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Testimony of the Department of Commerce and Consumer Affairs

Office of Consumer Protection

Before the
Senate Committee on Transportation, Culture and the Arts
Thursday, January 30, 2025
3:00 p.m.
Conference Room 224 & Videoconference
State Capitol
415 South Beretania Street

On the following measure:
S.B. 1160, RELATING TO CONSUMER PROTECTION

Chair Lee and Members of the Committee:

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 ticket scalpers on Hawai'i residents by prohibiting tickets from being sold at a higher price than the original price charged by the primary venue ticket provider. While OCP has studied recent legislative efforts to curb scalping practices to prevent Hawai'i consumers from paying inflated prices for live event tickets, OCP has some concerns regarding the bill as currently proposed.

OCP is aware that Hawai'i consumers often pay higher prices to scalpers or through resell platforms than the original ticket price set by the primary venue. The issue is not unique to Hawai'i, and similar challenges persist nationwide.

First among OCP's concerns is that this bill proposes to legislate in precisely the same area in which the Federal Trade Commission ("FTC") recently adopted a final rule addressing junk fees in live-event ticketing (the "Junk Fee Rule"). See Docket RIN 3084-AB77, Trade Regulation Rule on Unfair or Deceptive Fees. This Rule has yet to take effect. A similar federal rule addressing junk fees and related practices adopted by car dealerships was struck down on January 28, 2025 by the Fifth Circuit Court of Appeals. See *Combatting Auto Retail Scam (CARS) Rule*. By way of background, in December 2024, the FTC adopted the Junk Fee Rule requiring event ticketing vendors to disclose all mandatory fees upfront whenever live event tickets are displayed or advertised. The stated purpose of the Junk Fee Rule is to specify that it is an unfair and deceptive practice for businesses to offer, display, or advertise any price of live-event tickets or short-term lodging without clearly, conspicuously and prominently disclosing the total price. The rule would take effect 120 days after its publication in the Federal Register, and publication has yet to occur. Although the Junk Fee Rule does not impose limits on the fees vendors may charge, it expressly requires transparency by resellers requiring that virtually all fees be included in the total price advertised to consumers.

Second among OCP's concerns is our desire to study whether this bill departs from the Junk Fee Rule in terms of the scope or terms. Federal consumer protection law should provide a floor for consumer protection concerns, and any laws enacted for consumer protection purposes by the State should protect consumers more than the federal consumer protection laws. OCP seeks clarification that this bill would protect consumers in a manner more stringent than the Junk Fee Rule.

Third among OCP's concerns about this bill are the lack of explicit enforcement mechanism and specific remedies for consumers. The bill lacks an explicit enforcement mechanism for its proposed ban on ticket scalping, which is stated in Section 3 of the bill. 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

Testimony of DCCA

S.B. 1160

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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 if this bill is to advance.

Thank you for the opportunity to testify on this bill.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.B. NO. 1160, RELATING TO CONSUMER PROTECTION.

BEFORE THE:

SENATE COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS

DATE: Thursday, January 30, 2025 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 224

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Christopher T. Han, or Christopher J.I. Leong, Deputy Attorneys
General

Chair Lee and Members of the Committee:

The Department of the Attorney General provides the following comments.

This bill prohibits the sale of tickets at a higher price than the original price charged by the primary venue ticket provider. This bill repeals the existing provisions relating to ticket brokers under section 481B-15, Hawaii Revised Statutes.

This bill may be subject to challenge under the Commerce Clause of the United States Constitution. In determining whether a statute violates the Commerce Clause, the general rule is that where the statute regulates even-handedly to effectuate a legitimate local public interest, and its effects on interstate commerce are only incidental, it will be upheld unless the burden imposed on such commerce is clearly excessive in relation to the putative local benefits. *See Pike v. Bruce Church, Inc.*, 397 U.S. 137, 142 (1970); *see also People v. Concert Connection, Ltd.*, 211 A.D.2d 310, 319 (N.Y. App. Div. 1995) (upholding New York law prohibiting ticket scalping).

In *Concert Connection*, the key factor in upholding New York's ticket scalping law against the Commerce Clause challenge was the statute's limitation to activities within the state. To better withstand a potential legal challenge, this bill should be tailored in a similar manner to ensure that its effects on interstate commerce are only incidental.

Therefore, we recommend amending section 3 (a) of the bill as follows, at page 2, lines 13-21:

SECTION 3. (a) It shall be unlawful for any person to sell or offer for sale event tickets for any event held in the State at a price greater than the original price as charged by the primary venue ticket provider. This section shall not apply to a charitable organization, as defined in section 467B-1, Hawaii Revised Statutes, or its employees and volunteers for event tickets resold or offered for resale through a raffle, auction, or similar fundraising activity for the benefit of a charitable organization's charitable purposes.

