

Requested by Senator TAYLOR

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 3167**

1 On page 1 of the printed A-engrossed bill, delete lines 5 through 15 and  
2 delete pages 2 through 4 and insert:

3 **“SECTION 1. ORS 646A.115 is amended to read:**

4 **“646A.115. (1) As used in this section:**

5 **“(a) ‘Admission ticket’ means evidence of a purchaser’s right of entry to**  
6 **a venue *other than a commercial motion picture theater* or an enter-**  
7 **tainment event *other than a movie shown at a commercial motion pic-***  
8 **ture theater.**

9 **“(b) ‘Affiliated’ means a person’s having control of, being controlled**  
10 **by or under common control with another person.**

11 **“(c) ‘Completes a purchase’ means a purchaser supplies a method**  
12 **of purchase and has authorized the use of that method of purchase to**  
13 **acquire an admission ticket for a final price.**

14 **“~~[(b)]~~ (d)(A) ‘Entertainment event’ means a performance, recreation,**  
15 **amusement, diversion, spectacle, show or similar event *that occurs in this***  
16 **state including, but not limited to, a theatrical or musical performance,**  
17 **concert, film, game, ride or sporting event.**

18 **“(B) ‘Entertainment event’ does not include a trade show.**

19 **“(e) ‘Final price’ means the total price of an admission ticket plus**  
20 **all taxes that a federal, state, local or tribal law imposes on a sale or**  
21 **resale of the admission ticket and all delivery charges and optional**

1 **fees that apply to the sale or resale of the admission ticket.**

2 **“(f) ‘Initial sale’ means a ticket seller’s first sale of an admission**  
3 **ticket to a purchaser.**

4 **“(g) ‘Method of purchase’ means:**

5 **“(A) If subparagraph (B) of this paragraph does not apply, providing**  
6 **a credit card number, debit card number, bank account number or**  
7 **other means of payment to complete the sale or resale of an admission**  
8 **ticket; or**

9 **“(B) Authorizing the use of one or more of a purchaser’s credit card**  
10 **numbers, debit card numbers, bank account numbers or other means**  
11 **of payment that a ticket seller or reseller stored during a previous**  
12 **transaction.**

13 **“[(c)] (h) ‘Operator’ means a person that owns, operates or controls a**  
14 **venue or that produces or promotes an entertainment event, or the person’s**  
15 **agent or employee.**

16 **“(i) ‘Presale’ means a sale of admission tickets to a selected group**  
17 **of purchasers with the permission of the ticket seller before admission**  
18 **tickets become available for purchase to the general public.**

19 **“(j) ‘Promoter’ means a person that organizes financing or publicity**  
20 **for an entertainment event, or the person’s agent or employee.**

21 **“(k) ‘Purchaser’ means an individual who purchases an admission**  
22 **ticket as admission to an entertainment event.**

23 **“[(d)] (L) ‘Resale’ means a sale other than a ticket seller or an**  
24 **operator’s initial sale of an admission ticket for a venue that is located in**  
25 **or an entertainment event that occurs in this state, irrespective of the lo-**  
26 **cation in which the sale occurs or the means by which a reseller solicits or**  
27 **advertises the sale or delivers or receives payment for the admission ticket.**

28 **“(m) ‘Resale marketplace’ means a platform or exchange that fa-**  
29 **cilitates an offer or completion of a resale between a ticket seller or**  
30 **reseller and a retail purchaser, irrespective of the location of the**

1 **platform or exchange or the technology the platform or exchange uses**  
2 **to facilitate the resale.**

3 “[(e)] (n) ‘Reseller’ means a person other than a **ticket seller** or an op-  
4 erator that conducts a resale, **or the person’s agent or employee.**

5 “(o) ‘**Ticket seller**’ means a person, including but not limited to an  
6 operator or promoter, that makes an admission ticket available for  
7 presale or an initial sale to a purchaser or reseller, or the person’s  
8 agent or employee.

9 “(p)(A) ‘**Total price**’ means the total cost of an admission ticket,  
10 including every fee and charge that the purchaser must pay to receive  
11 or use the admission ticket.

12 “(B) ‘**Total price**’ does not include:

13 “(i) A tax that a federal, state, local or tribal law imposes on a sale  
14 or resale of an admission ticket;

15 “(ii) A delivery charge for a physical ticket that must be mailed;  
16 or

17 “(iii) A fee for a service that a purchaser may opt to receive or not  
18 to receive, that is in addition to the sale or resale of an admission  
19 ticket and that does not affect the purchaser’s right of entry into an  
20 entertainment event or venue.

21 “(q) ‘**Venue**’ means a location in which an entertainment event oc-  
22 curs, entry to which requires an admission ticket.

