

Amendment No. 1 to HB1439

Boyd
Signature of Sponsor

AMEND Senate Bill No. 1176*

House Bill No. 1439

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 50, is amended by adding the following new section:

(a) A reseller shall not utilize a tentative ticket policy, unless disclosed to a ticket purchaser at the outset of the transaction, under which the reseller sells tickets that are not:

(1) Owned by the reseller;

(2) Under contract or any other agreement to be transferred to the reseller; or

(3) In the reseller's possession at the time of sale.

(b) Disclosure of a tentative ticket policy must include an approximate delivery date and the number of tickets that are guaranteed to be grouped together, including any designation by the venue of an assigned seating zone, section number, or seat number. If the reseller cannot guarantee specific seats because the tickets are not owned by the reseller, under contract or any other type of agreement to be transferred to the reseller, or in the reseller's possession, then the reseller shall disclose this fact to a ticket purchaser at the outset of the transaction. If the reseller is unsuccessful in securing the tentative tickets, then the reseller shall refund any deposit made by the purchaser of those tickets no later than ten (10) days after the date of the ticketed event.

(c) A violation of this section constitutes a violation of the Tennessee Consumer Protection Act of 1977, compiled in chapter 18, part 1 of this title.

House Consumer and Human Resources Committee 1

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(d) For the purpose of application of the Tennessee Consumer Protection Act of 1977, any violation of this section constitutes an unfair or deceptive act or practice affecting the conduct of trade or commerce and is subject to the penalties and remedies as provided by the Tennessee Consumer Protection Act of 1977. Each act in violation of this section constitutes a separate violation.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.