Thank you for the opportunity to provide comments.



January 30, 2025

The Honorable Chris Lee
Chair
Senate Committee on Transportation and Culture and the Arts
Room 219, State Capitol
415 South Beretania St.
Honolulu, HI 96813

Re: Opposing SB 1160 - Resale Price Caps

Dear Chair Lee and members of the committee,

Thank you for the opportunity to submit testimony regarding SB 1160 for the record. On behalf of the Chamber of Progress, a tech industry association supporting public policies to build a more inclusive society in which all people benefit from technological advances, **I urge you to oppose SB 1160.**

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, are arbitrary and ineffective. A 2018 report by the US Government Accountability Office highlights the difficulty in enforcing these caps, making them largely unsuccessful.¹ 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.”²

A 2010 analysis from the CATO Institute, which looked at resale prices across three seasons of the National Hockey League, found no significant difference in ticket prices between markets with price caps and those without.³ Repealing resale price caps had zero change in prices, indicating that such policies are largely ineffective. Worse, in some cases, price caps can harm consumers.

¹ Report to Congressional Requesters. *Event Ticket Sales Market Characteristics and Consumer Protection Issues*, US Government Accountability Office (Apr. 2018). <https://www.gao.gov/assets/gao-18-347.pdf>

² *Id.* at p. 41

³ Harrington, David E., *Uncapping Ticket Markets*, CATO Institute (2010). <https://www.cato.org/regulation/fall-2010/uncapping-ticket-markets>

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.⁴ Fans who sought alternative channels were left without recourse when their tickets turned out to be fake, demonstrating how price caps can drive transactions into untrustworthy environments where consumer protections are non-existent.

SB 1160 Harms Consumers Who Want Tickets but Have Work or Personal Conflicts

Consumers benefit significantly from various resale options in the dynamic and fiercely competitive online ticketing industry. Many people face personal or professional conflicts that make it challenging to purchase tickets within the brief windows offered by primary sellers, such as Ticketmaster. For example, someone might have a last-minute work trip or a family event that clashes with a major concert or sports game. In these cases, the resale market offers a valuable second chance to access tickets, often at market rates reflecting the actual event demand.

Consequently, the online ticket resale market has emerged as a vital platform, catering to a much broader consumer base than the incumbent sellers. Price caps undermine this essential flexibility by pushing legitimate transactions outside regulated platforms and into unverified channels. With the rise of peer-to-peer resale platforms, a broad consumer base now has access to tickets in ways that weren’t possible in the past. However, when price caps are introduced, they incentivize resellers to move transactions to platforms that may not provide the same consumer protections or security features. This can expose buyers to fraud, poor customer service, and the risk of purchasing counterfeit tickets without recourse.

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

⁴ Roulston, Amy. *Victorian fans lose almost \$300,000 in scams ahead of Taylor Swift Eras Tour as MCG issues warning for ticketless fans*, Australia News (Feb. 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>

team isn't doing well. If their team is playing a premium opponent, the resale of the ticket helps offset the costs of increasingly expensive season ticket packages.

Accordingly, we urge you to oppose SB 1160.

Thank you,

Robert Singleton

A handwritten signature in black ink, appearing to read "Robert Singleton". The signature is stylized and cursive, with the first name "Robert" being larger and more prominent than the last name "Singleton".

Robert Singleton
Senior Director of Policy and Public Affairs, California and US West

SB-1160

Submitted on: 1/29/2025 2:17:21 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathleen Young	Testifying for Manoa Valley Theatre	Support	Written Testimony Only

Comments:

I am writing on behalf of Mānoa Valley Theatre in strong support of Senate Bill 1160, which seeks to prohibit the resale of tickets at prices higher than the original price charged by the primary venue ticket provider and repeal provisions relating to ticket brokers.

As a nonprofit theatre committed to making the arts accessible to our community, we work hard to ensure fair and reasonable ticket pricing for our patrons. Unfortunately, ticket resellers often take advantage of our audiences by inflating prices, making it more difficult for local families and individuals to attend live performances. These predatory practices create unnecessary financial barriers and harm both patrons and the integrity of the performing arts industry.

As recently as this week, we have had patrons unknowingly purchase tickets for our productions at three times the face value through third-party resellers—even when tickets were still available through our official online box office. These patrons often come to us frustrated and disappointed. This ongoing issue is not just about economics—it is about fairness, transparency, and ensuring that local audiences can enjoy live performances without fear of being misled or exploited.

By prohibiting the resale of tickets above face value, SB 1160 will help protect consumers, preserve accessibility, and ensure that tickets remain available to those who genuinely wish to attend performances—not just those who can afford to pay exorbitant markups. We urge you to pass this bill to support Hawaii’s arts and culture community and to keep live entertainment accessible for all.

