



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3108

Introduced 2/18/2025, by Rep. Nicholas K. Smith - Jay Hoffman

SYNOPSIS AS INTRODUCED:

815 ILCS 414/0.5 new

815 ILCS 414/1.5

815 ILCS 414/1.6 new

was 720 ILCS 375/1.5

Amends the Ticket Sale and Resale Act. Provides that a ticket seller or ticket reseller shall display the full price of a ticket, including all assessed fees, to a consumer when the price of a ticket is first shown to the consumer and shall not increase that price during the transaction with the consumer. Provides that a ticket reseller shall not sell or offer to sell a ticket that the ticket reseller does not possess or have a contract to purchase. Provides that a ticket resale marketplace shall not include the name of an artist, team, or ticket issuer in a URL of a website operated by the ticket resale marketplace unless authorized. Provides that a ticket issuer shall deliver a ticket purchased directly from the ticket issuer within 4 days after purchase unless otherwise clearly and conspicuously disclosed at the time of sale. Provides that a ticket issuer shall disclose the number of tickets for an event that are withheld from sale any time it offers tickets for that event for sale. Defines terms. Makes conforming changes.

LRB104 07731 SPS 17776 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Ticket Sale and Resale Act is amended by
5 changing Section 1.5 and by adding Sections 0.5 and 1.6 as
6 follows:

7 (815 ILCS 414/0.5 new)

8 Sec. 0.5. Definitions. As used in this Act:

9 "Broker" or "ticket broker" means a person, including a
10 ticket issuer, that resells or makes a secondary sale of a
11 ticket to the general public.

12 "Reseller" or "ticket reseller" means a person engaged in
13 the resale of tickets.

14 "Seller" or "ticket seller" means a person who has the
15 right to sell a ticket prior to or at the primary sale of the
16 ticket, including the event organizer or a person that
17 provides services to conduct or facilitate the primary sale of
18 tickets by or on behalf of the event organizer.

19 "Ticket" means a physical, electronic, or other form of a
20 certificate, document, voucher, token, or other evidence
21 indicating that a person has the right to be admitted to an
22 event.

23 "Ticket resale marketplace" means a person that operates a

1 platform or exchange for the resale of tickets between third
2 parties or between the ticket resale marketplace and a third
3 party. "Ticket resale marketplace" includes a ticket issuer
4 only to the extent the ticket issuer is acting to facilitate
5 the resale of tickets between third parties or between the
6 ticket issuer, acting as a ticket resale marketplace, and a
7 third party.

8 (815 ILCS 414/1.5) (was 720 ILCS 375/1.5)

9 Sec. 1.5. Sale of tickets at more than face value
10 prohibited; exceptions.

11 (a) Except as otherwise provided in subsections (b), (c),
12 (d), (e), and (f-5) of this Section and in Section 4, it is
13 unlawful for any person, persons, firm or corporation to sell
14 tickets for baseball games, football games, hockey games,
15 theatre entertainments, or any other amusement for a price
16 more than the price printed upon the face of said ticket, and
17 the price of said ticket shall correspond with the same price
18 shown at the box office or the office of original
19 distribution.

20 (b) This Act does not apply to the resale of tickets of
21 admission to a sporting event, theater, musical performance,
22 or place of public entertainment or amusement of any kind for a
23 price in excess of the printed box office ticket price by a
24 ticket broker who meets all of the following requirements:

25 (1) The ticket broker is duly registered with the

1 Office of the Secretary of State on a registration form
2 provided by that Office. The registration must contain a
3 certification that the ticket broker:

4 (A) engages in the resale of tickets on a regular
5 and ongoing basis from one or more permanent or fixed
6 locations located within this State;

7 (B) maintains as the principal business activity
8 at those locations the resale of tickets;

9 (C) displays at those locations the ticket
10 broker's registration;

11 (D) maintains at those locations a listing of the
12 names and addresses of all persons employed by the
13 ticket broker;

