

# House Bill 3510

Sponsored by Representative LEVY E, Senator NASH; Senators FREDERICK, LINTHICUM (at the request of Judy Trego)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest:** Stops people from using ways of buying up tickets to events that evade a ticket seller's security or limit on the number of tickets a person can buy. Says that a reseller must have a ticket before it can sell the ticket. (Flesch Readability Score: 60.6).

Prohibits knowingly or intentionally selling or offering for sale admission tickets that a person obtains by using software that is designed to circumvent, thwart, interfere with or evade a control or measure, including a security measure or an access control system, that an operator, ticket seller or reseller establishes or uses to ensure an equitable distribution, sale or resale of admission tickets for an entertainment event.

Prohibits a reseller from selling or offering for resale an admission ticket unless the reseller has actual or constructive possession of the admission ticket and makes certain disclosures before completing the sale.

Punishes violations of the Act as an unlawful practice under the Unlawful Trade Practices Act.

## A BILL FOR AN ACT

1  
2 Relating to regulating sales of admission tickets to entertainment events; creating new provisions;  
3 and amending ORS 646A.115.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 646A.115 is amended to read:

6 646A.115. (1) As used in this section:

7 (a) "Admission ticket" means evidence of a purchaser's right of entry to a venue or an enter-  
8 tainment event.

9 (b) "**Affiliated**" means a person's having control of, being controlled by or under common  
10 control with another person.

11 [(b)] (c) "Entertainment event" means a performance, recreation, amusement, diversion, specta-  
12 cle, show or similar event including, but not limited to, a theatrical or musical performance, concert,  
13 film, game, ride or sporting event **that occurs in this state**.

14 (d) "**Initial sale**" means a ticket seller's first sale of an admission ticket to a retail pur-  
15 chaser.

16 [(c)] (e) "Operator" means a person that owns, operates or controls a venue or that produces  
17 or promotes an entertainment event, or the person's agent or employee.

18 (f) "**Promoter**" means a person that organizes financing or publicity for an entertainment  
19 event, or the person's agent or employee.

20 [(d)] (g) "Resale" means a sale other than a **ticket seller's or** an operator's initial sale of an  
21 admission ticket for a venue that is located in or an entertainment event that occurs in this state,  
22 irrespective of the location in which the sale occurs or the means by which a reseller solicits or  
23 advertises the sale or delivers or receives payment for the admission ticket.

24 [(e)] (h) "Reseller" means a person other than a **ticket seller or** an operator that conducts a

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 resale, or the person's agent or employee.

2 (i) "Retail purchaser" means an individual who purchases an admission ticket for the  
3 individual's own use as admission to an entertainment event.

4 (j) "Ticket seller" means a person, including but not limited to an operator or promoter,  
5 that makes an admission ticket available for presale or an initial sale to a reseller or retail  
6 purchaser, or the person's agent or employee.

7 (k) "Total price" means the total cost a purchaser must pay to a ticket seller or reseller  
8 for an admission ticket, including every fee, tax, charge, surcharge or other cost that the  
9 purchaser must pay to receive or use the admission ticket, such as a service fee, processing  
10 fee, delivery fee, facility fee, convenience fee, resale fee or other fee or charge, however la-  
11 beled or denominated.

12 (L) "Venue" means a location in which an entertainment event occurs, entry to which  
13 requires an admission ticket.

14 (2)(a) A person may not knowingly or intentionally sell or use software, the purpose or effect  
15 of which is to circumvent, thwart, interfere with or evade a control or measure, including a security  
16 measure or an access control system, that an operator, ticket seller or reseller establishes or uses  
17 to ensure an equitable distribution, sale or resale of admission tickets for an entertainment event,  
18 to limit the number of admission tickets a single purchaser may purchase or to implement  
19 other rules or policies the operator, ticket seller or reseller establishes for a presale, initial  
20 sale or resale of an admission ticket.

21 (b) A person may not knowingly or intentionally sell or offer to sell an admission ticket  
22 that the person obtained using software described in paragraph (a) of this subsection.

23 (c) An operator, ticket seller or reseller shall notify the Attorney General if the operator,  
24 ticket seller or reseller detects the use of software described in paragraph (a) of this sub-  
25 section and shall provide available evidence of the use. The Attorney General may investigate  
26 the use of the software and for this purpose may issue an investigative demand under ORS  
27 646.618.

28 (3)(a) An operator may not deny entry to a venue to, impose a fee or charge on, or oth-  
29 erwise penalize or discriminate against a person that purchased an admission ticket from a  
30 ticket seller or reseller that is not affiliated with the operator.

31 (b) This subsection does not prohibit a person from establishing, maintaining or enforcing  
32 policies that govern conduct at a venue, an allowable age for admission or a limit on the  
33 number of admission tickets that a single purchaser may purchase.

34 (4)(a) A reseller or a person affiliated with a reseller may not offer, or engage in, a resale  
35 of an admission ticket unless the reseller or person:

36 (A) Has actual or constructive possession of the admission ticket or has a written con-  
37 tract to obtain the admission ticket from an operator, ticket seller or the person that pur-  
38 chased the admission ticket in an initial sale; and

39 (B) Discloses at the outset of the resale:

40 (i) An approximate delivery date of the admission ticket to the purchaser; and

41 (ii) The number of admission tickets in the resale that will allow admission to or seating  
42 in a specific zone, section, seat or other place within the venue or, if the admission tickets  
43 do not provide for admission to or seating in a specific zone, section, seat or other place  
44 within the venue, a statement to that effect.

45 (b) If a ticket seller does not obtain actual or constructive possession of an admission

1 **ticket after a sale to a purchaser occurs, the ticket seller shall refund not later than 10 days**  
2 **after the date of the entertainment event the total price, including any deposit, that the**  
3 **purchaser paid for the admission ticket.**

4 [(3)] (5) Violation of [*subsection (2) of*] this section is an unlawful practice under ORS 646.608  
5 that is subject to an action under ORS 646.632 and 646.638.

6 **SECTION 2. The amendments to ORS 646A.115 by section 1 of this 2025 Act apply to sales**  
7 **of or offers to sell admission tickets that occur on or after the effective date of this 2025**  
8 **Act.**

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