) The secretary, or his or her designee, may enforce this
208 section.

209 Section 3. This act shall take effect July 1, 2025.