14 (E) is in compliance with all applicable federal,
15 State, and local laws relating to its ticket selling
16 activities, and that neither the ticket broker nor any
17 of its employees within the preceding 12 months have
18 been convicted of a violation of this Act; and

19 (F) meets the following requirements:

20 (i) the ticket broker maintains a toll free
21 number specifically dedicated for Illinois
22 consumer complaints and inquiries concerning
23 ticket sales;

24 (ii) the ticket broker has adopted a code that
25 advocates consumer protection that includes, at a
26 minimum:

- 1 (a-1) consumer protection guidelines;
- 2 (b-1) a standard refund policy. In the
3 event a refund is due, the ticket broker shall
4 provide that refund without charge other than
5 for reasonable delivery fees for the return of
6 the tickets; and
- 7 (c-1) standards of professional conduct;
- 8 (iii) the ticket broker has adopted a
9 procedure for the binding resolution of consumer
10 complaints by an independent, disinterested third
11 party and thereby submits to the jurisdiction of
12 the State of Illinois; and
- 13 (iv) the ticket broker has established and
14 maintains a consumer protection rebate fund in
15 Illinois in an amount in excess of \$100,000, which
16 must be cash available for immediate disbursement
17 for satisfaction of valid consumer complaints.

18 Alternatively, the ticket broker may fulfill the
19 requirements of subparagraph (F) of this paragraph (1) if
20 the ticket broker certifies that he or she belongs to a
21 professional association organized under the laws of this
22 State, or organized under the laws of any other state and
23 authorized to conduct business in Illinois, that has been
24 in existence for at least 3 years prior to the date of that
25 broker's registration with the Office of the Secretary of
26 State, and is specifically dedicated, for and on behalf of

1 its members, to provide and maintain the consumer
2 protection requirements of subparagraph (F) of this
3 paragraph (1) to maintain the integrity of the ticket
4 brokerage industry.

5 (2) (Blank).

6 (3) The ticket broker and his employees must not
7 engage in the practice of selling, or attempting to sell,
8 tickets for any event while sitting or standing near the
9 facility at which the event is to be held or is being held
10 unless the ticket broker or his or her employees are on
11 property they own, lease, or have permission to occupy.

12 (4) The ticket broker must comply with all
13 requirements of the Retailers' Occupation Tax Act and
14 collect and remit all other applicable federal, State and
15 local taxes in connection with the ticket broker's ticket
16 selling activities.

17 (5) Beginning January 1, 1996, no ticket broker shall
18 advertise for resale any tickets within this State unless
19 the advertisement contains the name of the ticket broker
20 and the Illinois registration number issued by the Office
21 of the Secretary of State under this Section.

22 (6) Each ticket broker registered under this Act shall
23 pay an annual registration fee of \$100.

24 (c) This Act does not apply to the sale of tickets of
25 admission to a sporting event, theater, musical performance,
26 or place of public entertainment or amusement of any kind for a

1 price in excess of the printed box office ticket price by a
2 reseller engaged in interstate or intrastate commerce on an
3 Internet auction listing service duly registered with the
4 Office of the Secretary of State on a registration form
5 provided by that Office. This subsection (c) applies to both
6 sales through an online bid submission process and sales at a
7 fixed price on the same website or interactive computer
8 service as an Internet auction listing service.

