

AMENDED IN ASSEMBLY MAY 5, 2025

AMENDED IN ASSEMBLY APRIL 28, 2025

AMENDED IN ASSEMBLY APRIL 9, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1349

Introduced by Assembly Member Bryan
(Coauthors: Assembly Members McKinnor, Patterson, and Ward)
Ward, and Zbur

February 21, 2025

An act to amend Sections 22501, 22505.5, and 22507 of, to amend and renumber Section 22503.6 of, to add Sections 22502.4, 22502.5, and 22505.2 to, to repeal Sections 22502.2 and 22503.5 of, and to repeal and add Sections 22500, 22502, 22502.1, 22502.3, 22503, and 22508 of, the Business and Professions Code, relating to business.

LEGISLATIVE COUNSEL'S DIGEST

AB 1349, as amended, Bryan. Consumer protection: ticket sellers.

Existing law provides comprehensive regulation of ticket sellers, defined as a person who, for compensation, commission, or otherwise, sells admission tickets to a sporting, musical, theater, or any other entertainment event. In this regard, existing law, among other things, prohibits specified ticket selling practices and imposes certain recordkeeping and disclosure requirements. If an event is canceled, existing law requires that the ticket price be fully refunded to the consumer whether by an original seller, event presenter, ticket reseller, or ticket resale marketplace, as specified. If an event is postponed, rescheduled, or replaced with another event at the same date and time, existing law requires the ticket seller to fully refund the purchaser upon

request, as provided. Existing law makes a violation of those provisions a misdemeanor, and imposes civil penalties for certain violations.

This bill would generally revise and recast those provisions to impose similar requirements, as applicable, to original sellers, event presenters, ticket resellers, and ticket resale marketplaces, as defined. Among other changes, the bill would require that the consumer of a ticket for a canceled event, if the event presenter or venue operator is a nonprofit, be provided with the choice of a full refund for the ticket price or at least one of 3 options, including receiving a gift certificate, exchanging the ticket, or donating the ticket value, as specified. The bill would require the ticket price of an event that is postponed, rescheduled, or replaced with another event on the same date and time, at the option of the consumer, to be fully refunded or credited to the account of the consumer by the person who processed the sale of the ticket, as provided.

The bill would increase the amount of the civil penalty that may be imposed upon a ticket seller for failing to have a permanent business address, to include that address in any advertisement or solicitation, or to be duly licensed as may be required by any local jurisdiction by specifying that a violation of any of the provisions regulating ticket sellers is punishable by a civil fine of up to \$10,000. The bill would require ticket sellers to maintain records of ticket sales, deposits, and refunds for a minimum of 12 months.

The bill would require an original ticket seller or a ticket reseller, before listing, marketing, or selling a ticket, to ~~own, possess,~~ *have actual or constructive possession, as defined, of the ticket*, or have the contractual right to sell the ticket. The bill would require a ticket resale marketplace to impose a similar requirement before accepting a ticket listing, as specified. The bill would also make it unlawful for an original seller or a ticket reseller to advertise, offer for sale, or contract for the sale of a ticket if they do not ~~own, possess,~~ *have actual or constructive possession of the ticket*, or have the contractual right to sell the ticket.

The bill would make certain intentional acts unlawful, including purchasing tickets in excess of posted limits for an online event ticket sale and circumventing or disabling certain sales volume limitation systems. The bill would also prohibit a ticket reseller from using certain internet website displays that are substantially similar to the internet website of an event presenter, rights holder, or original seller, or any of their authorized agents, without their written consent.

The bill would revise and recast various disclosure requirements on the advertisement of tickets for sale, including requiring ticket resellers

and ticket resale marketplaces to disclose the location within the entertainment venue that the ticket will permit the purchaser consumer to occupy. The bill would delete the requirement that a ticket seller disclose that a service charge is added to the price of the ticket.

By expanding the scope of certain requirements related to selling those tickets, the violation of which is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:
3 (1) Music represents a fundamental expression of human
4 creativity and cultural heritage, serving as a universal language
5 that builds community, transcends barriers, and enriches the human
6 experience.
7 (2) Live musical performances create irreplaceable moments
8 of collective joy and shared experience, fostering social bonds,
9 and building lasting memories that define generations.
10 (3) Artists dedicate their lives to creating and performing music,
11 making significant contributions to our society's cultural fabric
12 while facing unique economic challenges and professional
13 uncertainties.
14 (4) The music industry is a vital economic engine for the State
15 of California, contributing over \$51,000,000,000 to California's
16 GDP, supporting more than 450,000 jobs, sustaining over 80,000
17 music establishments, and providing opportunities for more than
18 258,000 songwriters in California alone, according to data from
19 50statesofmusic.com.
20 (5) The ability of artists to connect directly with their fans
21 through live performances is essential to their artistic expression,
22 professional sustainability, and ability to build lasting careers in
23 music.

