

Bill: HB 77: Consumer Protection – Sale and Resale of Event Tickets- Registration and Regulation

Position: Oppose

Testimony of Dustin Brighton, Coalition for Ticket Fairness

My name is Dusty Brighton with the Coalition for Ticket Fairness (CTF), a coalition supported by a broad cross-section of businesses, including small and medium-sized enterprises in technology, ticket resale, marketplaces, and concierge and travel services. CTF believes in a future where ticketing practices are equitable, transparent, and respectful of consumers. Established with a shared commitment to reshape the ticketing landscape, CTF brings together industry leaders, advocates, and enthusiasts to drive positive change.

We applaud the legislature's pro-consumer focus and commitment to ensuring fair access to live entertainment. These are goals we strongly share, and we would welcome the opportunity to work with the legislature to develop balanced and pro-consumer policies that truly expand fairness.

Although well-intended, certain provisions within HB 77 will have significant unintended consequences, most notably cementing the indisputable monopoly in the ticketing market with just one company at the helm (Ticketmaster) which has a market capitalization of approximately \$36 billion and controls nearly 80% of the primary ticketing market in the United States.

Because of this dominance, this one company essentially manages the vast majority of initial ticket sales and dictates the terms of those sales, what fees are charged, whether tickets can be transferred, and whether venues may work with any competing platform.

As drafted, this legislation will not open the marketplace and risks cementing this monopolistic power by codifying policies that ultimately raise costs for fans while limiting alternatives.

Resale Ban Unless Authorized

One of the central provisions of HB 77 is the imposition on the ban of resale unless authorized. At first glance, this may sound consumer-friendly, but in reality, it will not address the true driver of inflated costs, which is Ticketmaster's online purchase fees. This bill may allow such company unlimited fees on top of the initial ticket price, which we anticipate would restrict resellers from participating in the marketplace.

In this way, Consumers would remain exposed to unchecked charges, while independent resellers are punished under limits that do not apply to the dominant players. The CTF opposes legislation of this type, particularly those that are applicable solely to resellers. Instead, we believe that the real solution is to require full price disclosure upfront, eliminate restrictions on transferability, and guarantee refunds from both primary sellers and resellers. We fully support consumers' right to know the complete "all in" cost of a ticket upfront, without hidden add-ons. We would be happy to point to examples of legislation in other states that adopt this approach.

Transferability

~~True consumer protection depends on free markets and transparency. That means ensuring fans can transfer or resell tickets without restrictions. As drafted, this bill opens the door for the largest companies to use their market power to restrict or pressure venues from allowing transferability.~~

Regulation

The CTF is open to a meaningful and appropriate regulation that applies to **both** primary sellers and resellers. If the goal is to strengthen consumer protections, then the CTF respectfully suggests that policy provisions apply to secondary sellers and primary sellers. Finally, if the purpose of the legislation is to monitor the wellbeing of the ticketing market, CTF urges the legislature to include disclosure requirements for venues and primary sellers, including exclusive venue contracts.

Price Caps

Under any economic model, price caps do not work. The Government Accountability Office (GAO) has determined that price caps would not work with ticket resale. One of the largest reasons is the resale is taken offline where online ticketing platforms provide consumer protections and transparency. In Europe, Ireland, repealed their law on price caps for ticket resale due to cumbersome efforts it takes to enforce and the risk to consumers as a result.

Conclusion

It is true that some independent primary sellers operate without Ticketmaster, but they are the exception and one company's dominance defines the landscape. Those exceptions do not change the larger reality: the central issue before us, and the one we should all agree on-protecting the consumer.

The real solution is to end the monopolistic practices, require full and transparent price disclosures, and establish fair rules that apply equally across the market.

For these reasons, we urge an unfavorable report but look forward to working with the sponsor.