



Sen. Steve Stadelman

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LRB104 06435 SPS 37577 a

1 AMENDMENT TO SENATE BILL 318

2 AMENDMENT NO. _____. Amend Senate Bill 318 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Prohibition on Bots Purchasing Tickets Act.

6 Section 5. Definition. As used in this Act, "bot" means
7 any automated software program that performs automatic and
8 repetitive tasks and is designed to impersonate or replicate
9 human activity online. "Bot" does not include auto fill or
10 password management features built into an Internet browser or
11 provided through separate software.

12 Section 10. Prohibition on automated online ticket
13 purchasing.

14 (a) A person shall not use or create a bot to:

15 (1) purchase tickets in excess of posted limits for an

1 online ticket sale;

2 (2) use multiple Internet protocol addresses, multiple
3 purchaser accounts, or multiple email addresses to
4 purchase tickets in excess of the posted limit for any
5 single online ticket sale; or

6 (3) circumvent or disable an electronic queue, waiting
7 period, pre-sale code, or other sales volume limitation
8 system associated with an online ticket sale.

9 (b) An owner or operator of a place of entertainment that
10 sells tickets to events, and any agent who conducts or
11 facilitates those sales, shall report any known violation
12 described in subsection (a) to the Attorney General within a
13 reasonable period of time after discovery of the violation.
14 The report shall include:

15 (1) a description of the violation;

16 (2) any available information about the individuals or
17 entities involved in the violation; and

18 (3) any measures taken or planned to be taken to
19 prevent further violations.

20 Section 15. Enforcement by Attorney General.

21 (a) The Attorney General may investigate a claim that a
22 person violated this Act.

23 (b) If the Attorney General concludes that a person is
24 violating this Act, the Attorney General may bring an action
25 in the name of the People of the State to restrain or enjoin

1 the person from violating this Act.

2 (c) In addition to bringing an action for injunctive
3 relief under this Act, the Attorney General may seek
4 restitution and petition a circuit court for the assessment of
5 a civil penalty as provided by this Section.

6 (d) A person who knowingly violates Section 10 is liable
7 for a civil penalty of not more than \$2,000 for each violation.

8 (e) Every ticket transaction in which a ticket is acquired
9 to be sold in violation of Section 10 constitutes a separate
10 violation for purposes of assessing a civil penalty.

11 (f) The Attorney General may recover all reasonable costs
12 of bringing an action under this Section, including court
13 costs, reasonable attorney's fees, and investigation costs.

14 Section 90. The Ticket Sale and Resale Act is amended by
15 adding Section 1.6 as follows:

16 (815 ILCS 414/1.6 new)

17 Sec. 1.6. Consumer protections for ticket sales.

18 (a) As used in this Section:

19 "Operator" means a person that owns, operates, or controls
20 a place of entertainment or that promotes or produces
21 entertainment and that sells a ticket to an entertainment
22 event as the first sale of the ticket.

23 "Ticket issuer" means any person who makes tickets
24 available, directly or indirectly, to the general public, and

1 may include:

2 (1) the operator of the venue;

3 (2) the sponsor or promoter of an event;

4 (3) a sports team participating in an event or a
5 league whose teams are participating in an event;

6 (4) a theater company, musical group, or similar
7 participant in an event; or

8 (5) an agent for any such person.

9 "Ticket resale marketplace" means a person that operates a
10 platform or exchange for the resale of tickets between third
11 parties or between the ticket resale marketplace and a third
12 party. "Ticket resale marketplace" includes a ticket issuer
13 only to the extent the ticket issuer is acting to facilitate
14 the resale of tickets between third parties or between the
15 ticket issuer, acting as a ticket resale marketplace, and a
16 third party.

17 "Ticket reseller" means a person engaged in the resale of
18 tickets.

19 (b) A ticket resale marketplace or ticket reseller shall
20 not make any false representation that is likely to mislead a
21 reasonable consumer into believing that the marketplace or
22 reseller is affiliated with, endorsed by, or acting on behalf
23 of an artist, team, event venue, or event organizer. The use of
24 an artist, team, venue, or event name solely to identify the
25 event for which a ticket is offered for resale shall not, by
26 itself, constitute a violation of this Section.

1 (c) An operator or ticket issuer shall disclose the number
2 of tickets for an event that are withheld from sale any time it
3 offers tickets for that event for sale.

4 (d) A violation of this Section constitutes an unlawful
5 practice under the Consumer Fraud and Deceptive Business
6 Practices Act. All remedies, penalties, and authority granted
7 to the Attorney General or the State's Attorney by the
8 Consumer Fraud and Deceptive Business Practices Act shall be
9 available to the Attorney General or the State's Attorney for
10 the enforcement of this Section.

11 Section 95. The Consumer Fraud and Deceptive Business
12 Practices Act is amended by adding Section 2MMMM as follows:

13 (815 ILCS 505/2MMMM new)

14 Sec. 2MMMM. Violations of the Ticket Sale and Resale Act.

15 (a) Any person who violates Section 1.6 of the Ticket Sale
16 and Resale Act commits an unlawful practice within the meaning
17 of this Act.

18 (b) The provisions of Section 10a do not apply to a
19 violation of this Section."