1 (6) The integrity of the live music experience depends on fair,
2 transparent, and accessible ticketing practices that serve the
3 interests of both artists and their fans.

4 (7) The rise of predatory ticketing practices, including the use
5 of automated purchasing software, speculative ticket sales, and
6 deceptive marketing, threatens artists' ability to ensure that their
7 performances remain accessible to their intended audiences.

8 (8) Artists have a fundamental right to determine how their
9 creative work is presented and distributed.

10 (9) The relationship between artists and their audiences must
11 be protected from exploitation by third parties who add no value
12 to the creative ecosystem while extracting excessive profits from
13 both creators and consumers.

14 (10) The future vitality of live music as an art form depends on
15 maintaining an equitable marketplace that respects artists' rights,
16 facilitates fair compensation for their work, and ensures fans can
17 access performances at transparent prices.

18 (11) State action is necessary to protect the cultural and
19 economic ecosystem of live music performance, preserve artist-fan
20 relationships, and ensure the sustainability of musical creation and
21 performance as a profession.

22 (12) Establishing clear standards for ticket sales and resale will
23 protect the rights of artists while ensuring fans have fair access to
24 live performances, thus preserving music's essential role in our
25 society.

26 (b) It is the intent of the Legislature to establish comprehensive
27 regulation of ticket sales and resale practices to protect the rights
28 of artists and fans, preserve the integrity of live music
29 performances, and ensure the long-term vitality of musical culture
30 in California.

31 SEC. 2. Section 22500 of the Business and Professions Code
32 is repealed.

33 SEC. 3. Section 22500 is added to the Business and Professions
34 Code, to read:

35 22500. (a) Original sellers, ticket resellers, and ticket resale
36 marketplaces shall be registered and be duly licensed, as may be
37 required by any local jurisdiction.

38 (b) A violation of this section is a misdemeanor punishable by
39 imprisonment in a county jail not exceeding six months, or by a

1 fine not exceeding two thousand five hundred dollars (\$2,500), or
2 by both.

3 (c) For the purposes of this chapter, each ticket purchased in a
4 manner prohibited by Section 22505.5, or sold or offered for sale
5 in violation of this chapter, shall constitute a separate violation.

6 (d) An action for a violation of this chapter may be brought only
7 by any of the following:

8 (1) The Attorney General.

9 (2) A district attorney.

10 (3) A city attorney.

11 (4) A county counsel.

12 (5) A city prosecutor.

13 (e) In an action alleging a violation of this chapter, the court
14 shall impose a civil penalty of not more than ten thousand dollars
15 (\$10,000) for each violation of this chapter. In addition, the court
16 shall award a prevailing public prosecutor reasonable costs and
17 attorney's fees. In determining the amount of the civil penalty, the
18 court shall consider all of the relevant circumstances presented by
19 any of the parties to the case, including, but not limited to, all of
20 the following:

21 (1) The nature and seriousness of the misconduct.

22 (2) The number of violations.

23 (3) The persistence of the misconduct.

24 (4) The length of time during which the misconduct occurred.

25 (5) The willfulness of the misconduct.

26 (6) The assets, liabilities, and net worth of the defendant.

27 (f) The remedies provided by this section are cumulative to each
28 other and to the remedies or penalties available under all other
29 laws of this state.

30 SEC. 4. Section 22501 of the Business and Professions Code
31 is amended to read:

32 22501. Original sellers, ticket resellers, and ticket resale
33 marketplaces shall maintain records of ticket sales, deposits, and
34 refunds for a minimum of 12 months after the initial sale.

35 SEC. 5. Section 22502 of the Business and Professions Code
36 is repealed.

37 SEC. 6. Section 22502 is added to the Business and Professions
38 Code, to read:

39 22502. (a) An original ticket seller or a ticket reseller, before
40 listing, marketing, or selling a ticket, shall ~~own, possess, have~~

1 *actual or constructive possession of the ticket*, or have ~~the a~~
2 contractual agreement with the event presenter or venue operator
3 to sell the ticket.

