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HOUSE BILL NO. 1825

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Commerce and Labor
on January 24, 2017)

(Patron Prior to Substitute—Delegate Albo)

A BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 38.2, consisting of sections numbered 59.1-466.5, 59.1-466.6, and 59.1-466.7, relating to limitations on reselling tickets on an Internet ticketing platform; civil penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 38.2, consisting of sections numbered 59.1-466.5, 59.1-466.6, and 59.1-466.7, as follows:

CHAPTER 38.2.

TICKET RESALE RIGHTS ACT.

§ 59.1-466.5. Definitions.

As used in this chapter, "event" means any professional concert, professional sporting event, or professional theatrical production, open to the public for which tickets are ordinarily sold.

§ 59.1-466.6. Ticket resale limitations; prohibition; exception.

A. No person that issues tickets for admission to an event shall issue any such ticket solely through a delivery method that substantially prevents the purchaser of the ticket from lawfully reselling the ticket on the Internet ticketing platform of the ticket purchaser's choice.

B. No person shall be discriminated against or denied admission to an event solely on the basis that the person resold a ticket, or purchased a resold ticket, on a specific Internet ticketing platform.

C. This section shall not apply to (i) student tickets issued for an event at an auxiliary enterprise facility financed with bonds issued under Article X, Section 9(d) of the Constitution of Virginia and supported in part by student fees or (ii) any concert or theater venue located within a national park that offers yearly memberships that include concert or theater tickets as part of the membership benefit.

§ 59.1-466.7. Civil penalty; effect on private cause of action.

A. Any person that violates any provision of § 59.1-466.6 shall be liable to the Commonwealth for a civil penalty of not less than \$1,000 nor more than \$5,000 for each such violation. Such amount shall be recovered in a civil action brought by the Department of Agriculture and Consumer Services. Civil penalties paid pursuant to this chapter shall be deposited in the state treasury and credited to the Literary Fund.

B. Nothing in subsection A shall be construed as affecting any private cause of action that may exist under any law of the Commonwealth.