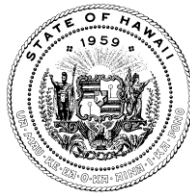


LATE

LATE



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
KA 'OIHANA PILI KĀLEPA
335 MERCHANT STREET, ROOM 310
P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: (808) 586-2850
Fax Number: (808) 586-2856
cca.hawaii.gov

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

NADINE Y. ANDO
DIRECTOR | KA LUNA HO'OKELE

DEAN I HAZAMA
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

Testimony of the Department of Commerce and Consumer Affairs

Office of Consumer Protection

**Before the
Senate Committee on Commerce and Consumer Protection
and
Senate Committee on Judiciary
Friday, February 21, 2025
10:10 a.m.
Conference Room 016 & Videoconference
State Capitol
415 South Beretania Street**

**Written Testimony Only
On the following measure:
S.B. 1160, S.D. 1, RELATING TO CONSUMER PROTECTION**

Chair Keohokalole, Chair Rhoads, and Members of the Committees:

My name is Emma Olsen, and I am an Enforcement Attorney for the Department of Commerce and Consumer Affairs' (Department) Office of Consumer Protection (OCP). The Department offers comments on this bill.

The purpose of this bill is to address the impact of live-event ticket resales in the secondary market by prohibiting tickets from being sold at a higher price than the original price charged by the primary venue ticket provider. OCP is aware that Hawai'i consumers often pay higher prices to ticket resellers than the original ticket price set by the primary venue. The issue is not unique to Hawai'i, and similar challenges in the live-event

ticketing market persist nationwide. While OCP has studied recent legislative efforts to curb predatory pricing and the use of bots to buy tickets from primary sellers, OCP is concerned that the bill as currently proposed does not have an express enforcement mechanism.

While this bill repeals existing language in HRS Chapter 481B, Part I, there is no corresponding new language in Section 3 that would grants consumers, OCP, or the Hawaii Attorney General the express authority to enforce the ban. Additionally, the bill does not specify what recourse is available to consumers who purchase tickets from scalpers at a price higher than that charged by the primary venue, in violation of the bill. The enforcement mechanisms and consumer recourse under this bill need further clarification to deter ticket resellers from selling at prices above those charged by primary sellers.

Thank you for the opportunity to testify on this bill.

MUSIC ARTISTS COALITION

Senator Jarrett Keohokalole
Chair, Committee on Commerce and Consumer Protection

LATE

Senator Karl Rhoads
Chair, Committee on Judiciary

RE: SB 1160 (S.D. 1)—STRONG SUPPORT

Aloha, Chairs Keohokalole and Rhoads and committee members:

The Music Artists Coalition (MAC) represents music creators nationwide, advocating for artists in all aspects of their careers. Founded by artists, executives, and managers, MAC believes music creators should be driving the strategy and conversation about the issues that shape their lives.

We are writing to voice our vigorous support for SB 1160. This legislation addresses a critical issue that undermines the sacred relationship between artists and their fans in Hawai'i.

At its core, music is about connection - artists sharing their creativity and audiences experiencing that art in its purest form. Ticket scalping fractures this relationship and deprives many from the chance to experience concerts. When tickets are purchased in bulk using automated software and resold at inflated prices, it creates an artificial barrier between artists and the fans they most want to reach.

The 2018 Bruno Mars concert highlighted in this bill perfectly illustrates the problem. Despite Mars' deep connection to Hawai'i and desire to perform for his home community, thousands of tickets were snatched up by scalpers and resold at exorbitant prices. This practice doesn't just hurt fans financially - it fundamentally distorts the artist's intent and drains money that should be supporting the local economy and the production ecosystem.

Every ticket sold above face value represents:

- A fan potentially priced out of a meaningful cultural experience
- Revenue diverted from artists, venues, and production crews
- Money funneled away from Hawai'i's economy to outside profiteers

Hawai'i's unique geographic isolation makes this issue particularly acute. Secondary ticket sale markups are predatory and take money out of the local economy for Hawaiian music creators. When mainland artists make the significant investment to bring productions to the

islands, they do so with the expectation of connecting with Hawai'i's fans. Scalping undermines this intention and may ultimately discourage artists from including Hawai'i in their touring plans.

By limiting resale prices to face value, SB 1160 preserves the direct relationship between artists and audiences that is essential to a thriving cultural ecosystem. It ensures that tickets remain accessible at the prices artists intended, rather than becoming investment commodities.

On behalf of the artists who create music with genuine connection in mind, we respectfully request your support for Senate Bill 1160.