Thank you for your time and consideration.

Kathleen Young
Executive Director
Mānoa Valley Theatre

808-988-6131
kathleen.young@manoavalleytheatre.com

SB-1160

Submitted on: 1/29/2025 9:50:10 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Hazelgrove	Testifying for BAMP Project	Support	Written Testimony Only

Comments:

Aloha,

I fully support this bill. As a concert promoter doing business in Hawaii for 20 years, we have experienced first hand how predatory ticketing practices can negatively impact the experience of the fans and business alike. I would like to add 3 additional things that I feel should also be considered.

1) fraudulent ticketing sites run rampant on the internet and often times are the first websites listed when people search for events. While sometimes they list ticket prices above the actual cost, most times, they are not legitimate ticket sellers for the event at all. People buy, arrive and then get denied at the door because their tickets are not valid.

2) the bill largely focuses on the practice of bots buying up large inventories and attempting to resell. This is a huge problem on a macro scale, but on the micro scale, we see countless entrepreneurial individuals attempting to buy seemingly for personal use only to turn around and sell. The problem is not solely the faceless bot operator. It is often times a community member trying to seize on the opportunity to try to make a quick profit.

3) speculative scalping is what I don't see enough attention on as this causes the most friction between the legitimate concert organizer and the fans. This is the practice of scalpers listing specific tickets (row/ seat) for sale prior to any tickets even being released for sale (presale/ fan club/ or otherwise). They do not have those specific seats, yet they will sell them to you. We hear "how does stubhub (just as an example) already have tickets for sale?" This erodes the trust in the ticketing process and most times, the blame is incorrectly pointed at the event organizer. In these specific circumstances, if a fan buys these tickets and expects to have those seats purchased, once tickets actually do go on sale, the scalper will try to buy any tickets that they can and then give the ticket buyer those seats regardless of where they expected their purchased tickets to be.

Thank you for taking the time to review my testimony in support of this bill.

Matty Hazelgrove

BAMP Project

RICK BARTALINI PRESENTS

Presented by: Rick Bartalini, Founder of Rick Bartalini Presents

Date: January 29, 2025P

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 Rick Bartalini, and I am the founder of Rick Bartalini Presents, a concert promotion company dedicated to bringing world-class entertainment to Hawaii. Over the years, we have had the privilege of bringing artists such as Mariah Carey, Journey, Diana Ross, Janet Jackson, and Carrie Underwood to our state, providing Hawaii residents with access to the same world-class entertainment enjoyed in major cities across the country.

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 a concert promoter deeply invested in the spirit of coming together that makes Hawaii special, 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,

Rick Bartalini

Founder, Rick Bartalini Presents

SB-1160

Submitted on: 1/28/2025 8:36:27 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

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

Comments:

I am writing to express my support which aims to protect Hawaii consumers from unfair ticket scalping practices. This bill is an important step toward ensuring that local residents have fair access to event tickets at reasonable prices.

Scalpers and ticket resellers frequently exploit 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 excessive costs or miss out on events altogether.

By prohibiting the resale of tickets above their original price, this legislation will help curb predatory scalping and make events more accessible and affordable for Hawaii residents. Furthermore, the exemption for charitable organizations ensures that nonprofit fundraising efforts are not negatively impacted.

However, while I support the intent of this bill, I am skeptical about its enforceability due to the complexities of online ticket resales and evolving technology. Many transactions occur across various digital platforms, some of which are difficult to regulate or monitor effectively. Without robust enforcement mechanisms, there is a risk that scalpers will simply find loopholes or move sales to less transparent channels. I encourage further discussion on how this bill can be effectively implemented to ensure real consumer protection.

Despite these concerns, I believe this legislation is a step in the right direction, and I urge you to support it while also considering ways to strengthen its enforcement. Thank you for your leadership and commitment to protecting Hawaii consumers.

Mahalo,

Jay Park

SB-1160

Submitted on: 1/28/2025 9:18:25 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B Bise	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill. In order for Hawaii to be able to bring in great concerts, we need measures to stop scalpers and other means of reselling tickets. We need to support the concert promoters who bring in these great musicians and entertainers. The scalpers are making ticket prices unnecessarily pricey for concert goers.

SB-1160

Submitted on: 1/29/2025 10:58:11 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Support	Written Testimony Only

Comments:

I support this bill; events are already expensive here on the island without scalpers getting in the way, making the process of getting into the door more complicated. I support this bill.

SB-1160

Submitted on: 1/29/2025 2:11:07 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
WENDY Mie YAMADA	Individual	Support	Written Testimony Only

Comments:

My husband was scammed online via a site that mimicked Ticketmaster.