9 This subsection (c) applies to resales described in this
10 subsection only if the ticket resale marketplace operator of
11 the Internet auction listing service meets the following
12 requirements:

13 (1) the ticket resale marketplace operator maintains a
14 listing of the names and addresses of its corporate
15 officers;

16 (2) the ticket resale marketplace operator is in
17 compliance with all applicable federal, State, and local
18 laws relating to ticket selling activities, and the ticket
19 resale marketplace operator's officers and directors have
20 not been convicted of a violation of this Act within the
21 preceding 12 months;

22 (3) the ticket resale marketplace operator maintains,
23 either itself or through an affiliate, a toll free number
24 dedicated for consumer complaints;

25 (4) the ticket resale marketplace operator provides
26 consumer protections that include at a minimum:

1 (A) consumer protection guidelines;

2 (B) a standard refund policy that guarantees to
3 all purchasers that it will provide and in fact
4 provides a full refund of the amount paid by the
5 purchaser (including, but not limited to, all fees,
6 regardless of how characterized) if the following
7 occurs:

8 (i) the ticketed event is cancelled and the
9 purchaser returns the tickets to the seller or
10 Internet auction listing service; however,
11 reasonable delivery fees need not be refunded if
12 the previously disclosed guarantee specifies that
13 the fees will not be refunded if the event is
14 cancelled;

15 (ii) the ticket received by the purchaser does
16 not allow the purchaser to enter the ticketed
17 event for reasons that may include, without
18 limitation, that the ticket is counterfeit or that
19 the ticket has been cancelled by the issuer due to
20 non-payment, unless the ticket is cancelled due to
21 an act or omission by such purchaser;

22 (iii) the ticket fails to conform to its
23 description on the Internet auction listing
24 service; or

25 (iv) the ticket seller willfully fails to send
26 the ticket or tickets to the purchaser, or the

1 ticket seller attempted to deliver the ticket or
2 tickets to the purchaser in the manner required by
3 the Internet auction listing service and the
4 purchaser failed to receive the ticket or tickets;
5 and

6 (C) standards of professional conduct;

7 (5) the ticket resale marketplace operator has adopted
8 an independent and disinterested dispute resolution
9 procedure that allows resellers or purchasers to file
10 complaints against the other and have those complaints
11 mediated or resolved by a third party, and requires the
12 resellers or purchasers to submit to the jurisdiction of
13 the State of Illinois for complaints involving a ticketed
14 event held in Illinois;

15 (6) the ticket resale marketplace operator either:

16 (A) complies with all applicable requirements of
17 the Retailers' Occupation Tax Act and collects and
18 remits all applicable federal, State, and local taxes;
19 or

20 (B) publishes a written notice on the website
21 after the sale of one or more tickets that
22 automatically informs the ticket reseller of the
23 ticket reseller's potential legal obligation to pay
24 any applicable local amusement tax in connection with
25 the reseller's sale of tickets, and discloses to law
26 enforcement or other government tax officials, without

1 subpoena, the name, city, state, telephone number,
2 e-mail address, user ID history, fraud complaints, and
3 bidding and listing history of any specifically
4 identified reseller or purchaser upon the receipt of a
5 verified request from law enforcement or other
6 government tax officials relating to a criminal
7 investigation or alleged illegal activity; and

8 (7) the ticket resale marketplace ~~operator~~ either:

9 (A) has established and maintains a consumer
10 protection rebate fund in Illinois in an amount in
11 excess of \$100,000, which must be cash available for
12 immediate disbursement for satisfaction of valid
13 consumer complaints; or

14 (B) has obtained and maintains in force an errors
15 and omissions insurance policy that provides at least
16 \$100,000 in coverage.

17 (d) This Act does not apply to the resale of tickets of
18 admission to a sporting event, theater, musical performance,
19 or place of public entertainment or amusement of any kind for a
20 price in excess of the printed box office ticket price
21 conducted at an auction solely by or for a not-for-profit
22 organization for charitable purposes under clause (a)(1) of
23 Section 10-1 of the Auction License Act.