Sincerely,

Ron Gubit
Executive Director
Music Artists Coalition
www.musicartistscoalition.com

Date: January 29, 2025

To: Senator Chris Lee, Chair, Senator Lorraine R. Inouye, Vice Chair, and Members of the Committee

Subject: Strong Support for SB 1160 – Prohibiting Ticket Scalping Practices in Hawaii

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Jamie Hyatt, and I am the Senior Vice President of Programming for iHeartMedia in Honolulu, the largest radio broadcaster in America.

I am writing to express my strong support for Senate Bill 1160, which seeks to prohibit the resale of event tickets at prices exceeding their original face value. This legislation is crucial for protecting consumers and ensuring fair access to live entertainment in Hawaii.

The Impact of Unregulated Ticket Resales

Scalping has always been an issue, but advancements in technology have turned it into a multimillion-dollar industry that exploits real fans. Automated software (bots) allows scalpers to purchase hundreds or even thousands of tickets within seconds of an on-sale, leaving true fans with little to no chance of buying at face value. These tickets are then immediately relisted on secondary markets at drastically inflated prices, often two, three, or even ten times the original cost.

Challenges Specific to Hawaii

Hawaii's unique geographic location and limited venue capacities make our market particularly susceptible to the negative effects of ticket scalping. The high demand for limited seating allows scalpers to impose significant markups, placing events out of reach for many residents. This not only disappoints fans but also damages the reputation of event organizers and artists.

Scalpers profit at the expense of Hawaii's economy by extracting money from local consumers and funneling it to resellers who often operate outside of the state. When fans are forced to buy overpriced resale tickets, that money is not reinvested into our local businesses, restaurants, or tourism sector—it goes directly into the hands of scalpers, many of whom use offshore accounts or foreign-based resale operations. Passing SB 1160 will help keep ticket revenue circulating within Hawaii, supporting local workers and businesses that rely on live events.



Live events are not just entertainment; they are moments that bring our community together. Families, friends, and entire generations come together to celebrate music, culture, and shared experiences. When scalpers take control of the market, these special moments are stolen from local fans and given only to those who can afford extreme markups. This bill helps protect access to these experiences for everyone in Hawaii—not just those with the means to pay inflated resale prices.

The Need for Legislative Action

The lack of regulation in the secondary ticket market has led to widespread abuse. Implementing SB 1160 will:

- **Protect Consumers:** Ensure that tickets are sold at fair prices, allowing equitable access for all residents. Without safeguards, scalpers can manipulate supply by purchasing large quantities of tickets within seconds, making it nearly impossible for real fans to buy them at face value. This forces residents to choose between paying inflated resale prices or missing out entirely on live events in their own state.
- **Promote Fairness:** Deter scalpers from exploiting high-demand events for personal gain. The use of automated bots and mass ticket-buying schemes allows resellers to control the market, shutting out fans and artificially inflating demand.
- **Preserve Accessibility:** Prevent scalpers from hoarding tickets and reselling them at exorbitant markups. The live entertainment industry thrives on fans having fair access to events. When scalpers dominate the market, they turn live entertainment into a luxury that only those willing to pay excessive prices can afford. Hawaii should ensure that tickets remain available at the price set by the artist and promoter, rather than being dictated by opportunistic resellers.
- **Hold Ticket Resale Platforms Accountable:** SB 1160 will require major resale platforms like StubHub and Ticketmaster to comply with Hawaii's regulations by preventing inflated ticket resales. This legislation will ensure that these platforms cannot facilitate scalping, providing Hawaii with the protections needed to keep the ticket-buying process fair and accessible for consumers.

By enacting this legislation, Hawaii can safeguard consumers and preserve fair access to live entertainment for the people of Hawaii.

Conclusion



As someone who helps to promote concerts to our listeners in Hawaii, I urge the committee to pass SB 1160. This legislation will safeguard the interests of our residents, preserving live entertainment as an essential and vibrant part of Hawaii's cultural and entertainment landscape for the people of Hawaii.

Every day this issue goes unaddressed, real fans continue to lose access to the events they love. Other markets have implemented protections to curb scalping, and it's time for Hawaii to do the same. By passing SB 1160, we can take a strong stand against ticket price gouging and ensure that live entertainment remains fair and accessible for all Hawaii residents.

Thank you for considering my testimony.

