

HOUSE BILL 80

By Hemmer

AN ACT to amend Tennessee Code Annotated, Title 47,
relative to speculative tickets.

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

SECTION 1. Tennessee Code Annotated, Section 47-50-119, is amended by deleting the section.

SECTION 2. Tennessee Code Annotated, Section 47-50-121(a), is amended by adding the following as a new subdivision:

() "Speculative ticket":

(A) Means a ticket that is not in the actual or constructive possession of a reseller at the time of sale, advertisement, or listing; and

(B) Includes a ticket sold by a reseller that, at the time of resale, is not:

(i) In the physical possession of the reseller;

(ii) Owned by the reseller; or

(iii) Under contract to be transferred to the reseller;

SECTION 3. Tennessee Code Annotated, Section 47-50-121, is amended by adding the following as a new subsection:

(e)

(1)

(A) A third-party ticket reseller shall not sell or offer to sell a speculative ticket.

(B) A third-party ticket reseller that operates an internet website or other electronic service that provides a mechanism for two (2) or more

parties to participate in a resale transaction shall not allow the sale or offering for sale of a speculative ticket.

(2)

(A) The division of consumer affairs in the office of the attorney general and reporter shall enforce this subsection (e). The division shall establish a means by which a consumer may submit a complaint for a violation of this subsection.

(B) If the division of consumer affairs finds that a third-party ticket reseller violated subdivision (e)(1)(A) or (e)(1)(B), then the division must assess a penalty of five thousand dollars (\$5,000) per violation. Each instance of selling, offering for sale, or allowing the sale or offering for sale of a speculative ticket is a separate violation.

(C) In addition to the remedy described in subdivision (e)(2)(B), an individual or entity that has reason to believe that a third-party ticket reseller violated subdivision (e)(1)(A) or (e)(1)(B) may bring a cause of action in a court of competent jurisdiction. If a court finds that the third-party ticket reseller violated subdivision (e)(1)(A) or (e)(1)(B), then the court must award the prevailing party actual damages, attorney fees, and reasonable court costs.

SECTION 4. This act takes effect July 1, 2025, the public welfare requiring it, and applies to conduct occurring on or after that date.