24 (e) This Act does not apply to the resale of a ticket for
25 admission to a baseball game, football game, hockey game,
26 theatre entertainment, or any other amusement for a price more

1 than the price printed on the face of the ticket and for more
2 than the price of the ticket at the box office if the resale is
3 made through an Internet website whose ticket resale
4 marketplace operator meets the following requirements:

5 (1) the ticket resale marketplace operator has a
6 business presence and physical street address in the State
7 of Illinois and clearly and conspicuously posts that
8 address on the website;

9 (2) the ticket resale marketplace operator maintains a
10 listing of the names of the ticket resale marketplace
11 ~~operator's~~ directors and officers, and is duly registered
12 with the Office of the Secretary of State on a
13 registration form provided by that Office;

14 (3) the ticket resale marketplace operator is in
15 compliance with all applicable federal, State, and local
16 laws relating to its ticket reselling activities regulated
17 under this Act, and the ticket resale marketplace
18 ~~operator's~~ officers and directors have not been convicted
19 of a violation of this Act within the preceding 12 months;

20 (4) the ticket resale marketplace operator maintains a
21 toll free number specifically dedicated for consumer
22 complaints and inquiries regarding ticket resales made
23 through the website;

24 (5) the ticket resale marketplace operator either:

25 (A) has established and maintains a consumer
26 protection rebate fund in Illinois in an amount in

1 excess of \$100,000, which must be cash available for
2 immediate disbursement for satisfaction of valid
3 consumer complaints; or

4 (B) has obtained and maintains in force an errors
5 and omissions policy of insurance in the minimum
6 amount of \$100,000 for the satisfaction of valid
7 consumer complaints;

8 (6) the ticket resale marketplace operator ~~operator~~ has adopted
9 an independent and disinterested dispute resolution
10 procedure that allows resellers or purchasers to file
11 complaints against the other and have those complaints
12 mediated or resolved by a third party, and requires the
13 resellers or purchasers to submit to the jurisdiction of
14 the State of Illinois for complaints involving a ticketed
15 event held in Illinois;

16 (7) the ticket resale marketplace operator ~~operator~~ either:

17 (A) complies with all applicable requirements of
18 the Retailers' Occupation Tax Act and collects and
19 remits all applicable federal, State, and local taxes;
20 or

21 (B) publishes a written notice on the website
22 after the sale of one or more tickets that
23 automatically informs the ticket reseller of the
24 ticket reseller's potential legal obligation to pay
25 any applicable local amusement tax in connection with
26 the reseller's sale of tickets, and discloses to law

1 enforcement or other government tax officials, without
2 subpoena, the name, city, state, telephone number,
3 e-mail address, user ID history, fraud complaints, and
4 bidding and listing history of any specifically
5 identified reseller or purchaser upon the receipt of a
6 verified request from law enforcement or other
7 government tax officials relating to a criminal
8 investigation or alleged illegal activity; and

9 (8) the ticket resale marketplace operator guarantees
10 to all purchasers that it will provide and in fact
11 provides a full refund of the amount paid by the purchaser
12 (including, but not limited to, all fees, regardless of
13 how characterized) if any of the following occurs:

14 (A) the ticketed event is cancelled and the
15 purchaser returns the tickets to the website ticket
16 resale marketplace operator; however, reasonable
17 delivery fees need not be refunded if the previously
18 disclosed guarantee specifies that the fees will not
19 be refunded if the event is cancelled;

20 (B) the ticket received by the purchaser does not
21 allow the purchaser to enter the ticketed event for
22 reasons that may include, without limitation, that the
23 ticket is counterfeit or that the ticket has been
24 cancelled by the issuer due to non-payment, unless the
25 ticket is cancelled due to an act or omission by the
26 purchaser;

1 (C) the ticket fails to conform to its description
2 on the website; or

3 (D) the ticket seller willfully fails to send the
4 ticket or tickets to the purchaser, or the ticket
5 seller attempted to deliver the ticket or tickets to
6 the purchaser in the manner required by the website
7 ticket resale marketplace operator and the purchaser
8 failed to receive the ticket or tickets.

9 Nothing in this subsection (e) shall be deemed to imply
10 any limitation on ticket sales made in accordance with
11 subsections (b), (c), and (d) of this Section or any
12 limitation on sales made in accordance with Section 4.