Mahalo Nui Loa,

Jamie Hyatt
Senior Vice President of Programming
iHeartMedia Honolulu





LATE

February 6, 2025

Hon. Jarrett Keohokalole
Chair
Senate Committee on Commerce and
Consumer Protection
State Capitol
415 South Beretania St.
Honolulu, HI 96813

Hon. Karl Rhoads
Chair
Senate Committee on Judiciary
State Capitol
415 South Beretania St.
Honolulu, HI 96813

RE: Hawaii Senate Bill 1160 (Resale Price Caps) - OPPOSE

Dear Senator Keohokalole & Senator Rhoads:

SeatGeek is proud to be the Official Ticket Marketplace of University of Hawaii Rainbow Warriors athletics. We are a high-growth technology platform transforming the live event experience for fans, teams, and venues. Our enterprise ticketing technology allows teams and venues to efficiently grow their businesses while delivering a superior live experience that all fans deserve; we also provide a leading online resale platform that makes it easy and secure for fans to buy tickets and attend events, such as Rainbow Warrior games, with features such as Deal Score, our proprietary technology that helps fans find the best ticket prices for the best seats using our best-in-class mapping capabilities.

SeatGeek is somewhat unique in that we also compete directly for enterprise-level ticketing contracts against leading primary ticketing service providers (such as Ticketmaster). Our primary ticketing clients include the NFL Dallas Cowboys, NHL Stanley Cup Champion Florida Panthers and multiple leading professional soccer clubs across the U.S. as well as the UK Premier League.

We recognize that the intent of SB 1160 is to protect local fans and keep live entertainment events affordable, and therefore write with genuine appreciation for your efforts to advance crucial consumer protections for fans purchasing tickets to live concerts and sporting events in Hawaii. However, we respectfully submit that the proposed imposition of resale price caps is in fact harmful to consumers. This has been widely recognized across the United States since the advent of the Internet era. Indeed, even as recently as November 2024, the Commonwealth of Massachusetts moved in



the opposite direction than SB 1160 proposes, rescinding from the books an over 100-year old resale price cap law that has not been enforced for decades.

When buyers and sellers have the option of a reliable marketplace (like SeatGeek) that allows for live event tickets to be sold at fair market value, fans can trust they are getting a fair price and that there will be consequences for any broken orders. We at SeatGeek are therefore proud of the [Buyer Guarantee](https://seatgeek.com/buyer-guarantee)¹ that we stand behind for purchases made on our ticketing platform. When such secure marketplaces do not exist, consumers seek alternative black markets which provide none of these protections and often leave buyers with no recourse when a seller fails to deliver as advertised. We strongly recommend a thoughtful piece published last year by the Josiah Bartlett Center for Public Policy in New Hampshire when the New Hampshire State Legislature was considering legislation that would have imposed resale price caps on live event tickets: [Banning 'scalping' won't fix the ticket resale market](https://jbartlett.org/2024/03/banning-scalping-wont-fix-the-ticket-resale-market/).² In the Bartlett Center piece, the author stresses that imposing price controls on ticketing marketplaces would “create shortages in legitimate secondary ticket markets and stimulate a separate black market for event tickets.” And, of course, the opposite is also true: where a transparent and secure market is allowed to operate, live event ticket prices very often plummet in the days leading up to an event. See [The Thrill of the Chase for a \\$9 Cyndi Lauper Ticket: Bargain hunters and even devotees wait it out for the right price to see concerts](https://www.wsj.com/lifestyle/concert-tickets-cyndi-lauper-taylor-swift-springsteen-cheap-c45eba35?st=y79gm4&reflink=desktopwebshare_permalink), Wall Street Journal, January 4, 2025.³

The recently concluded high-profile Taylor Swift Eras Tour provided multiple real-life examples proving this exact point. In country after country, where the supply of market-priced resale tickets for high-demand events was suppressed by resale price caps or other restrictions, there inevitably was an ensuing spike in ticket scams and proliferation of consumers being ripped off. For example:

- [Canada](https://www.ctvnews.ca/canada/article/apparent-taylor-swift-ticket-scam-targets-hundreds-who-claim-to-be-out-300k/): Prior to Ms. Swift's November 2024 Toronto concerts, some 400 fans were ripped off to the tune of approximately \$300,000 after believing they were purchasing Taylor Swift tickets on Facebook but never receiving them. See [Apparent Taylor Swift ticket scam targets hundreds who claim to be out \\$300K](https://www.ctvnews.ca/canada/article/apparent-taylor-swift-ticket-scam-targets-hundreds-who-claim-to-be-out-300k/), CTV News, November 17, 2024.⁴

¹ <https://seatgeek.com/buyer-guarantee>

² <https://jbartlett.org/2024/03/banning-scalping-wont-fix-the-ticket-resale-market/>

³ https://www.wsj.com/lifestyle/concert-tickets-cyndi-lauper-taylor-swift-springsteen-cheap-c45eba35?st=y79gm4&reflink=desktopwebshare_permalink

⁴ <https://www.ctvnews.ca/canada/article/apparent-taylor-swift-ticket-scam-targets-hundreds-who-claim-to-be-out-300k/>