4 (b) An original seller or a ticket reseller, at the time of listing
5 or marketing of, and before selling, a ticket, shall disclose to the
6 consumer, by means of a description or a map, the location within
7 the entertainment venue that the ticket will permit the consumer
8 to occupy, including the section, row, and seat number represented
9 by each ticket, and the face price printed or displayed on the ticket
10 that they are listing for resale, unless that ticket is designated as
11 “standing room only” or not otherwise associated with occupying
12 a particular location within a venue.

13 (c) Subdivision (b) shall not apply to any of the following:

14 (1) Flexible series ticketing options that allow attendees to
15 commit to a number of performances in advance, while choosing
16 the specific performances at a later date.

17 (2) Season tickets that are purchased as a package and are not
18 individually priced.

19 (3) Special fundraising events presented by nonprofit venue
20 operators and event presenters.

21 SEC. 7. Section 22502.1 of the Business and Professions Code
22 is repealed.

23 SEC. 8. Section 22502.1 is added to the Business and
24 Professions Code, to read:

25 22502.1. (a) (1) A ticket resale marketplace, before accepting
26 a listing to market or sell a ticket, shall require that the person
27 listing the ticket ~~own, possess,~~ *have actual or constructive*
28 *possession of the ticket*, or have the contractual right to sell the
29 ticket, and be able to deliver the ticket to the consumer.

30 (2) By allowing a ticket to be posted for resale on its website,
31 a ticket resale marketplace is confirming that the ticket is being
32 sold in compliance with ~~all applicable state laws.~~ *the requirements*
33 *of this chapter.*

34 (b) A ticket resale marketplace, on its internet website in each
35 ticket listing, shall disclose to the consumer, by means of a
36 description or a map, the location within the entertainment venue
37 that the ticket will entitle the consumer to occupy, including the
38 section, row, and seat number represented by each ticket, unless
39 the ticket is designated as standing-room only or not otherwise
40 associated with occupying a particular location within a venue.

1 SEC. 9. Section 22502.2 of the Business and Professions Code
2 is repealed.

3 SEC. 10. Section 22502.3 of the Business and Professions
4 Code is repealed.

5 SEC. 11. Section 22502.3 is added to the Business and
6 Professions Code, to read:

7 22502.3. (a) It shall be unlawful for an original seller or a
8 ticket reseller to advertise, offer for sale, or contract for the sale
9 of a ticket, or accept consideration for payment in full or for a
10 deposit for the sale of a ticket if they do not ~~own, possess, have~~
11 *actual or constructive possession of the ticket*, or have a contractual
12 agreement with the event presenter or venue operator to sell the
13 ticket.

14 (b) In addition to the requirements of subdivision (a), it shall
15 be unlawful for an original seller or a ticket reseller to advertise,
16 offer for sale, or contract for the sale of a ticket, or accept
17 consideration for payment in full or for a deposit for the sale of a
18 ticket, unless the ticket has been made available for sale on the
19 internet to the public by the presenter, including, without limitation,
20 through a presale, fan club presale, or any other promotional presale
21 event, or the presenter has otherwise provided permission to the
22 original seller or ticket reseller to do so.

23 SEC. 12. Section 22502.4 is added to the Business and
24 Professions Code, to read:

25 22502.4. It shall be unlawful for an original seller, a ticket
26 reseller, or a ticket resale marketplace to do either of the following:

27 (a) Represent that they can deliver, or cause to be delivered, a
28 ticket at a specific price or within a specific price range, and to
29 fail to deliver within a reasonable time, or by a contracted time,
30 the ticket, at or below the price stated or within the range of prices
31 stated.

32 (b) Misrepresent or mislead the consumer with regard to the
33 access and provisions the ticket provides.

34 SEC. 13. Section 22502.5 is added to the Business and
35 Professions Code, to read:

36 22502.5. In addition to other remedies, an original seller, a
37 ticket reseller, or a ticket resale marketplace that violates Section
38 22502.1 or 22502.4 shall be civilly liable to the ticket consumer
39 for two times the contracted price of the ticket, in addition to any
40 sum expended by the consumer in nonrefundable expenses for

1 attending or attempting to attend the event in good faith reliance
 2 on seat or space availability, and reasonable attorney’s fees and
 3 court costs.

4 SEC. 14. Section 22503 of the Business and Professions Code
 5 is repealed.

6 SEC. 15. Section 22503 is added to the Business and
 7 Professions Code, to read:

8 22503. For purposes of this chapter, the following terms have
 9 the following meanings:

10 (a) “Artist” means an actor rendering services on the stage,
 11 musical artist, musical organization, or other performing artist
 12 rendering professional services in theatrical and other live
 13 entertainment enterprises.

