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AB-1291 Ticket sellers: proof of purchase. (2025-2026)

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AMENDED IN ASSEMBLY APRIL 23, 2025

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1291

Introduced by Assembly Member Lee

February 21, 2025

An act to add ~~Sections 22505.6, 22512, and 22513 to~~ *Chapter 21.2 (commencing with Section 22513) to Division 8 of the Business and Professions Code, relating to ticket sellers.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1291, as amended, Lee. Ticket sellers: ~~unlawful acts:~~ *proof of purchase.*

Existing law regulates ticket sellers, defined as a person who, for compensation, commission, or otherwise, sells admission tickets to 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.

This bill would require a ticket seller, upon selling a ticket to an entertainment event, as defined, to immediately deliver a proof of purchase to a consumer, and would require a venue operator to honor that proof of purchase in lieu of the ticket if specified conditions are met. The bill would impose a civil penalty of up to \$2,500 for a violation of these requirements, as specified.

~~Existing law provides comprehensive regulation of ticket sellers and makes violations of those provisions a misdemeanor. Existing law defines a "ticket seller" as a person who, for compensation, commission, or otherwise, sells admission tickets to a sporting, musical, theater, or any other entertainment event. Existing law, among other things, prohibits specified ticket selling practices and imposes certain recordkeeping and disclosure requirements.~~

~~Existing law requires a seller to provide a full refund under specified circumstances and requires that the refund be provided within 30 days of the request.~~

~~This bill would, in addition, require a ticket seller to fully refund the ticket price of an event to the purchaser within 30 days of the event if the ticket received by the purchaser is counterfeit, does not allow the purchaser to enter the ticketed event, fails to conform to the description made by the ticket seller, or was not delivered to the purchaser before the event, except as specified.~~

~~Existing law exempts any ticket sales by a primary contractor, or any seller of tickets for the primary contractor under a written contract with the primary contractor, from the regulatory provisions. Existing law defines a "primary contractor" as the person or organization who is responsible for the event for which the tickets are being sold.~~

~~This bill would, notwithstanding this exemption, make it unlawful for a primary contractor, or a seller of tickets under contract with a primary contractor, to fail to electronically deliver a ticket to a consumer within 24 hours after the consumer purchases the electronic ticket. If a consumer purchases a ticket less than 24 hours before an event, the bill would require the primary contractor or contracted seller to deliver a consumer the electronic ticket as soon as reasonably possible after the purchase.~~

~~This bill would require a primary contractor or contracted seller to clearly and conspicuously disclose on a website, at a box office, and any other method of distribution being utilized for the original sale of tickets to an event, specified information including the total number of days reserved for an event at a venue, the total number of tickets available for sale during any public sale or pre-sale, and the price of those tickets, as specified.~~

~~By expanding the scope of existing crimes, 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 Local Program: ~~yes~~no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 21.2 (commencing with Section 22513) is added to Division 8 of the Business and Professions Code, to read:

CHAPTER 21.2. Fair Ticketing Practices Act

22513. For purposes of this chapter, the following definitions apply:

- (a) "Consumer" means a natural person who purchases a ticket to an entertainment event with the purpose of attending that event.
- (b) "Entertainment event" means a scheduled performance at a specific date, time, and location, including, but not limited to, a theatrical or operatic performance, concert, or sporting event, including, but not limited to, football, basketball, baseball, boxing, tennis, hockey, or any other sport.
- (c) "Entertainment venue" means a publicly or privately owned place that holds entertainment events, including, but not limited to, an arena, auditorium, concert hall, live performance venue, racetrack, stadium, theater, or other place where entertainment events are presented for a price of admission. "Entertainment venue" does not include an amusement park or fairground unless the venue is hosting an event, concert, or music festival requiring a ticket, in addition to general admission to the park or fair, for entry.
- (d) "Proof of purchase" means a receipt for the purchase of a ticket that is delivered electronically in a manner that allows it to be downloaded, copied, or saved in an electronic wallet and that contains a unique identifier linking it to the ticket purchased by the consumer.
- (e) "Ticket seller" has the same meaning as that term is defined in Section 22503 and includes both the primary and secondary sale of tickets. "Ticket seller" includes a primary contractor, as defined in Section 22503.5, an agent of a ticket seller, and an online ticket selling marketplace where consumers are able to sell and purchase tickets for an entertainment event.
- (f) "Venue operator" means any person who owns, operates, manages, or controls an entertainment venue.