13 (f) The provisions of subsections (b), (c), (d), and (e)
14 of this Section apply only to the resale of a ticket after the
15 initial sale of that ticket. No reseller of a ticket may refuse
16 to sell tickets to another ticket reseller solely on the basis
17 that the purchaser is a ticket reseller or ticket broker
18 authorized to resell tickets pursuant to this Act.

19 (f-5) In addition to the requirements imposed under
20 subsections (b), (c), (d), (e), and (f) of this Section,
21 ticket brokers and resellers must comply with the requirements
22 of this subsection. Before accepting any payment from a
23 purchaser, a ticket broker or reseller must disclose to the
24 purchaser in a clear, conspicuous, and readily noticeable
25 manner the following information:

26 (1) the registered name and city of the event venue;

1 (2) that the ticket broker or reseller is not the
2 event venue box office or its licensed ticket agent, but
3 is, instead, a ticket broker or reseller and that lost or
4 stolen tickets may be reissued only by ticket brokers or
5 resellers;

6 (3) whether it is registered under this Act; and

7 (4) its refund policy, name, and contact information.

8 Before selling and accepting payment for a ticket, a
9 ticket broker or reseller must require the purchaser to
10 acknowledge by an affirmative act the disclosures required
11 under this subsection. The disclosures required by this
12 subsection must be made in a clear and conspicuous manner,
13 appear together, and be preceded by the heading "IMPORTANT
14 NOTICE" which must be in bold face font that is larger than the
15 font size of the required disclosures.

16 Ticket brokers and resellers must guarantee a full refund
17 of the amount paid by the purchaser, including handling and
18 delivery fees, if any of the following occurs:

19 (1) the ticket received by the purchaser does not
20 grant the purchaser admission to the event described on
21 the ticket, unless it is due to an act or omission by the
22 purchaser;

23 (2) the ticket fails to conform substantially to its
24 description as advertised; or

25 (3) the event for which the ticket has been resold is
26 cancelled and not rescheduled.

1 This subsection (f-5) does not apply to an Internet
2 auction listing service.

3 (g) The provisions of Public Act 89-406 are severable
4 under Section 1.31 of the Statute on Statutes.

5 (h) The provisions of this amendatory Act of the 94th
6 General Assembly are severable under Section 1.31 of the
7 Statute on Statutes.

8 (Source: P.A. 99-431, eff. 1-1-16; 100-534, eff. 9-22-17.)

9 (815 ILCS 414/1.6 new)

10 Sec. 1.6. Consumer protections for ticket sales.

11 (a) A ticket seller or ticket reseller shall display the
12 full price of a ticket, including all assessed fees, to a
13 consumer when the price of a ticket is first shown to the
14 consumer and shall not increase that price during the
15 transaction with the consumer, except that physical delivery
16 costs and any taxes imposed by this State or a unit of local
17 government shall be added to the total price of a ticket when
18 the consumer provides an address to the ticket seller or
19 ticket reseller.

20 (b) A ticket reseller shall not sell or offer to sell a
21 ticket that the ticket reseller does not possess or have a
22 contract to purchase. This subsection does not apply to a
23 ticket procurement service that makes a clear and conspicuous
24 disclosure to the consumer concerning the nature of the
25 service being provided to the consumer.

1 (c) A ticket resale marketplace shall not include the name
2 of an artist, team, or event venue in a URL of a website
3 operated by the ticket resale marketplace or its agents unless
4 authorized by the artist, team, or event venue.

5 (d) A ticket issuer shall deliver a ticket purchased
6 directly from the ticket issuer within 4 days after purchase
7 unless otherwise clearly and conspicuously disclosed to the
8 purchaser at the time of sale.

9 (e) A ticket issuer shall disclose the number of tickets
10 for an event that are withheld from sale any time it offers
11 tickets for that event for sale.