

HOUSE BILL 1439

By Garrett

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 47, relative to ticket resale.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

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 under which the reseller sells tickets that are not owned by the reseller, under contract to be transferred to the reseller, or in the reseller's possession at the time of sale unless the policy is disclosed to a ticket purchaser at the outset of the transaction. The disclosure 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 to be transferred to the reseller, or in the reseller's possession, then the reseller must also 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 must refund any deposit made by the purchaser of those tickets no later than ten (10) days after the date of the ticketed event.

(b) 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.

(c) 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 that act. Each act in violation of this section constitutes a separate violation of this section.

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