



FAN FAIRNESS & TRANSPARENCY ACT

HB 3167 WITH -3 AMENDMENT

The Fan Fairness & Transparency Act (“Fan Fair Act”) would give Oregonians buying tickets for concerts, sporting events and other entertainment events protections in an industry that has seen increasing unfair and unscrupulous activities that drive up the cost of tickets and/or falsely sell tickets that are unavailable.

Based on the Fans First Act (S.3457, introduced to Congress in 2023), HB 3167 helps provide access to clear information about ticket pricing, availability, and fees, ensuring fans can make informed decisions free from hidden charges and other unfair practices.

“*Countless Oregonians have been cheated by deceptive practices and hidden fees that have long plagued the arts and entertainment market. HB 3167 takes meaningful steps towards increasing transparency with provisions that ensure we have clearer information when purchasing tickets, furthering Oregon’s strong commitment to consumer protections.*

~ Representative Marsh

BASE BILL KEY PROVISIONS:

- **Resale Market Oversight:** Introduces requirements for secondary ticketing platforms to ensure the security of the resale market, including disclosures of seat locations, ticket guarantees, and buyer protections, such as a refund policy in case of event cancellations.
- **All-in Pricing Requirement:** Requires any person or entity selling event tickets to display the total price upfront, including any fees, service charges, and taxes, throughout the purchasing process, to prevent the appearance of hidden fees at the final step/checkout.
- **Limit on Secondary Sales:** Establishes transparency requirements for secondary ticket sales, ensuring buyers are informed they are purchasing from a reseller, not from the event organizer, and that any limitations or conditions on the tickets are clearly communicated.
- **Prohibit Deceptive Marketing:** Prevents sellers from using domain names, photos, logos, etc. that could mislead a buyer about the origin of the ticket.
- **Ban on Speculative Ticketing:** Makes it unlawful for resellers to sell tickets they do not physically or electronically possess; they can only list tickets they have in their possession or have a clear contractual right to sell.
- **Expansion of Current Anti-Bots Ban in Statute:** Retains the software ban and adds a ban on ticket sales procured with banned software. Also requires the venue operator or ticket seller to notify the Attorney General if they detect the use of the banned software.
- **Penalties for Violation:** Makes violating the act an unlawful practice and allows a private right of action to sue for the violations, subject to the Unfair Trade Practices Act already in statute.



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-3 AMENDMENT WILL:

- Exempt movie theaters & trade shows from additional provisions HB 3167 would add.
- Adjust technical language in anti-bot statutes per DOJ recommendation.
- Remove the requirement for venue operator or ticket seller to notify the Attorney General if they detect the use of the banned software.
- Remove subsection 4, requiring all tickets to be transferable.
- Strengthen all-in pricing provision by requiring pricing breakdown before a consumer is required to enter financial information.
- Modify definitions of “base price” and “retail purchaser”.
- Exempt delivery fee, government charges and optional add-on charges from the disclosure requirement.

VOTE YES ON HB 3167 -3



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