

HB 3167 A STAFF MEASURE SUMMARY
House Committee On Commerce and Consumer Protection

Carrier: Rep. Marsh

Action Date: 04/08/25
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 6-3-1-0
Yeas: 6 - Chaichi, Chotzen, Gomberg, Neron, Sosa, Walters
Nays: 3 - Osborne, Reschke, Wallan
Exc: 1 - Cate
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Andrew Hendrie, LPRO Analyst
Meeting Dates: 3/11, 4/8

WHAT THE MEASURE DOES:

The measure regulates the selling and buying of event tickets to increase transparency in the buying process. It defines affiliated, initial price, initial sale, presale, promoter, purchaser, ticket seller, total price, and venue. It excludes commercial motion picture theaters from the definition of admission ticket and excludes trade shows from the definition of entertainment events. It excludes government charges, delivery fees, and optional add-ons from the definition of total price. The measure prohibits using software to purchase tickets more than the amount a seller of tickets has restricted or to circumvent a rule or policy a seller has established for a presale or initial sale or resale of an admission ticket. The measure prohibits a person using software in this way from willfully selling or offering to sell tickets acquired with the software. The measure requires sellers to disclose the initial price and total price when ticket is first selected and prior to financial information being required. The measure requires sellers to disclose prior to financial information being required by the purchaser, the terms to cancel the purchase, the policy for refunds, whether the purchaser is interacting with a reseller and if the ticket price may vary from the original venue or operator, the conditions for use of the ticket, and if the ticket is transferable or not. The measure requires that these disclosures must not be fraudulent or misleading and must be as prominent or larger than the initial price. It requires a seller to provide an opportunity for the purchaser to reconsider the options of the ticket selected. The measure prohibits a seller not affiliated with the venue or performer and without prior written authorization from the use of images, graphics, logos or other intellectual property that could be confusing when selling tickets. A reseller must have possession or a contract to obtain the ticket before selling and provide disclosure of the delivery date and the number of tickets that will allow for seating in a specific zone or section. If a reseller cannot obtain possession of the ticket they sold, the ticket seller must refund within 10 days the whole amount paid by the purchaser, including any deposit. The measure provides that a violation is an unfair trade practice, for a private right of action, and for Attorney General enforcement. The measure applies to sales on or after January 1, 2026.

ISSUES DISCUSSED:

- Ticket transferability
- Impacts for ticket sellers
- Impacts on ticket marketplaces

EFFECT OF AMENDMENT:

The amendment excludes commercial motion picture theaters from venues an admission ticket gives a right of entry to and excludes trade shows from the definition of entertainment events. It excludes government charges, delivery fees, and optional add-ons from the 'total price.' The amendment changes the standard for violation of the provisions for using software to purchase tickets from 'knowingly' to 'willfully.' It requires sellers to disclose

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the initial price and total price when a ticket is first selected. It requires sellers to disclose, prior to financial information being required by the purchaser, the terms to cancel the purchase, the policy for refunds, whether the purchaser is interacting with a reseller and if the ticket price may vary from the original venue or operator, the conditions for use of the ticket, and if the ticket is transferable or not. The amendment changes base price to initial price. The amendment specifies that the measure applies to sales on or after January 1, 2026.

BACKGROUND:

When buying a ticket to an event, a consumer can buy from the entity that originally offers the tickets, ticket resellers, or other consumers that want to sell a ticket they purchased. The entertainment industry has seen increasing unfair and deceptive activities that mislead and take advantage of consumers. ORS 646A.115 is the statute on prohibited software that interferes with sale of admission tickets to entertainment events.

HB 3167 A regulates the selling and buying of event tickets to increase transparency in the buying process.