



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3867/1

MDE:skw

2025 BILL

- 1 **AN ACT** *to create* 100.172 of the statutes; **relating to:** requirements for the sale
2 and resale of entertainment event tickets and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill creates requirements for the sale and resale of entertainment event tickets. Under the bill, sellers and resellers must comply with certain price disclosure requirements, requirements related to refunds, and requirements related to entertainment event ticket transferability. Additionally, resellers may not sell or offer for sale entertainment event tickets not in the actual or constructive possession of the reseller or participate in an unauthorized presale of entertainment event tickets and must comply with certain requirements related to setting resale prices, advertising, and using software to acquire entertainment event tickets for resale.

A person who violates the requirements in the bill may be subject to certain civil forfeitures.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **SECTION 1.** 100.172 of the statutes is created to read:

BILL**SECTION 1****100.172 Requirements for the resale of entertainment event tickets.**

(1) DEFINITIONS. In this section:

(a) “Bot” means any machine, device, computer program, or computer software that, on its own or with human assistance, bypasses security measures or access control systems on a retail entertainment event ticket purchasing platform, or other controls or measures on a retail entertainment event ticket purchasing platform that assist in implementing a limit on the number of entertainment event tickets that can be purchased, to purchase entertainment event tickets.

(b) “Fan club” means a membership-based program, primarily established by a venue, performing artist, or performer, that offers presale opportunities before a public offering for sale of entertainment event tickets.

(c) “Resale” means the 2nd or subsequent sale of an entertainment event ticket by any method, including by in-person transaction, telephone, mail, email, facsimile, or electronic means through a website or mobile application.

(d) “Reseller” means a person engaged in the resale of entertainment event tickets.

(e) “Primary entertainment event ticket seller” means, with respect to an entertainment event ticket, any person that has the right to sell the entertainment event ticket prior to or at the primary sale of the entertainment event ticket, including the event organizer or any person that provides services to conduct or facilitate the primary sale of entertainment event tickets by or on behalf of the event organizer.

(f) “Secondary entertainment event ticket exchange” means an electronic marketplace enabling the sale, purchase, and resale of entertainment event tickets.

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1 (g) “Speculative entertainment event ticket” means an entertainment event
2 ticket not in the actual or constructive possession of a reseller at the time of the
3 ticket’s listing, sale, or advertisement, including an entertainment event ticket not
4 owned by the reseller or under contract to be transferred to the reseller at the time
5 of the ticket’s sale.

6 (2) ENTERTAINMENT EVENT TICKET DISCLOSURE REQUIREMENTS. (a) A
7 primary entertainment event ticket seller, secondary entertainment event ticket
8 exchange, entertainment event ticket issuer, or reseller shall clearly and
9 conspicuously disclose at the time of listing an entertainment event ticket all of the
10 following:

11 1. The total price of the ticket, including all fees and taxes and any additional
12 charges other than shipping costs.

13 2. Unless the primary entertainment event ticket seller, secondary
14 entertainment event ticket exchange, entertainment event ticket issuer, or reseller
15 is a nonprofit organization, an itemized breakdown of all components of the total
16 price of the ticket, as specified in subd. 1., including all fees and taxes and any
17 additional charges other than shipping costs.

18 3. The seat number or section of the ticket, if applicable, based on the venue’s
19 seating arrangement, except in the following instances:

20 a. The ticket is part of a flexible series ticketing option that allows an attendee
21 to commit to a number of performances in advance while choosing the specific
22 performances at a later date.

23 b. The ticket is part of a season ticket package in which individual tickets are
24 not individually priced.

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1 c. The ticket is for a special fundraising event presented by a nonprofit venue
2 operator or event presenter.

3 (b) A primary entertainment event ticket seller, secondary entertainment
4 event ticket exchange, entertainment event ticket issuer, or reseller shall clearly
5 and conspicuously disclose to an entertainment event ticket purchaser prior to final
6 purchase of the ticket the total price of the ticket, including the information
7 required under par. (a).

8 **(3) PROHIBITION ON SPECULATIVE ENTERTAINMENT EVENT TICKET SALES.** A
9 reseller may not sell or offer for sale a speculative entertainment event ticket, or an
10 entertainment event ticket not in the reseller's possession and ownership.

11 **(4) PRESALE RESTRICTIONS.** (a) No primary entertainment event ticket seller,
12 reseller, or secondary entertainment event ticket exchange or any 3rd-party
13 affiliate thereof may resell an entertainment event ticket before the ticket has been
14 made available to the public through an initial sale.

15 (b) No reseller or secondary entertainment event ticket exchange or any 3rd-
16 party affiliate thereof may participate in a fan club ticket presale or sell or offer for
17 sale an entertainment event ticket sold through a fan club program.

18 **(5) PRESERVING PERFORMING ARTISTS' ABILITY TO DISINCENTIVIZE PRICE**
19 **GOUGING.** No person may restrict a consumer from transferring an entertainment
20 event ticket to another person unless the terms and conditions of the restrictions on
21 transferability are provided to the consumer prior to purchase and the consumer
22 acknowledges receipt of such disclosure prior to purchase.

