



February 10, 2026

The Honorable Kriselda Valderrama
Chair
Committee on Economic Matters
Room 230, Taylor House Office Building
6 Bladen Street
Annapolis, MD 21401-1912

RE: Oppose HB 77 - Ticket Resale and Price Caps

Dear Chair Valderrama and members of the committee,

On behalf of Chamber of Progress, a tech industry association supporting public policies to build a society in which all people benefit from technological advances, **I respectfully urge you to oppose HB 77**, which would entrench the market power of dominant ticketing incumbents, restrict consumers' ability to resell or transfer tickets they have purchased, and reduce competition and innovation in the online ticketing marketplace.

Some online ticket marketplaces—like Ticketmaster and its parent company, Live Nation Events—enjoy a unique position as the event presenter, original ticket seller and reseller; a role that places them in a position similar to competing ticket resellers. Consequently, these multi-role marketplaces expose consumers to comparable challenges and issues encountered by their resale competitors, a situation that has garnered significant attention and even prompted an antitrust lawsuit from the Department of Justice (DOJ).¹

As drafted, HB 77 would require disclosure for resales of a ticket, but not its original sale. This selective approach creates an unfair advantage for established online ticketing marketplaces like Ticketmaster, which amassed a staggering \$4.5 billion in ticket resale revenue in 2022 alone.² As a result, HB 77 fosters an inequitable playing field within the

¹ *Complaint against Live Nation Entertainment, Inc. and Ticketmaster LLC (Case No. 1:24-cv-3973)*. U.S. Department of Justice, Mar. 23, 2024. (The complaint has been brought forth by the United States and a coalition of states, including Arizona, Arkansas, California, Colorado, Connecticut, District of Columbia, Florida, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, Washington, West Virginia Wisconsin, and Wyoming.)
<https://www.justice.gov/atr/media/1353101/dl>

² "Busting the Live Nation-Ticketmaster Monopoly: What Would a Break-Up Remedy Look Like?" American Antitrust Institute, July 11, 2023.
<https://www.antitrustinstitute.org/work-product/busting-the-live-nation-ticketmaster-monopoly-what-would-a-break-up-remedy-look-like/>

online ticketing industry, disproportionately benefiting incumbents over other similarly positioned market participants. In this context, disclosure requirements should uniformly apply to both primary ticket sellers and resellers.

HB 77 hurts consumers who want tickets but have work or personal conflicts

HB 77 prohibits the sale of speculative tickets. In the dynamic and fiercely competitive online ticketing industry, consumers benefit greatly from a wide array of resale options. This is advantageous for consumers who may not have the ideal circumstances to purchase tickets within the limited timeframes offered by original ticket sellers, like Ticketmaster. Consequently, the online ticket resale market has emerged as a vital platform, catering to a much broader consumer base than the incumbent sellers.

A ban could stifle innovation in the ticketing marketplace that creates better options for consumers, such as ticketing procurement services that allow consumers to avoid the primary sale process.

Rather than an outright ban, we would encourage the bill to require the disclosure of speculative ticket sales.

Price caps are ineffective and will drive ticket resales to underground and unregulated channels

Price caps, or restrictions placed on the resale price of a ticket included in Section 14-5105(B), are arbitrary and ineffective. A 2018 report by the US Government Accountability Office highlights the difficulty in enforcing these caps, making them largely unsuccessful.³ The report also references a study by the New York Department of State, which found “no definitive evidence that price caps impacted the availability of tickets for resale or resulted in lower resale prices.”⁴

For instance, in June 2023, the resale restrictions for Taylor Swift’s Eras Tour in Australia highlighted how price caps drove fans to unverified websites and social media platforms, exposing them to scams and fraud. Police reports showed that over \$260,000 was lost to scams related to counterfeit tickets for just one tour.⁵ Fans who sought alternative channels were left without recourse when their tickets turned out to be fake,

