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Office of Research and Drafting

Legislative Budget Office

H.B. 563
136th General Assembly

Bill Analysis

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Version: As Passed by the House

Primary Sponsor: Rep. Hiner

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SUMMARY

- Requires certain entertainment operators, ticket resellers, and online ticket marketplaces to conspicuously disclose various aspects regarding sales of tickets, including, for example, mandatory fees other than taxes and shipping costs.
- Requires ticket resellers and online ticket marketplaces to provide certain additional disclosures to assure consumers regarding ticket purchases, including, for example a 24-hour proof of purchase requirement and refund policy information.
- Prohibits certain practices in relation to ticket sales, including prohibiting operators, ticket resellers, and online ticket marketplaces from selling tickets over which they do not have actual or construction possession.
- Declares that a violation of the bill's provisions is an unfair or deceptive act or practice under Ohio's Consumer Sales Practices law.

DETAILED ANALYSIS

Overview and definitions

The bill regulates the sale and resale of tickets to entertainment events, whether the ticket is sold by an operator, a ticket reseller, or an online ticket marketplace.

An "operator" is a person (including the person's agent, employee or assignee) who owns, operates, or controls a place of entertainment, produces entertainment, or sells a ticket to a place of entertainment for original sale. "Entertainment" means all forms of theatrical or operatic performances, dance, ballet, concerts, motion pictures, entertainment at fairgrounds, amusement parks, athletic competitions and other sports, and all other forms of diversion, recreation, or show. "Place of entertainment" is any facility, including an amphitheater, theater, stadium, arena, racetrack, museum, amusement park, venue, club, or other place where entertainment is held in Ohio.

A "ticket reseller" is a person who offers or sells tickets for resale after the original sale, to an entertainment event located in Ohio, and includes an operator to the extent that the operator offers or sells tickets for resale. Sales by a ticket reseller include sales by any means, including in person or by telephone, mail, delivery service, facsimile, internet, email, or other electronic means. A person who purchases a ticket for the person's own use or the use of the person's invitees, employees, or agents is not a ticket reseller. An "online ticket marketplace" is the administrator of a website or other electronic service (including that administrator's agent, employee, or assignee) that sells tickets or maintains a platform to facilitate the sale of tickets.[1]

Disclosures

The bill requires a ticket reseller or online ticket marketplace to include, at the first time a ticket price is displayed, mandatory fees other than taxes and costs associated with shipping a physical ticket to a buyer. An itemized breakdown of all components of the ticket price, including taxes and shipping costs, must be clearly disclosed prior to the final purchase. All the above information is required to be disclosed in a way that is not false or misleading and not presented more prominently than the total cost of the ticket; however, fees, surcharges, and other components of the cost may be disclosed in a manner that allows the purchaser to hide or minimize the itemized list.[2]

Additionally, the bill prohibits an operator, ticket reseller, or online ticket marketplace from increasing the price of a ticket with respect to a particular person after the ticket price is first displayed to that person. This does not prohibit an operator, ticket reseller, or online ticket marketplace from (1) charging a reasonable fee for the delivery of tickets in a nonelectronic form, upon election of that delivery method by the purchaser, (2) adding to the total cost additional charges for any optional purchases made by the purchasers, so long as the cost of those additional purchases are disclosed prior to payment, (3) including a tax imposed on the transaction by a federal, state, tribal, or local government agency, unit, or department, or (4) not disclosing the components or fees included in a season ticket which combined make up the operator's base ticket price.[3]

For ticket resellers and online ticket marketplaces, the bill requires them to disclose on their websites or electronic services, including in their terms of service, that they own or operate the website or service and that the price of a resale ticket may be higher or lower than the original purchase price, that the purchaser is responsible for checking with the place of entertainment for information on changes to the event or cancellations prior to the event's start time, and the reseller's or marketplace's refund policy. Customers must be required (by the reseller or marketplace) to confirm having read these disclosures before they may complete a transaction.[4]

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[1] R.C. 1345.53(A). The bill defines "ticket-buying session" but does not use the term. A corrective amendment may be needed to address this.

