

HB 3167-A12  
(LC 1166)  
5/20/25 (TSB/ps)

Requested by Senator TAYLOR

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 3167**

On page 1 of the printed A-engrossed bill, delete lines 5 through 15 and delete pages 2 through 4 and insert:

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

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

**“(a) ‘Admission ticket’** means evidence of a purchaser’s right of entry to a venue **other than a commercial motion picture theater** or an entertainment event **other than a movie shown at a commercial motion picture theater.**

**“[(b)] (b)(A) ‘Entertainment event’** means a performance, recreation, amusement, diversion, spectacle, show or similar event **that occurs in this state** including, but not limited to, a theatrical or musical performance, concert, film, game, ride or sporting event.

**“(B) ‘Entertainment event’** does not include a trade show.

**“(c) ‘Initial sale’** means a ticket seller’s first sale of an admission ticket to a purchaser.

**“[(c)] (d) ‘Operator’** means a person that owns, operates or controls a venue or that produces or promotes an entertainment event, or the person’s agent or employee.

**“(e) ‘Presale’** means a sale of admission tickets to a selected group of purchasers with the permission of the ticket seller before admission tickets become available for purchase to the general public.

1       “(f) ‘Promoter’ means a person that organizes financing or publicity  
2       for an entertainment event, or the person’s agent or employee.

3       “(g) ‘Purchaser’ means an individual who purchases an admission  
4       ticket as admission to an entertainment event.

5       “[(d)] (h) ‘Resale’ means a sale other than a ticket seller or an  
6       operator’s initial sale of an admission ticket for a venue that is located in  
7       or an entertainment event that occurs in this state, irrespective of the lo-  
8       cation in which the sale occurs or the means by which a reseller solicits or  
9       advertises the sale or delivers or receives payment for the admission ticket.

10       “[(e)] (i) ‘Reseller’ means a person other than a ticket seller or an op-  
11       erator that conducts a resale, or the person’s agent or employee.

12       “(j) ‘Ticket seller’ means a person, including but not limited to an  
13       operator or promoter, that makes an admission ticket available for  
14       presale or an initial sale to a purchaser or reseller, or the person’s  
15       agent or employee.

16       “(k) ‘Venue’ means a location in which an entertainment event  
17       occurs, entry to which requires an admission ticket.

18       “(2)(a) A person may not [*intentionally*] willfully sell or use software, the  
19       purpose of which is to circumvent, thwart, interfere with or evade a control  
20       or measure, including a security measure or an access control system, that  
21       an operator, ticket seller or reseller establishes or uses to ensure an equi-  
22       table distribution, sale or resale of admission tickets for an entertainment  
23       event, including a public or private presale of admission tickets, or to  
24       limit the number of admission tickets a single purchaser may purchase  
25       from a ticket seller or reseller.

26       “(b) A person may not willfully sell or offer to sell an admission  
27       ticket that the person obtained using software described in paragraph  
28       (a) of this subsection.

29       “(3)(a) Except as provided in paragraph (b) of this subsection, a  
30       person may not, without prior written authorization, willfully:

1       “(A) Use or cause another person to use an Internet domain name  
2 or subdomain name if the domain name or subdomain name:

3       “(i) Names the venue;

4       “(ii) Names the entertainment event or an individual or entity that  
5 is scheduled to appear or perform at the entertainment event; or

6       “(iii) Is substantially similar to the name of the venue, of the  
7 entertainment event or of a person or entity that is scheduled to ap-  
8 pear or perform at the entertainment event; or

9       “(B) Publish or cause another person to publish a website that has  
10 or uses:

11       “(i) Text, images, graphics, a design or other material that indi-  
12 vidually or in combination is so substantially similar to the intellec-  
13 tual property of an operator or venue as to mislead a reasonable  
14 visitor to the website into believing that the website is affiliated with  
15 the operator or venue; or

16       “(ii) Text, images, graphics or a design that states or implies, in-  
17 cluding by use of the word ‘official,’ that the website is affiliated with  
18 or endorsed by an operator or venue or an individual or entity that is  
19 scheduled to appear or perform at an entertainment event.

20       “(b) Paragraph (a) of this subsection does not apply to a person that  
21 is licensed to use an image of, or is otherwise authorized to act on  
22 behalf of:

23       “(A) A venue, a promoter or another person that is scheduled to  
24 appear or perform at an entertainment event; or

25       “(B) A promoter or sponsor of:

26       “(i) The entertainment event; or

27       “(ii) A person that is scheduled to appear or perform at the enter-  
28 tainment event.

29       “(c) A seating chart of a venue or a picture of a view from a seat  
30 in a venue does not constitute text, images, graphics or a design that

