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OHIO LEGISLATIVE SERVICE COMMISSION

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S.B. 196
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. DeMora

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SUMMARY

- Prohibits online ticket marketplaces or operators from charging more than \$5 in total fees for tickets to entertainment events.
- Makes a violation of this prohibition an unfair or deceptive act or practice under the Ohio Consumer Sales Practices Act.

DETAILED ANALYSIS

Overview

The bill limits the total fees that can be charged for tickets to entertainment events held in this state to \$5, withan “entertainment” event encompassing any form of “diversion, recreation, or show,” including theatrical or operatic performances, dance, ballet, concerts, motion pictures, entertainment at fairgrounds, amusement parks, and sports competitions. Tickets for all venues in Ohio in which an entertainment event might be held are subject to the bill’s prohibition.¹

The fee limitation applies to any person who administers a website or any electronic service or platform that sells or facilitates the sale of tickets (“online ticket marketplace”) and any person who owns, operates, or controls a place of entertainment, produces entertainment, or sells tickets to a place of entertainment (“operator”).² “Fee” is defined by the bill as being any amount charged or collected in excess of an operator’s base ticket price or, in the case of tickets

¹ R.C. 1345.53(A)(1) and (5) and (B).

² R.C. 1345.53(A)(3) and (4).

sold on behalf of a ticket reseller, the resale price. “Fee” does not include a tax or fee imposed by the state or a political subdivision, nor an amount charged for ticket insurance.³

Unfair and deceptive practice

A violation of the bill’s prohibition is an unfair or deceptive act or practice under the Ohio Consumer Sales Practices Act. Current law, unchanged by the bill, permits the Attorney General to bring an action seeking an injunction against a party committing an unfair or deceptive act or practice. If that party then violates the injunction, a court may impose a civil penalty of up to \$5,000 per day the party is in violation of the injunction.

Additionally, consumers are authorized to sue the person committing the violation to either rescind the transaction or recover the consumer’s actual economic damages plus up to \$5,000 in noneconomic damages. In those cases where the violation was an act or practice previously declared by rule or by the courts to be unfair or deceptive, the consumer may rescind the transaction or recover three times the amount of actual economic damages or \$200, whichever is greater, plus an amount not exceeding \$5,000 in noneconomic damages.⁴

HISTORY

Action	Date
Introduced	5-13-25

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³ R.C. 1345.53(A)(2).

⁴ R.C. 1345.53(C); R.C. 1345.02, 1345.07, and 1345.09, not in the bill.