[2] R.C. 1345.53(B) and (C)(1), and (2).

[3] R.C. 1345.53(C)(3).

[4] R.C. 1345.53(D).

Ticket resellers and online ticket marketplaces are also required to provide proof of purchase to the purchaser within 24 hours of selling a resale ticket. The proof of purchase must include all event and ticket information, a statement that the purchaser is responsible for checking with the place of entertainment for information on changes to the event or cancellations prior to the event's start time, and the refund policy of the ticket reseller or online ticket marketplace.[5]

Intellectual property

The bill prohibits online ticket marketplaces or ticket resellers from using words, images, trademarks, copyrights, web designs, or internet addresses that are identical or substantially similar to those associated with a place of entertainment without written permission from the place of entertainment or license holder. This does not prohibit the use of words containing the name of a place of entertainment or of an event, including the name of an artist or team, in order to describe the location of the event or the event itself, nor does it prohibit providing information or images identifying the specific seat or area the purchaser will occupy in the place of entertainment.[6]

Prohibited practices

The bill prohibits operators, online ticket marketplaces, and ticket resellers from selling a ticket unless the ticket is in the possession or constructive possession of the seller, or the seller has a written contract with the place of entertainment to obtain the ticket.[7]

The bill also prohibits any person from (1) selling or offering to sell more than one copy of the same ticket, (2) directly or indirectly employing another person to purchase tickets for resale if the practice is prohibited by law or the policy of the place of entertainment, (3) selling or offering to sell a ticket without first informing the person of the location of the place of entertainment and the ticket's assigned seat, or the most precise seat location identifier used by the place of entertainment if it does not use standard assigned seats because it is a general admission event, (4) selling or offering to sell a ticket for which there is no assigned seat without first informing the person of the general admission area to which the ticket corresponds, or (5) advertising, offering for sale, or contracting for the sale of a ticket before the ticket has been made available to the public, without first obtaining permission from the place of entertainment and having actual or constructive possession of the ticket, unless the ticket is part of a season ticket package owned by the ticket reseller.[8]

The bill also prohibits operators, ticket resellers, and online ticket marketplaces from reselling tickets using an internet domain name (which is a unique reference to an internet host or service) or subdomain within a website URL (which locates the website on the internet) that

[5] R.C. 1345.53(E).

[6] R.C. 1345.53(F).

[7] R.C. 1354.54(D).

[8] R.C. 1345.54(A).

contains the name of the place of entertainment, the name of an event, the name of a person scheduled to perform or appear at an event, or a name substantially similar to any of the foregoing, unless acting on behalf of the place, event, or person.[9]

Finally, the bill prohibits any person from knowingly (1) circumventing through any automated means any security or identity validation measures or access control system used to protect the process for purchasing a ticket on the internet or the process for admission to a place of entertainment, (2) disguising the identity of the purchaser for the purpose of purchasing more than the maximum number of tickets allowed, or (3) selling a ticket acquired in violation of either of the above, regardless of whether the person participated in or had the ability to control the prohibited conduct.[10]

Enforcement

A violation of the bill's provisions described under "**Disclosures**" and "**Intellectual property**" (above) is an unfair or deceptive act or practice, which the Attorney General may enforce. Under current law, unchanged by the bill, the Attorney General may bring an action seeking an injunction against a person committing an unfair or deceptive act or practice. If an injunction is granted and the person continues with its violation, a court may impose a civil penalty of $5,000 up to $15,000 per day the person is in violation of the injunction. The bill does not create a private cause of action for individual consumers due to an entity's violation.[11]

HISTORY

Action	Date
Introduced	10-29-25
Reported, H. Technology and Innovation	06-09-26
Passed House (95-0)	06-09-26

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[9] R.C. 1345.53(A) and 1345.54(B).

[10] R.C. 1345.54(C).

[11] R.C. 1345.54(E) and (F); R.C. 1345.02 and 1345.07, not in the bill.