14 (b) “Consumer” means a natural person or persons who purchase
 15 tickets to an entertainment event with the express purpose of
 16 attending that event.

17 (c) *“Constructive possession” means that the person has fully*
 18 *paid for the ticket, holds a legally enforceable right to receive*
 19 *delivery of the ticket, and has received confirmation of purchase*
 20 *or assignment from the original ticket seller, event presenter, or*
 21 *venue operator.*

22 ~~(e)~~
 23 (d) (1) “Entertainment venue” means a publicly or privately
 24 owned place that holds live entertainment events, including, but
 25 not limited to, an arena, auditorium, concert hall, live performance
 26 venue, racetrack, stadium, theater, or other place where
 27 entertainment events are presented for a price of admission.

28 (2) “Entertainment venue” does not include an amusement park
 29 or fairground unless the venue is hosting an event, concert, or
 30 music festival requiring a ticket, in addition to general admission
 31 to the park or fair, for entry.

32 ~~(e)~~
 33 (e) “Event presenter” means the person or organization that is
 34 responsible for a sporting, musical, theater, or other entertainment
 35 event for which tickets are sold, including the rights holder, or
 36 their authorized agent.

37 ~~(e)~~
 38 (f) “Face price” is the price established by the event presenter,
 39 rights holder, or venue operator prior to the original sale of a ticket,
 40 exclusive of any fees or charges.

1 ~~(f)~~

2 (g) “Live entertainment event” means a scheduled live
3 performance at a specific date, time, and location, including, but
4 not limited to, a theatrical or operatic performance, concert, or
5 sporting event, including, but not limited to, football, basketball,
6 baseball, boxing, tennis, hockey, or any other sport.

7 ~~(g)~~

8 (h) “Original seller” means a person who, for compensation,
9 commission, or otherwise, advertises, lists, markets for sale, or
10 sells an admission ticket to a sporting, musical, theater, or other
11 entertainment event for original sale as instructed by an event
12 presenter or venue operator.

13 ~~(h)~~

14 (i) “Premium seat license” means a license that entitles the
15 holder to purchase tickets for a designated seat in a venue for
16 multiple events, which include music shows in addition to
17 nonmusic shows, over a period of time that is at least one year.

18 ~~(i)~~

19 (j) “Professional athletic team” means any entity that has all of
20 the following characteristics:

21 (1) It employs concurrently during the taxable year five or more
22 persons, who are compensated for being participating members of
23 an athletic team engaging in public contests.

24 (2) Is a member of a league composed of at least five entities
25 that are engaged in the operation of an athletic team and that are
26 located in this and other states, or in other countries.

27 (3) Has total minimum paid attendance in the aggregate for all
28 contests wherever played during the taxable year of 40,000 persons.

29 (4) Has minimum gross income in the taxable year of one
30 hundred thousand dollars (\$100,000).

31 (5) Does not participate in college athletics.

32 ~~(j)~~

33 (k) “Rights holder” means an artist, performing arts organization,
34 theater or dance company, professional athletic team, professional
35 athletic league, author, lecturer, or any other persons who are the
36 primary speakers or performers at an event for which tickets are
37 sold.

38 ~~(k)~~

39 (l) “Ticket” means a license, issued by the venue operator, for
40 admission to the place of entertainment at the date and time

1 specified on the ticket, subject to the terms and conditions as
2 specified by the rights holder and venue operator.

3 ~~(t)~~

4 (m) “Ticket resale marketplace” means an entity that, for
5 compensation, commission, or otherwise, advertises, lists, markets
6 for sale, processes payments for, facilitates the resale of, or resells
7 an admission ticket for, a sporting, musical, theater, or other live
8 entertainment event.

9 ~~(m)~~

10 (n) “Ticket reseller” means a person who for compensation,
11 commission, or otherwise, advertises, lists, markets for sale, or
12 sells an admission ticket to a sporting, musical, theater, or other
13 entertainment event other than a ticket for original sale sold by an
14 original seller.

15 ~~(n)~~

16 (o) “Venue operator” means any person who owns, operates,
17 manages, or controls an entertainment venue.

18 SEC. 16. Section 22503.5 of the Business and Professions
19 Code is repealed.

20 SEC. 17. Section 22503.6 of the Business and Professions
21 Code is amended and renumbered to read:

22 22503.4. This chapter does not apply to an officially appointed
23 agent of an air carrier, ocean carrier, or motor coach carrier that
24 purchases or sells tickets in conjunction with a tour package
25 accomplished through the primary event promoter or their agent
26 by written agreement.

