

STAND. COM. REP. NO. **2681**

Honolulu, Hawaii

**FEB 16 2024**

RE: S.B. No. 367  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Transportation and Culture and the Arts, to which was referred S.B. No. 367 entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Cap the service charges for a primary and secondary ticket seller;
- (2) Require website operators to guarantee refunds in certain circumstances and disclose that the website is not the primary ticket seller;
- (3) Prohibit variable demand pricing, speculative tickets, and the usage of bots; and
- (4) Make conforming amendments.

Your Committee received testimony in support of this measure from Rick Bartalini Presents.

Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs Office of Consumer Protection.



Your Committee finds that customer frustration with the ticket-purchasing process for popular events is on the rise due to a lack of transparency. Your Committee further finds that technology has proliferated and enabled secondary market profiteers, commonly known as scalpers, who exacerbate the frustrations of the ticket-purchasing process to the detriment of ordinary consumers. While the issue of secondary market profiteers is multifaceted, your Committee believes that an intermediate approach is the most pragmatic at providing consumers with protection and fairness in the ticket-purchasing process.

Your Committee has amended this measure by:

- (1) Deleting the contents of the chapter except language prohibiting tickets to be sold at a higher price than the original price charged by the primary venue ticket provider;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 367, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 367, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation and  
Culture and the Arts,



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CHRIS LEE, Chair