22513.1. (a) Immediately upon selling a ticket to an entertainment event, a ticket seller shall deliver a proof of purchase to the consumer.

(b) A venue operator shall honor a proof of purchase for entrance to an entertainment event in lieu of the ticket if all of the following conditions are met:

- (1) The consumer cannot access the ticket they purchased.
- (2) The proof of purchase provided is legitimate.
- (3) The proof of purchase provided is linked to a ticket for the event.

(4) The ticket to which the proof of purchase is linked has not already been used to gain admission to the event.

22513.2. A person who violates this chapter shall be liable for a civil penalty not to exceed two thousand five hundred dollars (\$2,500) for each violation, which may be assessed and recovered in an action brought in the name of the people of the State of California by the Attorney General, a district attorney, a county counsel, a city attorney, or a city prosecutor. In addition, the court shall award a prevailing public prosecutor reasonable costs and attorney's fees. For purposes of this section, each ticket sold without a proof of purchase or each proof of purchase not honored by a venue operator in violation of this section shall constitute a separate violation. The remedies provided by this section are in addition to the remedies or penalties available under all other laws of this state.

~~SECTION 1. Section 22505.6 is added to the Business and Professions Code, to read:~~

~~22505.6.(a) Notwithstanding Section 22503.5, for a ticket delivered electronically, it is unlawful for a primary contractor or the seller of tickets for the primary contractor under a written contract with the primary contractor to fail to deliver the electronic ticket to a consumer within 24 hours after the consumer purchases the electronic ticket.~~

~~(b) Notwithstanding subdivision (a), if a consumer purchases a ticket less than 24 hours before an event, the primary contractor or contracted seller, as applicable, shall deliver a consumer the electronic ticket as soon as reasonably possible after the purchase.~~

~~SEC. 2. Section 22512 is added to the Business and Professions Code, to read:~~

~~22512.(a) Notwithstanding Section 22503.5, a primary contractor or the seller of tickets for the primary contractor under a written contract with the primary contractor shall clearly and conspicuously disclose on a website, at a box office, and any other method of distribution being utilized for the original sale of tickets to an event:~~

~~(1) The total number of days reserved for an event at a venue;~~

~~(2) The total number of tickets available for sale during any public sale or pre-sale; and~~

~~(3) The price of those tickets, including the number and total cost of the tickets offered for sale at a set price and the number of tickets with prices that will fluctuate to reflect demand;~~

~~(b) The total number of tickets and related price disclosures shall be updated by the primary contractor or the seller of tickets for the primary contractor under a written contract with the primary contractor when additional tickets are subsequently released for sale.~~

~~(c) This section shall not apply to a primary contract or the seller of tickets for the primary contractor under a written contract with the primary contractor who is selling tickets for an event held at a venue that is not owned, in whole or in part, operated, or exclusively ticketed by a publicly traded company or a corporate entity that operates multiple venues across state lines and has a capacity of 2,500 people or less.~~

~~SEC. 3. Section 22513 is added to the Business and Professions Code, to read:~~

~~22513. The ticket price of an event shall be fully refunded to the purchaser by the ticket seller within 30 days of the event if any of the following circumstances, as follows, applies:~~

~~(a) The ticket received by the purchaser is counterfeit.~~

~~(b) The ticket received by the purchaser does not allow the purchaser to enter the ticketed event, unless due to an act or omission of the purchaser.~~

~~(c) The ticket fails to conform to the description made by the ticket seller.~~

~~(d) The ticket was not delivered to the purchaser before the event, unless the failure of delivery was due to an act or omission of the purchaser.~~

~~SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.~~