27 SEC. 18. Section 22505.2 is added to the Business and
28 Professions Code, to read:

29 22505.2. (a) A person shall not use an internet website, or
30 cause an internet website to be used, to display either of the
31 following:

32 (1) A trademarked or copyrighted URL, title, designation, image,
33 mark, or other symbol without the written consent of the trademark
34 or copyright holder.

35 (2) Any combination of text, images, web designs, or internet
36 addresses that is substantially similar to the internet website of an
37 event presenter, venue operator, or original seller, or any of their
38 authorized agents, without the written consent of the event
39 presenter, venue operator, or original seller.

1 (b) A ticket reseller shall not represent that the live entertainment
2 event is sold out or use the term “sold out” when tickets are still
3 available on the original seller’s website.

4 (c) In addition to the punishments contained in this chapter, a
5 violation of this section constitutes false advertising pursuant to
6 Section 17500.

7 SEC. 19. Section 22505.5 of the Business and Professions
8 Code is amended to read:

9 22505.5. Notwithstanding Section 22503.4, 22504, or 22511,
10 it shall be unlawful for a person to intentionally use, cause to be
11 used, or sell software or services to do, or to otherwise engage in,
12 any of the following:

13 (a) Purchase tickets in excess of posted limits for an online event
14 ticket sale.

15 (b) Circumvent or disable an electronic queue, waiting period,
16 presale code, or other sales volume limitation system associated
17 with an online event ticket sale.

18 (c) Circumvent or disable a security measure, access control
19 system, or other control or measure that is used to facilitate
20 authorized entry into an event.

21 (d) Purchase tickets in violation of the event presenter, or venue
22 operator’s posted terms and conditions.

23 (e) Utilize multiple Internet Protocol addresses, multiple
24 purchaser accounts, or multiple email addresses to purchase tickets
25 in excess of posted ticket limits.

26 SEC. 20. Section 22507 of the Business and Professions Code
27 is amended to read:

28 22507. (a) (1) The ticket price of an event that is canceled
29 shall be fully refunded to the consumer by the person who sold or
30 facilitated the sale of the ticket to the consumer, whether an original
31 seller, event presenter, ticket reseller, or ticket resale marketplace,
32 within 30 calendar days of the cancellation.

33 (2) Nonprofit event presenters and nonprofit venue operators
34 shall provide the consumer with the choice of a full refund for the
35 ticket price of an event that is canceled, or at least one of the
36 following options whereby the event presenter or venue operator
37 shall either:

38 (A) Provide the consumer with a gift certificate in an amount
39 equivalent to the value of the canceled ticket.

1 (B) Exchange the ticket for a different event if the new ticket
2 has a value that is equal to or greater than the value of the canceled
3 ticket.

4 (C) Allow the consumer to donate the value of the ticket at the
5 time of purchase to the nonprofit event presenter or nonprofit venue
6 operator.

7 (b) The ticket price of an event that is postponed, rescheduled,
8 or replaced with another event at the same date and time, shall be,
9 at the option of the consumer, fully refunded or credited to the
10 account of the consumer by the person who processed the sale of
11 the ticket upon request within 30 calendar days of the refund
12 request.

13 (c) For purposes of this section, a rescheduled event includes a
14 canceled occurrence of a recurring event for which the consumer
15 is offered the opportunity to attend another, materially identical
16 occurrence of the same event at a different date or time.

17 (d) A local jurisdiction may require an original seller, ticket
18 reseller, or ticket resale marketplace to provide a bond of not more
19 than fifty thousand dollars (\$50,000) to provide for any refunds
20 that may be required by this section.

21 SEC. 21. Section 22508 of the Business and Professions Code
22 is repealed.

23 SEC. 22. Section 22508 is added to the Business and
24 Professions Code, to read:

25 22508. Ticket resellers and ticket resale marketplaces shall
26 disclose in the description of the price of a ticket that the ticket is
27 a resale ticket that may be offered at a price that is more than the
28 face price of the original ticket. Ticket resellers and ticket
29 marketplaces shall include in any listing for a resale ticket the face
30 price of the original ticket.

31 SEC. 23. No reimbursement is required by this act pursuant to
32 Section 6 of Article XIII B of the California Constitution because
33 the only costs that may be incurred by a local agency or school
34 district will be incurred because this act creates a new crime or
35 infraction, eliminates a crime or infraction, or changes the penalty
36 for a crime or infraction, within the meaning of Section 17556 of
37 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

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