- Ireland: Prior to Ms. Swift's three July 2024 Dublin concerts, the Bank of Ireland warned fans that "scammers [...] will be using whatever channels are open to them to try to steal money from desperate Swifties" and that "[c]riminals have been using hacked social media accounts and online ads to try to con people out of hundreds of euro – and possibly even more." See [Taylor Swift fans warned of ticket scams ahead of Dublin concerts; Bank of Ireland warns fans seeking tickets for Dublin gigs to be alert to criminals' efforts to con them](#), Irish Times, June 24, 2024.⁵
- United Kingdom: As of April 2024, months before Ms. Swift's eight London concert dates in June and August, Lloyds Bank was already estimating that thousands of UK fans had lost over £1 million in ticket scams, and that "90% of the reported concert ticket scams started on Facebook." See April 17, 2024 Lloyds Bank Press Release, "[Avoid a Cruel Summer: Lloyds Bank issues urgent warning over Taylor Swift ticket scams](#)."⁶
- Australia: Provincial police in early 2024 reported over 250 consumers complained of ticketing scams related to the Eras Tour. See [Victorian fans lose almost \\$300,000 in scams ahead of Taylor Swift Eras Tour as MCG issues warning for ticketless fans](#), Sky News Australia, February 7, 2024.⁷

Respectfully, SB 1160 will not lower live event ticket prices or protect Hawaiians, but instead risks driving legitimate resale activity back onto the street corner or the dark corners of the web. Price caps drive legitimate consumer demand and online commerce to places where fraud and the abuse of fans continue to proliferate.

We welcome efforts intended to improve the ticket buying experience for consumers in Hawaii, and in particular are supportive of the requirement to show the total or "all-in" price to consumers when displaying live event tickets for purchase, as called for under

⁵<https://www.irishtimes.com/culture/music/2024/06/24/taylor-swift-fans-warned-to-be-aware-of-ticket-scam-ahead-of-dublin-concerts/>

⁶<https://www.lloydsbankinggroup.com/assets/pdfs/media/press-releases/2024-press-releases/lloyds-bank/2024.04.17-lloyds-bank-urgent-warning-over-taylor-swift-ticket-scams.pdf>

⁷<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>



pending bill S.B. 1035. We greatly appreciate any consideration you may choose to give this correspondence and welcome any additional questions or inquiries you may have.

Sincerely,

A handwritten signature in black ink that reads "Joe Freeman". The script is fluid and cursive.

Joe Freeman
Vice President, Government Relations
jfreeman@seatgeek.com

cc: Bill Sponsors, Members of the Senate Commerce and Consumer Protection
Committee & Senate Judiciary Committee

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 5:13:12 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jay Park	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing to express my strong support for SB 1160, which seeks to protect Hawaii consumers from unfair ticket scalping practices. This bill is a crucial step toward ensuring that local residents have fair access to event tickets at reasonable prices.

As someone who has been involved in Hawaii's entertainment industry for many years, I have witnessed firsthand the negative effects of ticket scalping on consumers. Time and again, I have seen fans—many of them local residents—priced out of events due to excessive resale markups. Scalpers and resellers frequently use automated software to purchase large quantities of tickets, only to resell them at significantly inflated prices. This practice prevents everyday consumers from purchasing tickets at face value, forcing them to pay exorbitant costs or miss out on events altogether.

By prohibiting ticket resale above the original price, this legislation will help curb predatory scalping and make events more accessible and affordable for Hawaii residents. Additionally, the exemption for charitable organizations ensures that nonprofit fundraising efforts remain unaffected.

Importantly, SB 1160 will also hold major resale platforms, such as StubHub and Ticketmaster, accountable by requiring them to comply with Hawaii's regulations. These platforms must take responsibility for preventing inflated ticket resales and ensuring a fair, transparent ticket-buying process. By closing loopholes that allow scalping to thrive, this bill will provide the necessary protections to keep ticket sales accessible to local consumers.

While I fully support the intent of this bill, I have concerns about its enforceability. Online ticket resale platforms are constantly evolving, making regulation and oversight challenging. Without robust enforcement mechanisms, scalpers may find ways to bypass regulations or shift to less transparent channels. I encourage further discussion on strengthening implementation strategies to ensure real consumer protection.

Despite these challenges, I believe this legislation is a significant step in the right direction. I urge you to support it while also considering measures to enhance enforcement and prevent circumvention. Thank you for your leadership and commitment to protecting Hawaii consumers.

Mahalo,

Jay Park

SB-1160-SD-1

Submitted on: 2/19/2025 5:29:14 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Sean M. Morris	Individual	Support	Written Testimony Only

Comments:

Our government must put an end to scalping, which is often done flagrantly in public. Unless something becomes law, this practice hurts most people, while benefitting only the dishonest who use their advantage to capitalize in an unfair fashion.

