

103^D CONGRESS
2^D SESSION

H. R. 4995

To require the disclosure of service and other charges on tickets, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 19, 1994

Mr. DINGELL (for himself, Mr. CONDIT, and Mr. SWIFT) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the disclosure of service and other charges on tickets, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ticket Fee Disclosure
5 Act of 1994”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) sellers and resellers of entertainment and
9 sporting event tickets often impose service charges
10 and fees or other additional fees and charges, in ex-

1 cess of the face amount of such tickets, to consum-
2 ers who purchase such tickets;

3 (2) consumers who desire to purchase entertain-
4 ment and sporting event tickets are entitled to full,
5 complete, and clear disclosure of any such additional
6 charges or fees;

7 (3) the failure by sellers and resellers of enter-
8 tainment and sporting event tickets to provide full,
9 complete, and clear disclosure of any such additional
10 charges or fees constitutes an unfair and deceptive
11 act or practice in or affecting commerce within the
12 meaning of section 5 of the Federal Trade Commis-
13 sion Act (15 U.S.C. 45); and

14 (4) sellers and resellers of entertainment and
15 sporting event tickets should be required to disclose
16 to potential purchasers of such tickets the amount of
17 any additional fees and charges beyond the face
18 amount of such tickets, and to have the amount of
19 such charges or fees imprinted on the ticket or on
20 a receipt evidencing any such ticket sale.

21 **SEC. 3. DISCLOSURE OF SERVICE CHARGES OR ADDI-**
22 **TIONAL TICKET FEES.**

23 It is unlawful for any seller or reseller (including any
24 ticket broker) of entertainment or sporting event tickets—

1 (1) to fail to disclose to a purchaser of an en-
2 tertainment or sporting event ticket, prior to any
3 purchase of such ticket, any fee, charge, or assess-
4 ment (other than a tax or other levy imposed pursu-
5 ant to Federal, State, or local law) to be imposed in
6 excess of the face amount of the ticket, and

7 (2) to fail to have the amount of any such fee,
8 charge, or assessment imprinted on the ticket or on
9 a receipt evidencing any such ticket sale.

10 **SEC. 4. ENFORCEMENT.**

11 (a) IN GENERAL.—Section 3 shall be enforced by the
12 Federal Trade Commission under the Federal Trade Com-
13 mission Act (15 U.S.C. 41 et seq.). Consequently, no ac-
14 tivity which is outside the jurisdiction of that Act shall
15 be affected by this Act.

16 (b) ACTIONS BY THE FEDERAL TRADE COMMIS-
17 SION.—The Federal Trade Commission shall prevent any
18 person from violating section 3 in the same manner, by
19 the same means, and with the same jurisdiction, powers,
20 and duties as though all applicable terms and provisions
21 of the Federal Trade Commission Act (15 U.S.C. 41 et
22 seq.) were incorporated into and made a part of this Act.
23 Any person who violates section 3 shall be subject to the
24 privileges and immunities provided in the Federal Trade
25 Commission Act in the same manner, by the same means,

1 and with the same jurisdiction, power, and duties, as
2 though all applicable terms and provisions of the Federal
3 Trade Commission Act were incorporated into and made
4 a part of this Act.

5 (c) TREATMENT OF VIOLATIONS.—Any violation of
6 section 3 shall be treated as a violation of a rule under
7 section 18 of the Federal Trade Commission Act (15
8 U.S.C. 57a) regarding unfair or deceptive acts or prac-
9 tices.

10 (d) EFFECT ON OTHER LAWS.—Nothing contained
11 in this Act shall be construed to limit the authority of the
12 Federal Trade Commission under any other provision of
13 law.

14 **SEC. 5. ACTIONS BY STATES.**

15 Whenever an attorney general of any State has rea-
16 son to believe that the interests of the residents of that
17 State have been or are being threatened or adversely af-
18 fected because any person has engaged or is engaging in
19 an act or practice in violation of section 3, the State may
20 bring a civil action on behalf of its residents in an appro-
21 priate district court of the United States to enjoin such
22 act or practice, to enforce compliance of section 3, to ob-
23 tain damages, restitution, or other compensation on behalf
24 of residents of such State, or to obtain such further and
25 other relief as the court may deem appropriate.

1 **SEC. 6. DEFINITIONS.**

2 For purposes of this Act:

3 (1) The term “attorney general” means the
4 chief legal officer of a State.

5 (2) The term “State” means any State of the
6 United States, the District of Columbia, Puerto
7 Rico, the Northern Mariana Islands, and any terri-
8 tory or possession of the United States.

○