



February 23, 2026

The Honorable Kriselda Valderrama
Chair
Economic Matters Committee
House of Delegates
Maryland General Assembly
230 Taylor House Office Building
Annapolis, MD 21401

The Honorable Lorig Charkoudian
Vice- Chair
Economic Matters Committee
House of Delegates
Maryland General Assembly
230 Taylor House Office Building
Annapolis, MD 21401

RE: HB 77 (Consumer Protection – Sale and Resale of Event Tickets – Registration and Regulation)

Dear Chair Valderrama and Vice Chair Charkoudian,

On behalf of the National Consumers League (NCL),¹ I am writing regarding House Bill 77 (HB 77).² NCL is prepared to support HB 77 provided that certain proposed amendments are adopted and that the Committee carefully considers the consumer protection implications of the initially proposed resale pricing provisions in the bill.

The debate over ticketing reform is frequently cast as a contest between supposed champions of fans and industry wrongdoers. In reality, there are no white knights in this marketplace. Primary ticket issuers, vertically integrated ticketing platforms, artists, promoters, venues, brokers, and secondary exchanges all operate according to rational economic incentives. Monopoly firms in the primary market like Live Nation-Ticketmaster raise legitimate competition concerns. Secondary marketplaces benefit from scarcity and high-demand pricing. Brokers seek arbitrage opportunities. Venues, artists, and promoters seek to limit transferability not solely to protect fans, but also to preserve revenue streams tied to concessions, merchandise, data collection, or exclusive arrangements. Policy

¹ Founded in 1899, NCL is the nation's oldest consumer advocacy organization. Our non-profit mission is to advocate for consumers and workers in the United States and beyond. For more information, visit www.nclnet.org.

² Maryland House Bill 77 (2026 Regular Session), *Consumer Protection – Sale and Resale of Event Tickets – Registration and Regulation*, HB0077F (Md. 2026), available at <https://mgaleg.maryland.gov/2026RS/bills/hb/hb0077F.pdf>

proposals are frequently advanced in ways that advantage one segment of the industry over another.

Consumers are not the priority for any single participant. That is why clear statutory guardrails—grounded in transparency, accountability, and enforceability—are necessary. HB 77, particularly as refined through amendment, promises to move Maryland in that direction.

First, the bill's reseller registration requirement is an important accountability measure. A registration framework is only as effective as the enforcement capacity behind it. Establishing an annual registration fee, set by regulation, and dedicating that revenue to a Ticket Resale Enforcement Fund would provide the Office of the Attorney General with the necessary resources to administer registration, review reporting submissions, investigate violations, and pursue enforcement actions.

Other states, including New York, have adopted robust reseller registration regimes with significant fees that help sustain oversight. Maryland should likewise ensure that any registration system is designed to be operationally effective, not merely symbolic. A dedicated fund composed of registration fees, penalties, and appropriated funds ensures that HB 77 does not create unfunded mandates. Effective consumer protection requires sustained oversight, not symbolic compliance structures.

Second, automated purchasing software (so-called "ticket bots") remains a significant driver of consumer frustration in primary ticket markets. Requiring ticket issuers and secondary exchanges to maintain systems to detect automated purchase attempts, report suspected violations to the Attorney General and retain transaction data for at least three years would introduce much-needed accountability into existing anti-bot laws. Anti-bot statutes are only as strong as their enforcement. Mandatory reporting creates transparency and enables meaningful investigation of high-volume or coordinated activity that undermines fair access.

Third, artificial scarcity, whether intentional or structural, can push consumers prematurely into resale markets. Requiring issuers to disclose at the initial on-sale whether additional inventory may be released at a later time addresses a longstanding consumer complaint regarding "holdbacks." If tickets are released in phases, consumers deserve to know that at the outset. Disclosure empowers consumers to make informed purchasing decisions and reduces panic-driven resale purchases.

Fourth, if a ticket is designated as nontransferable, it should not become financially unusable. Requiring that a nontransferable ticket be eligible for a full refund at the

purchaser's request until at least 24 hours before the event strikes an appropriate balance. This approach allows issuers to experiment with transfer restrictions while ensuring that consumers are not trapped by unforeseen scheduling conflicts or life events.