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 5:50:27 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Gregory Dunn	Testifying for Hawaii Theatre Center	Support	Written Testimony Only

Comments:

Aloha!

As a venue that issues over 125,000 tickets for admission to events every year, the Hawaii Theatre regularly is faced with having to tell patrons they were taken advantage of an unscrupulous ticket reseller. This nomally happens when a patron uses an internet seach engine like Google to search for a show they heard about, they click on the first listing they see and then buy tickets from a real sounding tickeiting site that is formulate to mask the identity of the true seller of the tickets. These tickets often are sold at multiples the face value of the ticket, and include massive fees. As a recent example, a patron purchased one ticket for a performance for the Hawaii Symphony for \$250 for the ticket, and another \$150 in ticketing fees. This senior citizen came to the show and complained about the high cost of the ticket. When we reserached the ticeket, it was originally purchased by someone with a mainland address via the Hawaii Theatre website for \$39.99 plus \$9.50 in ticketing fees, and then resold on Hawaii Tickets dot com for multiples of the orignal cost.

Though the language of the bill focuses on the inconveninece of local patrons not being able to purchase seats fairly, the true damage to our industry lies in the fleecing of our patrons who are being unfairly taken advantage of by these unscrupulous resellers. When someone looses hundreds and even thousands of dollars to these resellers, many times they don't know it's happened and the patron begins to feel that local events are too expensive to attend so they stop coming to events. In the long run, this causes us to lose patrons, and hampers our ability to continue to produce shows and events.

Please pass this bill with serious penalties for violations of the act. Passing the bill is important, but giving it teeth and penalties for taking advanatge of our community would be a waste.

Mahalo!

Gregory Dunn, President & CEO, Hawaii Theatre Center

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 7:54:54 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Iwano	Testifying for Hawaii Symphony Orchestra	Support	Written Testimony Only

Comments:

Ticket scalping is deceitful and harmful to consumers and unfair to presenters. Moreover, presenting organizations suffer from the perception of a broken trust with its patrons when prices (through scalpers, unbeknownst to the consumer) seem to be outrageously high. Please protect us all by passing SB 1160. Thank you.

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 7:57:49 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
John Parkinson	Individual	Support	Written Testimony Only

Comments:

Please stand together with the citizens of Hawaii to protect fair ticketing in Hawai'i! Please ensure that fans get a fair shot at seeing their favorite artists live—without being exploited by scalpers.

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 8:20:15 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Vicky Cayetano	Individual	Support	Written Testimony Only

Comments:

I writing in support of SB1160 SD1. Thank you for making it illegal to take advantage of and gouge our residents who want to be able to enjoy live music/live performances.

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 8:41:58 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Mikki Hanamoto	Individual	Support	Written Testimony Only

Comments:

Hi I am a resident of Oahu and I sincerely support this measure to put an end to predatory ticket scalping which makes it very difficult to get and afford events here on island. I love watching and attending various events but when tickets are difficult to get and marked up by 3rd party scalpers it often makes it out of reach. Please help prevent scalping here.

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 9:03:30 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Keilman	Individual	Support	Written Testimony Only

Comments:

I went to see Paula Poundstone. I looked at the prices online at Hawaii Theatre's site and they were about \$50. A friend of mine offered to purchase the tickets, but didn't know to go directly and paid \$156 for ONE ticket! Three times the price. Ridiculous!

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 9:23:40 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul Chun	Individual	Support	Written Testimony Only

Comments:

Unwittingly, I paid for tickets to the Circus de Soleil show through a reseller. There was no indication that this was a reseller. I had the impression that it was an original seller. Happened about November 2024.

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 9:34:49 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Drew Erickson	Individual	Support	Written Testimony Only

Comments:

Aloha

I am writing in strong support of SB1160, which seeks to protect Hawaii residents from unfair ticket scalping practices by prohibiting the resale of event tickets at prices higher than their original value.

Hawaii's most popular events frequently fall victim to scalpers who use sophisticated software (bots) to purchase large quantities of tickets within seconds, making it nearly impossible for local residents to secure tickets at fair prices. These tickets then flood secondary markets at inflated rates, forcing Hawaii residents to either pay excessive prices or miss out on events altogether. A prime example of this occurred in 2018, when thousands of Bruno Mars concert tickets were quickly resold at significantly higher prices.

