

# SENATE NO. 190

## **AN ACT** RELATIVE TO THE RE-SELLING OF TICKETS.

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
And by the authority of the same, as follows:*

1 SECTION 1. Section 185A of chapter 140 is hereby amended by adding at the end thereof the  
2 following new paragraph :-

3 Notwithstanding the above, this section shall not apply to Internet websites that comply with the  
4 consumer protections set forth in section one hundred eighty-five H.

5 SECTION 2. Said chapter 140 is hereby further amended by adding the following new section:-

6 185H. Non-applicability of statutes to certain internet companies

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8 Section 185H. The provisions of section one hundred and eighty-two A and the six preceding  
9 sections shall not apply to any ticket or other evidence of right of entry to any theatrical  
10 exhibition, public show or public amusement or exhibition of any description provided, that

11 such sales of tickets are associated with an internet company that offers the following consumer  
12 protections:

13 (a) The internet company guarantees a full refund of the amount paid for the ticket including  
14 any servicing, handling, or processing fees, if such fees are not disclosed, when:

15 1. The ticketed event is canceled;

16 2. The purchaser is denied admission to the ticketed event, unless such denial is due to  
17 the action or omission of the purchaser;

18 3. The ticket is not delivered to the purchaser and pursuant to any delivery guarantees  
19 made by the reseller and such failure results in the purchaser's inability to attend the ticketed  
20 event.

21 Any term or condition of the original sale of a ticket or tickets of admission or other evidence of  
22 right of entry to any theatrical exhibition, public show or public amusement  
23 that purports to limit the terms or conditions of resale of the ticket (including but not limited to  
24 the resale price of the ticket) is unenforceable, null, and void if the resale transaction is carried  
25 out by any of the means set forth in this section one hundred and eighty-five H.