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## HOUSE BILL NO. 277

House Amendments in [ ] - February 2, 2024

A BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 38.3, consisting of sections numbered 59.1-466.9 and 59.1-466.10, relating to consumer protection; transparency in ticket fees; civil penalties.

Patron Prior to Engrossment—Delegate Helmer

Referred to Committee on Labor and Commerce

**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 38.3, consisting of sections numbered 59.1-466.9 and 59.1-466.10, as follows:

## CHAPTER 38.3.

## TICKET FEE TRANSPARENCY ACT.

§ 59.1-466.9. [ ~~Price on face of ticket required to be price charged~~ Total ticket cost required to be displayed ] .

[ A. For purposes of this chapter, "event" means the same as that term is defined in § 59.1-466.5.

B. Every ticket of admission or other evidence of right of entry to an event for admission, to which a price is charged, shall bear on its face the price charged for such ticket or other evidence of right of entry by the person issuing the same or causing the same to be issued. Any person that sells, resells, or facilitates the sale or resale of a ticket to an event, as that term is defined in § 59.1-466.5, shall clearly and conspicuously display the total cost of the ticket, including all ancillary fees or surcharges that are required to be paid in order to purchase the ticket, from the first time a price is displayed and any time thereafter. The total cost of the ticket shall not increase from the first time a price is displayed, excluding the addition of reasonable postage or carrier charges incurred to ship non-electronic tickets based on the location or delivery method selected by the purchaser, which shall be disclosed and added to the total ticket cost prior to purchase. The purchaser shall be provided an itemized list of the base price of the ticket and each ancillary fee or surcharge prior to purchase. ]

§ 59.1-466.10. **Enforcement; civil penalties.**

A. The Attorney General may cause an action to be brought in the name of the Commonwealth to enjoin any violation of § 59.1-466.9 by any person and to recover a civil penalty in the amount of not less than \$1,000 nor more than \$5,000 for each such violation. Civil penalties paid pursuant to this section shall be deposited to the Literary Fund.

B. In an action brought under this section, the Attorney General may recover damages and such other relief allowed by law, including restitution on behalf of consumers injured by violations of § 59.1-466.9.

C. In an action brought under this section, the Attorney General may recover reasonable expenses incurred in investigating and preparing the case, and attorney fees.

D. Whenever the Attorney General has reasonable cause to believe that any person has engaged in, is engaging in, or is about to engage in, any violation of § 59.1-466.9, the Attorney General is empowered to issue a civil investigative demand. The provisions of § 59.1-9.10 shall apply, mutatis mutandis, to civil investigative demands issued pursuant to this section.

E. Nothing in this section shall be construed as affecting any private cause of action that may exist under any law of the Commonwealth.

ENGROSSED

HB277E