23 **(6) REFUND REQUIREMENTS.** An entertainment event ticket issuer, secondary
24 entertainment event ticket exchange, or reseller directly engaged in a transaction

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1 with a purchaser of an entertainment event ticket shall provide a full refund of the
2 ticket, including all fees and taxes paid by the purchaser, within 10 days of a refund
3 request, if any of the following conditions are met:

4 (a) The ticket is counterfeit.

5 (b) The event for which the ticket is sold is canceled.

6 (c) The ticket does not conform to the description provided for the ticket at the
7 time of purchase.

8 (d) The date or time of the entertainment event is moved and the
9 entertainment event ticket issuer offers a refund to ticket purchasers.

10 **(7) BAN ON DECEPTIVE URLS AND IMPROPER USE OF INTELLECTUAL PROPERTY.**

11 No secondary entertainment event ticket exchange, reseller, or operator of any
12 website purporting to sell or offer for sale entertainment event tickets that link or
13 redirect to a secondary entertainment event ticket exchange or reseller may do any
14 of the following:

15 (a) Use any performing artist name, venue name, event organizer name,
16 graphic, marketing logo, image, or other intellectual property of a performing
17 artist, venue, or event organizer, including using any proprietary resemblance of
18 the venue where an event occurs in promotional materials, social media
19 promotions, or URLs of the secondary entertainment event ticket exchange,
20 reseller, or website.

21 (b) State or imply that the secondary entertainment event ticket exchange,
22 reseller, or website is affiliated with or endorsed by a venue or performing artist,
23 including by using words such as “official” in promotional materials, social media
24 promotions, search engine optimization, paid advertising, URLs, or search engine

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monetization unless the secondary entertainment event ticket exchange, reseller, or website has the express written consent of the venue or performing artist.

(8) PROHIBITION ON CIRCUMVENTION OF INTERNET ENTERTAINMENT EVENT TICKET SALES LIMITATIONS. (a) *Prohibited Actions*. No person may create a bot to perform any of the following actions:

1. Purchase entertainment event tickets for any single Internet entertainment event ticket sale.

2. Use multiple Internet protocol addresses, purchaser accounts, or email addresses to purchase more than 8 entertainment event tickets for any single Internet entertainment event ticket sale.

3. Circumvent or disable an electronic queue, waiting period, presale code, or other sales volume limitation system associated with an Internet entertainment event ticket sale.

4. Circumvent or disable a security measure, access control system, or any other control or measure used to facilitate authorized entry to an event.

(b) *Reporting requirements for primary entertainment event ticket sellers*. 1. A primary entertainment event ticket seller shall report any known circumvention or attempted circumvention of the prohibitions specified in par. (a) to the department within 48 hours of discovery.

2. A report under subd. 1. shall include all of the following:

a. A description of the incident, including the nature of the circumvention.

b. Any available information about the individuals or entities involved.

c. Measures taken or planned to prevent further circumvention.

3. A primary entertainment event ticket seller shall retain all relevant

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1 records of an incident under subd. 1. for a period of one year and make the records
2 available to the department upon request.

3 **(9) PRICE CAP ON SECONDARY ENTERTAINMENT EVENT TICKET EXCHANGE.** (a)
4 No reseller or secondary entertainment event ticket exchange may sell an
5 entertainment event ticket with a fee that exceeds 10 percent of the ticket's total
6 initial price.

7 (b) If an entertainment event ticket at initial sale was purchased for a series
8 of events, such as a season entertainment event ticket for a sports team, the total
9 resale price of an entertainment event ticket for a single event may not exceed the
10 total price of a comparable entertainment event ticket, including all fees and taxes.

11 **(10) PENALTIES AND ENFORCEMENT.** (a) Any person who violates this section
12 engages in an unfair and deceptive trade practice in violation of s. 100.20.

13 (b) A person who violates this section is subject to all of the following civil
14 forfeitures:

15 1. A civil forfeiture of not less than \$15,000 for each day the violation occurs.

16 2. A civil forfeiture equal to the greater of the following:

17 a. One thousand dollars per entertainment event ticket listed, advertised,
18 sold, or resold in violation of this section.

19 b. An amount equal to 5 times the total entertainment event ticket price of
20 each entertainment event ticket listed, advertised, sold, or resold in violation of this
21 section.

22 (c) In addition to a civil forfeiture under par. (b), if a person intentionally
23 violates this section, the person is subject to a civil forfeiture of at least \$10,000 per

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1 entertainment event ticket listed, advertised, sold, or resold in violation of this
2 section.

3 (d) Within 180 days after the effective date of this paragraph [LRB inserts
4 date], the department shall establish a publicly accessible website to allow
5 individuals to report violations of this section.

6 (e) No later than 12 months after the effective date of this paragraph [LRB
7 inserts date], and annually thereafter, the department shall submit a report to the
8 standing committees of the legislature under s. 13.172 (3) on the enforcement
9 actions, penalty collections, and effects under this section that occurred during the
10 previous year.

11 (END)