This bill is a necessary step in ensuring fair access to event tickets for local residents and visitors alike. By preventing scalpers from profiting at the community's expense, we can:

1. Protect Consumers - Residents should have a fair chance to purchase tickets at face value without being forced to compete with automated scalping programs.
2. Support Local Events & Entertainment When tickets are resold at inflated prices, many fans are priced out, leading to frustration and diminished attendance from the intended audience.
3. Enhance Transparency & Fairness - This bill ensures that ticket sales remain equitable and that event organizers, performers, and venues retain control over pricing, rather than allowing third-party scalpers to dictate market value.

I commend the Legislature for addressing this ongoing issue and urge the committee to pass this bill to protect Hawaii's residents, artists, and event organizers from exploitative resale practices.

Mahalo for your time and consideration.

Respectfully,

Drew Erickson

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 10:20:18 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Allison Pettersson	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of this bill.

Ticket scalping in the digital age has gone too far. It is no longer just a few hustlers making a few extra bucks at the entrance to a venue. It's now a multimillion dollar industry benefitting only the scalpers and hurting fans in Hawai'i.

Hawai'i is already limited in the number of concerts and shows that get put on here because of our geographic location, so our trusting local people pay these outrageous, predatory ticket prices so they can enjoy the few performances of their favorite artists.

Using bots, or any other mechanism, to buy up tickets for resale at inflated prices before real fans have a chance to purchase is simply not Pono.

This nefarious activity contributes nothing to our community or local economy. What possible benefit could we reap by allowing this activity to continue?

I humbly ask your kokua in passing this bill. It is the obvious and sensible thing to do for the people of Hawai'i.

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 10:26:02 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
W. Nick Cambra	Individual	Support	Written Testimony Only

Comments:

I have attended sporting events around the world and paid some exhorbitent prices online. After paying over \$500 for a ticket, I have been seated next to someone paying \$78. I have seen this at professional and college games and right here in Hawai'i at concerts.I don't think this is fair and I hate to see it happening in Hawai'i. Sports should bring people together and I feel that this bill is a step in the right direction. Thank you for allowing me to testify.

LATE

SB-1160-SD-1

Submitted on: 2/19/2025 10:31:45 PM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Audra White	Individual	Support	Written Testimony Only

Comments:

I support SB1160.

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 1:19:04 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruth Love	Individual	Support	Written Testimony Only

Comments:

Appreciate this antiscalping bill.

Thank you

Mrs Ruth Love

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 2:25:46 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Raquel Pascua	Individual	Support	Written Testimony Only

Comments:

I am praying this bill passes. Many times my family and I miss out on opportunities to attend special events because of the high costs which we can't afford and first o, we can't even get our hands on 1 ticket cause it's always sold out in a minute or two then the tickets are ridiculous higher prices and very expensive fees. I wish this bill to pass so Us HAWAII CITIZENS CAN DESERVE TO ENJOY WHAT LITTLE ENTERTAINMENT TGERE IS. Perhaps it'll stop young youths from doing bad things as well cause it brings our communities together and we can enjoy each other again and the Shows without stressing how of the cost,fees, and this all takes away from a very good enjoyable experience. Stop the scalpers cause it's not fare to the Hawaii Residents who truly deserve a break by paying its at cost, not 2 or 3-4 times higher . Please help us all and do pass this bill. Mahalo for your help and support in making it right for Hawaii . God bless us all. Keep protecting Hawaii.

best regards,

Raquel Pascua

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 4:39:25 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Gina Crabtree	Individual	Support	Written Testimony Only

Comments:

Honestly, this is a common sense issue. If we want to maintain economic stability in Hawaii, we have to find ways to stop unintegrous, foreign transactions. As a Senior Media Strategist at Salem Media Group, we've seen promoters bend over backwards to provide quality entertainment for residents and visitors, only to have the opportunity ripped out from underneath them by advanced computerized scammers. If we are truly trying to provide a life that keeps people IN Hawaii, the first step is to protect our entertainment!

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 6:57:01 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Wesley Choy	Individual	Support	Written Testimony Only

Comments:

I support SB1160 SD1 to protect the consumers of our state from the price gouging and limited access for event tickets that this bill seeks to rectify. Having been subject to trying unsuccessfully in the past to buy tickets online only to be shut out within minutes of the event tickets being released is not right. After the tickets were sold out they are marketed at a much higher price which again is just wrong.

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 8:08:13 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Nadine Ferraro	Individual	Support	Written Testimony Only

Comments:

I support SB1160

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 8:35:19 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Dina Cabral	Individual	Support	Written Testimony Only

Comments:

We need this Bill 1160 to pass,

I am a contracted Special Event Security officer for events here on O'ahu & I see alot of people purchase very high amounts of money for ticket(s) that cost smaller dollars for our venues in da Islands. It's not fair to them, our state & especially for da regular person this Bill 1160 needs to pass!

Other states have scalping laws why don't we!

