

SENATE BILL 446

I3

6lr1655

By: Senator Gile

Introduced and read first time: February 2, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Sale and Resale of Tickets – Disclosure of Tax**
3 **Information and Action for Damages**

4 FOR the purpose of repealing the requirement to include taxes in the total price for a ticket
5 on a certain listing and at each step of the ticket purchase transaction; authorizing
6 certain persons to bring an action against a ticket issuer, secondary ticket exchange,
7 or reseller for a certain violation; authorizing a court to award economic and punitive
8 damages subject to certain limitations; and generally relating to the sale and resale
9 of tickets.

10 BY repealing and reenacting, with amendments,
11 Article – Commercial Law
12 Section 13–310.1
13 Annotated Code of Maryland
14 (2025 Replacement Volume)

15 BY repealing and reenacting, without amendments,
16 Article – Commercial Law
17 Section 13–408
18 Annotated Code of Maryland
19 (2025 Replacement Volume)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Commercial Law**

23 13–310.1.

24 (a) (1) In this section the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SENATE BILL 446

1 (2) (i) “Resale” means the second or subsequent sale of a ticket.

2 (ii) “Resale” includes a sale by any means, including in person, by
3 telephone, by mail, by e-mail, by facsimile, or through a website or other electronic means.

4 (3) “Reseller” means a person engaged in the resale of tickets.

5 (4) “Secondary ticket exchange” means an electronic marketplace that
6 enables a person to sell, purchase, and resell tickets.

7 (5) (i) “Speculative ticket” means a ticket that is not in the actual or
8 constructive possession of a reseller at the time of sale, advertisement, or listing.

9 (ii) “Speculative ticket” includes a ticket sold by a reseller that, at
10 the time of resale:

11 1. Is not in the physical possession of the reseller;

12 2. Is not owned by the reseller; or

13 3. Is not under contract to be transferred to the reseller.

14 (6) “Ticket” means physical, electronic, or other evidence, that grants the
15 possessor of the evidence license to enter a place of entertainment for one or more events
16 at a specified date and time.

17 (7) (i) “Ticket issuer” means a person that, directly or indirectly, issues
18 initial tickets for an entertainment event.

19 (ii) “Ticket issuer” includes:

20 1. A musician or musical group;

21 2. An operator of a venue;

22 3. A sponsor or a promoter of an entertainment event;

23 4. A sports team participating in an entertainment event;

24 5. A sports league whose teams are participating in an
25 entertainment event;

26 6. A theater company;

27 7. A marketplace operated for consumers to make an initial
28 purchase of tickets; or

1 8. An agent of any of the persons listed in items 1 through 7
2 of this subparagraph.

3 (b) (1) This subsection applies only to secondary ticket exchanges, ticket
4 issuers, and resellers.

5 (2) The listing for a ticket and each step of a transaction to purchase a
6 ticket shall:

7 (i) Clearly and conspicuously disclose the total price of the ticket,
8 including all fees [and taxes] other than shipping costs that are not determinable at a step
9 in the transaction;

10 (ii) Provide an itemized listing of all charges that comprise the total
11 price of the ticket, including all fees [and taxes]; and

12 (iii) Identify the seat number and zone or section of the ticket, to the
13 extent applicable to the seat and venue.

14 (3) (i) The total price of a ticket under paragraph (2)(i) of this
15 subsection may be increased in a noninitial step of a transaction by the amount of
16 reasonable shipping costs for physically delivered tickets.

17 (ii) The shipping costs allowed under subparagraph (i) of this
18 paragraph may vary with the purchaser's location relative to the shipment's location of
19 origin and the delivery method selected by the purchaser.

20 (iii) The total price of the ticket, including all fees[, taxes,] and
21 shipping costs, shall be clearly and conspicuously disclosed prior to final purchase of the
22 ticket.

23 (c) A reseller may not sell or offer to sell speculative tickets.

24 (d) A secondary ticket exchange may not provide a marketplace for the sale or
25 resale of a ticket that violates this section.

26 (e) A ticket issuer, secondary ticket exchange, or reseller who directly engages in
27 a sales transaction with a purchaser for the purchase of a ticket shall provide the purchaser
28 with a full refund of the total amount paid, including the price of the ticket and any fees
29 and taxes, if:

30 (1) The ticket purchased is counterfeit;

31 (2) The event for which the ticket is purchased is canceled; or

32 (3) The ticket fails to conform to the description as advertised or
33 represented to the purchaser by the seller.

1 (F) (1) IN ADDITION TO ANY OTHER ACTION AUTHORIZED BY THIS TITLE
2 OR OTHERWISE AUTHORIZED BY LAW, A CONSUMER, AN ARTIST, OR A VENUE THAT
3 HAS BEEN DIRECTLY AGGRIEVED BY A VIOLATION OF THIS SECTION MAY BRING AN
4 ACTION UNDER § 13–408 OF THIS TITLE AGAINST THE TICKET ISSUER, SECONDARY
5 TICKET EXCHANGE, OR RESELLER THAT VIOLATED THIS SECTION.

6 (2) IF A PERSON PREVAILS IN AN ACTION FOR A VIOLATION OF THIS
7 SECTION, THE COURT MAY, IN ADDITION TO ANY RELIEF STATED UNDER § 13–408 OF
8 THIS TITLE, AWARD ECONOMIC AND PUNITIVE DAMAGES AS FOLLOWS:

9 (I) FOR A FIRST VIOLATION BY A TICKET ISSUER, SECONDARY
10 TICKET EXCHANGE, OR RESELLER, TOTAL DAMAGES NOT EXCEEDING \$10,000; AND

11 (II) FOR A SECOND OR SUBSEQUENT VIOLATION BY THE SAME
12 TICKET ISSUER, SECONDARY TICKET EXCHANGE, OR RESELLER, TOTAL DAMAGES
13 NOT EXCEEDING \$25,000 FOR EACH VIOLATION.

14 13–408.

15 (a) In addition to any action by the Division or Attorney General authorized by
16 this title and any other action otherwise authorized by law, any person may bring an action
17 to recover for injury or loss sustained by him as the result of a practice prohibited by this
18 title.

19 (b) Any person who brings an action to recover for injury or loss under this section
20 and who is awarded damages may also seek, and the court may award, reasonable
21 attorney's fees.

22 (c) If it appears to the satisfaction of the court, at any time, that an action is
23 brought in bad faith or is of a frivolous nature, the court may order the offending party to
24 pay to the other party reasonable attorney's fees.

25 (d) Notwithstanding any other provision of this section, a person may not bring
26 an action under this section to recover for injuries sustained as a result of the professional
27 services provided by a health care provider, as defined in § 3–2A–01 of the Courts Article.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2026.