In addition, extending refund rights to postponed events reinforces basic fairness. When an event is materially delayed, consumers should have the option to retain the ticket for the rescheduled date or receive a full refund within ten days of request. Postponements can create real financial and logistical burdens. Providing a clear statutory right to a refund mitigates that harm.

Fifth, given the concentration in certain segments of the ticketing market, it is critical that HB 77 not be construed to require resale to occur exclusively through a primary ticketing platform or an affiliated marketplace. Clarifying that nothing in the bill mandates resale through a primary platform helps preserve competition and prevents the statute from unintentionally reinforcing dominant market positions. Consumer protection legislation should not become a mechanism for market foreclosure.

Sixth, all-in pricing is meaningful only if it is visible when consumers begin evaluating options. Requiring that the total price be displayed prominently at the first point at which a ticket is offered for sale ensures usability and consistency. Allowing implementation through user-interface tools such as dropdown menus can address mobile screen constraints while preserving the principle that the total cost must be transparent from the outset—not revealed late in checkout.

We understand that resale price caps were included in the bill as introduced. NCL does not approach this issue ideologically. Our analysis focuses on how specific design choices affect real-world consumer outcomes. Well-intentioned resale caps are often advanced to prevent excessive markups and promote affordability. However, experience and market data suggest that rigid caps can produce unintended consequences if not carefully calibrated and paired with strong enforcement mechanisms.

Demand for high-profile events does not disappear when resale prices are capped. Instead, transactions may migrate away from regulated, buyer-protected platforms and into informal or unregulated channels, including social media platforms, peer-to-peer payment apps, and offshore resale sites. These channels frequently lack meaningful buyer guarantees, identity verification, or refund protections. In those environments, fraud risks rise sharply. Consumers may encounter counterfeit tickets, duplicate barcodes, or sellers who disappear after receiving payment. When that occurs, the loss is not a disputed markup; it is the full purchase price.

A poorly structured resale cap can have the effect of protecting consumers from paying too much while exposing them to losing everything to fraud. That is not a theoretical concern. It is a predictable response to constraining price signals in a high-demand market without simultaneously constraining off-platform transactions.

This does not mean that resale caps are categorically inappropriate. It does mean that lawmakers should carefully consider threshold levels, enforcement capacity, and the interaction between caps and unregulated resale channels. Any resale pricing framework should be evaluated not only on whether it lowers nominal prices in the regulated market, but also on whether it reduces—or inadvertently increases—overall consumer harm. For example, were Maryland to adopt the proposed price cap, it is likely that arbitrage revenue currently captured by ticket brokers and resale exchanges would instead flow to Ticketmaster via mechanisms such as dynamic pricing, increased volume on its own resale exchange and fees on so-called “fan-to-fan” marketplaces. The goal of this committee should be to protect consumers, not to entrench or advantage a monopolistic business model.

Maryland has a strong tradition of consumer protection leadership. State-level innovation can improve market practices, particularly where federal enforcement resources are limited. HB 77 reflects a sincere effort to address longstanding concerns about transparency, accountability, and fraud in the ticketing ecosystem.

The proposed amendments to HB 77 reinforce the central goal of the bill: to improve affordability, strengthen consumer protections, enhance enforceability, and preserve fair competition in a marketplace where no single actor can credibly claim to represent consumer interests above its own. There are no white knights in the ticketing industry. That reality makes thoughtful, evidence-based policymaking critical.

For these reasons, the National Consumers League respectfully urges the Committee to adopt the proposed amendments and to advance HB 77 in a manner that maximizes consumer protection while minimizing unintended harms.

Sincerely,

A handwritten signature in cursive script, appearing to read "John D. Breyault".

John D. Breyault

Vice President, Public Policy, Telecommunications, and Fraud
National Consumers League
E-mail: johnb@nclnet.org

cc: The Honorable Jamila J. Woods