
HOUSE CONCURRENT RESOLUTION

URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, IN
COLLABORATION WITH THE DEPARTMENT OF THE ATTORNEY GENERAL,
TO INVESTIGATE AND REGULATE THE SALE OF TICKETS TO LIVE
ENTERTAINMENT EVENTS UNDER ITS AUTHORITY TO PROTECT
CONSUMERS AGAINST UNFAIR OR DECEPTIVE ACTS OR PRACTICES IN
THE CONDUCT OF ANY COMMERCE.

1 WHEREAS, the ticket-purchasing process for popular live
2 entertainment events is frustrating for consumers in the State;
3 and

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5 WHEREAS, event tickets for popular live entertainment
6 events are distributed through one of three channels: holds,
7 pre-sales, and general public sales; and

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9 WHEREAS, tickets placed on hold are those reserved for a
10 variety of industry insiders, including the venue operator,
11 artists, promoters, agents, marketing departments, record
12 labels, media outlets, high-profile guests, or friends and
13 family; and

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15 WHEREAS, pre-sales are the sale of tickets to non-public
16 groups, such as persons who are holders of certain credit cards
17 or members of the artist's fan club; and

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19 WHEREAS, there have been a number of live entertainment
20 events in the State where the number of tickets made available
21 to the general public has been significantly reduced due to
22 event tickets being placed on hold or sold through pre-sales:

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24 (1) For Earth, Wind and Fire's 2017 concert at the Neal S.
25 Blaisdell Arena, eighty-two percent of tickets were
26 held or sold through pre-sales;

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1 (2) For Mariah Carey's 2017 concert at the Neal S.
 2 Blaisdell Arena, ninety-three percent of tickets were
 3 held or sold through pre-sales; and
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5 (3) For Janet Jackson's 2016 concert at the Neal S.
 6 Blaisdell Arena, ninety-two percent of tickets were
 7 held or sold through pre-sales; and
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9 WHEREAS, the total cost for an event ticket is typically
 10 not disclosed until the end of the ticket-purchasing process,
 11 further adding to the frustration of consumers; and
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13 WHEREAS, popular live entertainment events attract
 14 secondary market profiteers who exacerbate the frustration of
 15 the ticket-purchasing process to the detriment of ordinary
 16 consumers by competing with consumers for the limited event
 17 tickets; and
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19 WHEREAS, modern technology has made it substantially easier
 20 for secondary market profiteers to engage in ticket scalping,
 21 with some profiteers using computer programs to circumvent
 22 security measures or other technological control or access to
 23 purchase many tickets; and
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25 WHEREAS, the federal Better Online Ticket Sales Act of
 26 2016, also referred to as the BOTS Act of 2016, deems the use of
 27 such program as an unfair or deceptive act or practice under
 28 federal law; and
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30 WHEREAS, state law prohibits unfair or deceptive acts or
 31 practices in the conduct of any commerce and authorizes the
 32 Attorney General and Director of the Office of Consumer
 33 Protection to enforce the prohibition; now, therefore,
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35 BE IT RESOLVED by the House of Representatives of the
 36 Thirty-second Legislature of the State of Hawaii, Regular
 37 Session of 2024, the Senate concurring, that the Department of
 38 Commerce and Consumer Affairs, in collaboration with the
 39 Department of the Attorney General, is urged to investigate and
 40 regulate the sale of tickets to live entertainment events under
 41 its authority to protect consumers against unfair or deceptive
 42 acts or practices in the conduct of any commerce; and



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BE IT FURTHER RESOLVED that certified copies of this
Concurrent Resolution be transmitted to the Director of Commerce
and Consumer Affairs, Attorney General, and Executive Director
of the Office of Consumer Protection.

OFFERED BY:



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