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 8:12:01 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Noela von Wiegandt	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support SB1160. The people of Hawaii are regularly priced out of attending events due to outrageous ticket prices. This has been going on for a long time. Thank you.

Noela von Wiegandt

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 8:48:15 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph Bennett	Individual	Support	Written Testimony Only

Comments:

Stop ticket scalping!! Fees are bad already..

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 9:22:00 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Leslie R Connelly	Individual	Support	Written Testimony Only

Comments:

I have experienced extreme frustration over decades as a Hawaii resident attempting to enjoy and support live music and other arts/entertainment events when purchasing tickets. Predominantly, as local residents, we can't even get the tickets at a fair price even when jumping online as soon as ticket sales are open. Considering the high cost of living here already, this is untenable for most Hawaii residents. Allow us to enjoy these on-island offerings at the intended cost please by eliminating the opportunity for ticket scalpers and brokers to grab up all of the tickets to resell at a profit! Keep the transaction between the consumer and the venue, artist, or promoter!!

LATE

I support SB1160 which prohibits ticket scalpers from outpricing fans.

I will separately contact Senator Lee to determine if fans can also be protected from prohibitive administrative fees charged in addition to the ticket price. In December 2024 I made a single purchase of concert tickets for myself and three friends and was charged an additional \$50 administrative fee per ticket for the middle-man vendor's services.

Thank you for the opportunity to support SB1160..

Pamela J. Schell

LATE

SB-1160-SD-1

Submitted on: 2/20/2025 9:22:18 AM

Testimony for CPN on 2/21/2025 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Kristi Meechan	Individual	Support	Written Testimony Only

Comments:

Hawai'i is notorious for being a last-minute add-on to tours, mainly for artists to stop and get a quick vacation. However, each artist comes here and realizes the hunger that Hawaii has for our favorite entertainers. The problem is that our venues are small, so coming here is more of a compromise than a smart business decision for most talent.

What makes Hawai'i concerts the best is the aloha that we show to everyone who comes here, but as tickets are less and less available to our audiences due to scalpers, we will see less concerts filled with local people. Even if we wanted to bank on a potential uptick in tourism, both domestic and international travelers don't want to pay higher prices on top of travel and accommodation.

Concerts have been a huge part of my life since I was young, and robbing all ages of these opportunities to experience the music of the radio live and in person is unacceptable. I hope that the senate will strongly consider this bill, as your constituents would greatly love to continue supporting our local promoters and venues in collaboration with the performers we dream of seeing on stage one day.



LATE

February 20th, 2025

Chairman Jarrett Keohokalole
Senate Committee on Commerce and
Consumer Protection
Hawai'i State Capitol, Room 205
415 South Beretania Street
Honolulu, HI 96813

Chairman Karl Rhoads
Senate Committee on Judiciary
Hawai'i State Capitol, Room 228
415 South Beretania Street
Honolulu, HI 96813

Vice Chair Carol Fukunaga
Senate Committee on Commerce and
Consumer Protection
Hawai'i State Capitol, Room 216
415 South Beretania Street
Honolulu, HI 96813

Vice Chair Mike Gabbard
Senate Committee on Judiciary Vice Chair
Hawai'i State Capitol, Room 201
415 South Beretania Street
Honolulu, HI 96813

Re: Anti-fan price caps on ticket resale, SB 1160

Dear Chairman Keohokalole, Chairman Rhoads, Vice Chair Fukunaga, and Vice Chair Gabbard,

On behalf of the Sports Fans Coalition, I write to express the Coalition's strong opposition to any legislation that would impose price caps on ticket resale, and particularly to any efforts to criminalize this practice, such as those found in SB 1160. Such measures harm fans, artificially restrict supply, and stifle competition in the secondary ticket market, making it harder—not easier—for fans to access the events they love.

Just as an athlete cannot dictate how and for what price a fan resells an autographed jersey after purchasing it, the same principle should apply to tickets. A ticket is a consumer good, and once a fan purchases it, they should have the freedom to resell it at a price determined by the market. Legislating price controls on ticket resale is not only economically unsound but also undermines the rights of individual consumers.

Proponents of price ceilings argue that they prevent prices from "skyrocketing" on the secondary market. However, empirical economic evidence contradicts this theory. A CATO Institute¹ analysis of three seasons' worth of National Hockey League resale prices found that states that repealed price ceilings saw no increase in resale prices compared to states that maintained them. Instead, price caps had the unintended effect of discouraging ticket holders from reselling

¹ David E Harrington, "Uncapping Ticket Markets," CATO Institute, Fall 2010,
<https://www.cato.org/regulation/fall-2010/uncapping-ticket-markets>

their tickets, ultimately reducing the availability of tickets on the secondary market, limiting the ability of fans to comparison shop across multiple platforms.