23 “(2)(a) A person may not [*intentionally*] **willfully** sell or use software, the  
24 purpose of which is to circumvent, thwart, interfere with or evade a control  
25 or measure, including a security measure or an access control system, that  
26 an operator, **ticket seller** or reseller establishes or uses to ensure an equi-  
27 table distribution, sale or resale of admission tickets for an entertainment  
28 event, **including a public or private presale of admission tickets, or to**  
29 **limit the number of admission tickets a single purchaser may purchase**  
30 **from a ticket seller or reseller.**

1       **“(b) A person may not willfully sell or offer to sell an admission**  
2 **ticket that the person obtained using software described in paragraph**  
3 **(a) of this subsection.**

4       **“(3)(a) A person may not sell, offer for sale, resell or offer for resale**  
5 **an admission ticket to a purchaser unless the person discloses to the**  
6 **purchaser:**

7       **“(A) The total price for the admission ticket when the purchaser**  
8 **first views an admission ticket for purchase and as the purchaser**  
9 **proceeds through all subsequent steps necessary to complete the pur-**  
10 **chase;**

11       **“(B) The following items before the purchaser provides a method**  
12 **of purchase:**

13       **“(i) An itemization of each fee, charge, surcharge or other cost that**  
14 **constitutes the total price;**

15       **“(ii) An approximate delivery date for the admission ticket, if the**  
16 **purchaser is purchasing from a ticket seller;**

17       **“(iii) The terms under which the purchaser may cancel the pur-**  
18 **chase;**

19       **“(iv) The policy for refunds if an entertainment event is canceled;**

20       **“(v) A statement that the price for the admission ticket may be**  
21 **higher or lower than face value, if the purchaser is purchasing the**  
22 **admission ticket on a resale marketplace;**

23       **“(vi) A statement that the admission ticket might be subject to**  
24 **terms and conditions imposed by the venue or the operator, if the**  
25 **purchaser is purchasing the admission ticket on a resale marketplace;**  
26 **and**

27       **“(vii) Whether the admission ticket is transferable and, if so, the**  
28 **terms under which the purchaser may transfer the admission ticket,**  
29 **if the purchaser is purchasing from a ticket seller; and**

30       **“(C) The final price for the admission ticket before the purchaser**

1 completes a purchase.

2 “(b) Before a purchaser completes a purchase, the purchaser must  
3 have an opportunity to make changes to the purchaser’s selection of  
4 the admission ticket or of the seat location, price level, tier or other  
5 variable feature of the admission ticket. A ticket seller, reseller or  
6 resale marketplace may condition the purchaser’s opportunity to make  
7 changes described in this paragraph on compliance with a time limit.

8 “(4)(a) Except as provided in paragraph (b) of this subsection, a  
9 person may not, without prior written authorization, willfully:

10 “(A) Use or cause another person to use an Internet domain name  
11 or subdomain name if the domain name or subdomain name:

12 “(i) Names the venue;

13 “(ii) Names the entertainment event or an individual or entity that  
14 is scheduled to appear or perform at the entertainment event; or

15 “(iii) Is substantially similar to the name of the venue, of the  
16 entertainment event or of a person or entity that is scheduled to ap-  
17 pear or perform at the entertainment event; or

18 “(B) Publish or cause another person to publish a website that has  
19 or uses:

20 “(i) Text, images, graphics, a design or other material that indi-  
21 vidually or in combination is so substantially similar to the intellec-  
22 tual property of an operator or venue as to mislead a reasonable  
23 visitor to the website into believing that the website is affiliated with  
24 the operator or venue; or

25 “(ii) Text, images, graphics or a design that states or implies, in-  
26 cluding by use of the word ‘official,’ that the website is affiliated with  
27 or endorsed by an operator or venue or an individual or entity that is  
28 scheduled to appear or perform at an entertainment event.

29 “(b) Paragraph (a) of this subsection does not apply to a person that  
30 is licensed to use an image of, or is otherwise authorized to act on

1 **behalf of:**

2 **“(A) A venue, a promoter or another person that is scheduled to**  
3 **appear or perform at an entertainment event; or**

4 **“(B) A promoter or sponsor of:**

5 **“(i) The entertainment event; or**

6 **“(ii) A person that is scheduled to appear or perform at the enter-**  
7 **tainment event.**

8 **“(c) A seating chart of a venue or a picture of a view from a seat**  
9 **in a venue does not constitute text, images, graphics or a design that**  
10 **a person may not publish or cause another person to publish under**  
11 **paragraph (a)(B) of this subsection.**

12 **“(5) A reseller or a person affiliated with a reseller may not offer,**  
13 **or engage in, a resale of an admission ticket unless the reseller or**  
14 **person:**

15 **“(a) Has actual or constructive possession of the admission ticket**  
16 **or has a written contract to obtain the admission ticket from an op-**  
17 **erator, ticket seller or the person that purchased the admission ticket**  
18 **in an initial sale; and**

19 **“(b) Discloses at the outset of the resale:**

20 **“(A) An approximate delivery date of the admission ticket to the**  
21 **purchaser; and**

22 **“(B) Whether each admission ticket that the reseller or person has**  
23 **available offers seating in a specific zone, section, seat or other place**  
24 **within the venue or, if the admission ticket does not provide for ad-**  
25 **mission to or seating in a specific zone, section, seat or other place**  
26 **within the venue, a clear statement to that effect.**

27 **“(6) A purchaser or reseller may not be subject to retaliation or**  
28 **discrimination as a consequence of the purchaser or reseller reselling**  
29 **an admission ticket.**

30 **“[(3)] (7) Violation of [subsection (2) of] this section is an unlawful prac-**

1 tice under ORS 646.608 that is subject to an action under ORS 646.632 and  
2 646.638.

3 **“SECTION 2. The amendments to ORS 646A.115 by section 1 of this**  
4 **2025 Act apply to sales of or offers to sell an admission ticket that**  
5 **occur on or after January 1, 2026.”.**

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