



Chairman Wilson and Members of the Committee,

My name is Brian Hess, Executive Director of Sports Fans Coalition¹, a national non-profit advocacy organization devoted to representing fans wherever public policy impacts the games we love. This includes advocating for equal pay for women athletes and passing the *Equal Pay for Team USA Act*²; the Sports Bettors Bill of Rights which, through working with Senator Zucker, now protects Maryland sports bettors; college, name, image and likeness protections, especially through the passing of the *Jordan McNair Safe and Fair Play Act*³ alongside Comptroller Lierman, and opposing publicly financed sports stadiums, such as Monumental Sports' attempted move to Alexandria, VA.

Marylanders love their sports, whether it's the Ravens, Commanders, Orioles, Terrapins or Navy. Maryland has some of the richest sports cultures in the country. Maryland also has some of the top sports arenas and stadiums in the nation. We believe Marylanders should have access to a fair, transparent, and fan-friendly live event ticketing marketplace. SB 539, as amended, has improved significantly in providing this kind of marketplace to fans. We thank this committee for their work on this important bill. However, we urge the committee to address the remaining problems with the bill that continue to put the thumb on the scale of one side of the industry at the detriment to consumers.

First, let me start by saying we support all-in pricing. We believe the first price you see should be the last and **only** price you ever see. However, the language of the bill on all-in pricing could lead to confusion for fans, especially on the primary market. The language requires the itemized breakdown be shown to consumers at the moment the ticket is selected. However, this will force consumers to sort through a sea of numbers on the ticket selection screen, potentially leading to consumer confusion and an overall poor shopping experience. We believe consumers should only ever see one number. This bill is a consumer protection bill, not a reputation protection bill, and the bill should be amended as such.

Secondly, the study provisions in the bill are one-sided and only ask the Office of the Attorney General to study the secondary market. While there are certainly elements worth studying in the secondary market, there are a number of deceptive practices that the primary market engages in that are worthy of study, too. These include:

- Dynamic pricing,
- Deceptive ticket inventory holdbacks,
- Bot prevention and reporting capabilities, and
- The prevalence of exclusive contracts that foreclose on competition

We thank both committees for their work to protect fans. We are grateful⁴ for the significant improvements to the bill and applaud Senator Gile for her dedication to Maryland's fans.

Brian Hess
Executive Director
Sports Fans Coalition

¹ www.sportsfans.org

² <https://www.congress.gov/bill/117th-congress/senate-bill/2333>

³ <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB0125?ys=2021RS&search=True>

⁴ <https://www.ticketbuyerbillofrights.org/calls-on-full-senate-to-advance-amended-sb539>