Additionally, price caps create a gray market where resales occur through unregulated channels, stripping fans of the consumer protections provided by legitimate ticket exchanges. By restricting how tickets can be resold, these laws force transactions back to the street corner or on less-reputable websites that offer no guarantees for authenticity or protection against fraud. Fans deserve a fair, transparent, and fan-friendly ticket marketplace—not one distorted by government-imposed restrictions that drive transactions underground.

Furthermore, many fans rely on reselling a high-profile or rivalry game ticket to help subsidize their investment in season tickets or afford playoff games. In many cases, fans purchase season tickets as a tradition, passing them down through generations. Imposing restrictions on their ability to resell tickets at market value unfairly burdens these dedicated fans. Moreover, dynamic pricing in the primary market means that even defining face value is often impractical and ambiguous. For example, a seat may be worth \$50 on February 1st but \$75 on March 1st. If a fan bought the ticket when it was \$50, now, they cannot resell it for the newly established market price, costing them \$25. This is unfair, especially when fans often buy tickets to an event months in advance.

Contrary to the belief that ticket resellers lead to “inflated prices.” There are many lower cost secondary tickets for events, as well. According to the American Consumer Institute (ACI), 55% of events offered tickets below the original price, resulting in more than \$440 million in savings for fans. ACI also found that on resale markets the average ticket price decreased from \$170 to \$114 between the first month of a ticket’s sale and the last month.²

Similarly, a recent study by Sports Fans Coalition of 43 million resold tickets to major league sporting events (MLB, NBA, NFL, NHL) found that more than one-third of the time, fans could buy tickets below the original price. Nationwide fans saved \$475 million since 2017 from purchasing tickets below face value on secondary markets. The average savings per ticket was \$30.32, more than enough for a fan to buy a drink and a hot dog at the game. While no data on Hawai’i was available in this report, fans in Nevada (the closest state by population to Hawai’i that has a professional sports team) saved \$6.2 million in that same time.³ These savings are only possible with an open, transparent marketplace.

Under this proposal fans could be subject to a fine of between \$500 and \$10,000 for profiting only \$1 on a ticket – hardly a just punishment. Nationwide, the trend has been the opposite of

² American Consumer Institute, “Report: Antitrust Ticketing Case Fails to Solve Pricing Problems,” June 26th, 2024, <https://www.theamericanconsumer.org/2024/06/consumergram-antitrust-ticketing-case-fails-to-solve-pricing-problems/>

³ Sports Fans Coalition, “Ticket Transferability Saves Sports Fans \$475 Million Since 2017,” February 18th, 2025, <https://www.sportsfans.org/latest-news/ticket-transferability-saves-sports-fans-475-million-since-2017>

this bill. In fact, at the end of last year, Massachusetts decriminalized resale.⁴ Additionally, Maryland rejected a proposal last year which would have criminalized resale, as well.⁵ Today, only a couple states – Kentucky⁶ and Rhode Island⁷ – maintain arcane prohibitions on resale, laws which go largely unenforced. In both Kentucky and Rhode Island, the restrictions on resale can be waived with “permission” from the event organizer giving a competitive advantage to vertically integrated ticketing companies with both primary and secondary ticketing platforms.

Given these concerns, I urge the Hawai'i State Legislature to reject SB 1160 and any proposals imposing price caps on ticket resale. These restrictions do not lower prices but instead harm the very fans they seek to protect. Instead, the legislature should focus on policies that ensure transparency in ticketing, prevent deceptive practices, and promote a competitive market where fans can freely buy and sell tickets.

We appreciate your attention to this important issue and would welcome the opportunity to discuss it further.

Sincerely,

A handwritten signature in black ink that reads "Brian Hess". The signature is written in a cursive style with a large, stylized "H" and "ess" at the end.

Brian Hess
Executive Director
Sports Fans Coalition

Cc: Senator Angus L.K. McKelvey
Senator Herbert M. Richards, III
Senator Brenton Awa
Senator Stanley Chang
Senator Joy A. San Buenaventura

⁴ Massachusetts H5111, Enacted December 19th, 2024, <https://malegislature.gov/Bills/193/H5111>

⁵ Maryland SB 539 (2024), Introduced January 24, 2024, <https://legiscan.com/MD/drafts/SB539/2024>

⁶ KY Rev Stat § 518.070 (2023) <https://law.justia.com/codes/kentucky/chapter-518/section-518-070/>

⁷ RI Gen L § 5-22-26 (2023) <https://law.justia.com/codes/rhode-island/title-5/chapter-5-22/section-5-22-26/>