

- SUBJECT:** Prohibiting deceptive website domain names used for ticket sales
- COMMITTEE:** Business and Industry — favorable, without amendment
- VOTE:** 9 ayes — Martinez Fischer, Darby, Beckley, Collier, Landgraf, Moody, Parker, Patterson, Shine  
0 nays
- SENATE VOTE:** On final passage, April 23 — 29-2 (Hughes, Kolkhorst)
- WITNESSES:** *On House companion bill, HB 3528:*  
For — (*Registered, but did not testify:* John Kroll, AEG Live; Mark Vane; Live Nation Ticketmaster)  
  
Against — None
- DIGEST:** SB 2409 would prohibit a website operator from intentionally using without authorization certain names or trademarks in the domain name or subdomain of a ticket website's URL, including:
- the name of a performer, defined as an individual, team, group, or other person that entertained an audience;
  - the name of an organization or association that was associated with a performer, such as a professional sports league;
  - the name of a venue in Texas;
  - the name of an exhibition, performance or other event to be held at a venue in Texas;
  - any name substantially similar to one of the above, including a misspelling of the name; or
  - a trademark not owned by the website operator.

The prohibition would not apply to a website operator who was authorized by a performer, organization, venue, or event's organizer to use the name or trademark on its behalf for the purpose of selling or reselling tickets.

SB 2409 would make a violation of the bill a deceptive trade practice under the Deceptive Trade Practices-Consumer Protection Act, and actionable under that act.

The bill would take effect September 1, 2019.

**SUPPORTERS  
SAY:**

SB 2409 would protect Texas consumers by prohibiting a misleading practice used by bad actors in the secondary ticket market for music or sports events.

Third-party ticketing vendors sometimes use deceptive internet domain names that mislead customers into believing that tickets being resold are being offered directly from the event venue or the performer at official retail price, while they are actually being sold by a reseller at an inflated price. The bill would address this activity by making it a deceptive trade practice, which would allow violators to be fined by the attorney general and liable for damages in a lawsuit.

**OPPONENTS  
SAY:**

SB 2409 is intended to target bad actors, but the restriction it would impose on the use of internet domain names could negatively impact legitimate commerce. By codifying restrictions on domain names, the bill also could lead to more government interference in the marketplace in the future.