³ *Event Ticket Sales Market Characteristics and Consumer Protection Issues*. US Government Accountability Office, Apr. 2018. <https://www.gao.gov/assets/gao-18-347.pdf>

⁴ *Id.* at p. 41

⁵ Amy Roulston. “Victorian fans lose almost \$300,000 in scams ahead of Taylor Swift Eras Tour as MCG issues warning for ticketless fans.” Australia News, Feb. 7, 2024. <https://www.skynews.com.au/australia-news/crime/victorian-fans-lose-almost-300000-in-scams-ahead-of-taylor-swift-eras-tour-as-mcg-issues-warning-for-ticketless-fans/news-story/455223459481ef816a49f9382281bb81>

demonstrating how price caps can drive transactions into untrustworthy environments where consumer protections are nonexistent.

Additionally, ticket resale laws are primarily regulated at the state level. The majority of US states– 48 in total– allow tickets to be resold at the market rate, regardless of whether the resale price is above or below face value. The two remaining states– Rhode Island and Kentucky– allow these restrictions to be waived with “permission” from the event organizer. Consumers will benefit more from a regulated resale market that provides critical protections than from ineffective price cap statutes.

Lastly, the value of a ticket should be what a consumer places on it. At the core of consumer rights is the freedom to enjoy and utilize their purchased property as the consumer deems fit, including the right and ability to resell that property. For example, season ticket holders can sell their tickets to sports games they can’t attend or if their

HB 77 incorrectly defines a ticket as a “license”

While Section 14-1501(I) defines a ticket as a “license,” this framing does not reflect the practical reality for consumers. When someone buys a ticket, they reasonably expect to have ownership rights, including the ability to access the event, transfer the ticket, or resell it. Treating a ticket as a mere license undermines these expectations and weakens consumer rights that should be protected.

HB 77’s all-in pricing language should be harmonized with the FTC’s all-in pricing rule

All-in pricing is important because it gives consumers a clear, upfront total price and prevents mandatory fees from being hidden until checkout. Although HB 77 includes all-in pricing by defining “all-in price” as the total cost of a ticket, including all required fees, the bill’s pricing disclosure language must be harmonized with the FTC’s all-in pricing rule, which took effect on May 12,⁶ to ensure consumers see consistent total-price displays across platforms and jurisdictions.

Prohibiting bots from buying tickets puts customers first and ensures a fair marketplace

We agree that prohibiting a person from using bots to purchase tickets over the allowed amount for a given event, and support a transparent and fair ticketing industry. Too often, customers get locked out of fan experiences because they cannot buy highly sought-after tickets when the general on-sale begins. Using bots to purchase multiple

⁶ “Federal Trade Commission Announces Bipartisan Rule Banning Junk Ticket and Hotel Fees.” Federal Trade Commission, Dec. 2024.
<https://www.ftc.gov/news-events/news/press-releases/2024/12/federal-trade-commission-announces-bipartisan-rule-banning-junk-ticket-hotel-fees>

tickets and hold those seats harms customers' ability to access and buy tickets. Lack of ticket availability from the venue will impact a customer's financial capacity and may create distrust between the venue and the customer.

However, the requirement for ticket issuers and secondary exchanges to implement specific anti-bot technology under Section 14-5109 is unnecessary, as the 2016 Better Online Ticket Sales (BOTS) Act, a nationwide ban on ticket bots that use computer software to circumvent ticket purchase limits and bypass venues' ticketing rules, exists.⁷

For these reasons, we respectfully urge you to **oppose HB 77**.

Sincerely,

A handwritten signature in black ink, appearing to read "Brianna January". The signature is fluid and cursive, with the first name being more prominent.

Brianna January
Director of State & Local Government Relations, Northeast

⁷ Allison Considine. "The Battle Between Bots and the Ticket Industry Continues." Western Arts Alliance, 2016. <https://www.westarts.org/news-updates/the-battle-between-bots-and-the-ticket-industry-continues>