This site sold tickets for Carrie Underwood even before the tickets were released by Rick Bartalini . He really thought it was the official ticketmaster and purchased 4 tickets at outrageous prices. The person could not even deliver the tickets because they didn't even own them. Luckily Mr. Bartalini and AMEX was able to assist us . It was not easy though, this website fought on the issue for many months saying that we would get the ticket 1-2 days before the concert.

A bill like this is absolutely necessary to PROTECT consumers from this type of fraud and deception. THANK YOU

SB-1160

Submitted on: 1/29/2025 2:13:06 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erica Yamauchi	Individual	Support	Written Testimony Only

Comments:

I support the intent of this bill.

SB-1160

Submitted on: 1/29/2025 2:14:11 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Malia Eversole	Individual	Support	Written Testimony Only

Comments:

- **Scalpers use bots to buy up tickets in seconds** – Before real fans even have a chance to purchase, tickets are scooped up in bulk and resold at **inflated prices** that can be **two, three, or even ten times the original cost**.

- **Hawai'i's smaller venues mean tickets sell out fast** – Unlike large mainland arenas, our limited seating makes it easier for scalpers to manipulate supply and **shut out local fans**.

- **Scalpers profit, not artists or promoters** – Many fans assume **high ticket prices are set by artists or promoters**, but in reality, **it's scalpers driving up the cost** while contributing **nothing** to the local economy or live event industry.

- **Resale sites lack accountability** – Major resale platforms allow **anonymous and international scalpers** to list tickets without oversight, making it **hard to verify legitimacy** or ensure fair pricing.

This bill is about fairness. It ensures that fans **who truly want to attend events get a fair shot at buying tickets—without being forced to pay outrageous markups to resellers. Please pass this bill.**

SB-1160

Submitted on: 1/29/2025 2:23:26 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerald Yamada	Individual	Support	Written Testimony Only

Comments:

We have personally run into a scalper who runs phony websites that look exactly like the real ones. Scalpers drive up Ticket Prices and make huge sums of money. Please help to stop ticket scalping in Hawaii.

SB-1160

Submitted on: 1/29/2025 2:21:58 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

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

Comments:

Aloha,

I support Senate Bill 1160, many residents no longer go to concerts and events due to this scalping problem. Please help the local residents enjoy the events that come to our State with the big artists, but also our local entertainers. Thank you.

Noela von Wiegandt

SB-1160

Submitted on: 1/29/2025 2:46:30 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chris Bayot	Individual	Support	Written Testimony Only

Comments:

As a person who both promotes and attends local arts events, I think this bill is critical to protect the people of Hawaii and the artists who work hard on their craft to bring joy and entertainment to local audiences. This unfair practice is hugely detrimental to the local community.

- **Scalpers use bots to buy up tickets in seconds** – Before real fans even have a chance to purchase, tickets are scooped up in bulk and resold at **inflated prices** that can be **two, three, or even ten times the original cost**.

- **Hawai'i's smaller venues mean tickets sell out fast** – Unlike large mainland arenas, our limited seating makes it easier for scalpers to manipulate supply and **shut out local fans**.

- **Scalpers profit, not artists or promoters** – Many fans assume **high ticket prices are set by artists or promoters**, but in reality, **it's scalpers driving up the cost** while contributing **nothing** to the local economy or live event industry.

- **Resale sites lack accountability** – Major resale platforms allow **anonymous and international scalpers** to list tickets without oversight, making it **hard to verify legitimacy** or ensure fair pricing.

This bill is about fairness. It ensures that fans **who truly want to attend events get a fair shot at buying tickets—without being forced to pay outrageous markups to resellers.**

PLEASE VOTE TO SUPPORT Senate Bill 1160. It would be insane not to.

SB-1160

Submitted on: 1/29/2025 3:01:10 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

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

Comments:

I am a local musician and entertainer, so this legislation directly impacts my livelihood. Current practices are unfair

- **Scalpers use bots to buy up tickets in seconds** – Before real fans even have a chance to purchase, tickets are scooped up in bulk and resold at **inflated prices** that can be **two, three, or even ten times the original cost**.

- **Hawai'i's smaller venues mean tickets sell out fast** – Unlike large mainland arenas, our limited seating makes it easier for scalpers to manipulate supply and **shut out local fans**.

- **Scalpers profit, not artists or promoters** – Many fans assume **high ticket prices are set by artists or promoters**, but in reality, **it's scalpers driving up the cost** while contributing **nothing** to the local economy or live event industry.

- **Resale sites lack accountability** – Major resale platforms allow **anonymous and international scalpers** to list tickets without oversight, making it **hard to verify legitimacy** or ensure fair pricing.

This bill is about fairness. It ensures that fans **who truly want to attend events get a fair shot at buying tickets—without being forced to pay outrageous markups to resellers.**

If the Senate claims to support the people of Hawaii, you MUST pass this legislation. I'm sure my nephew Bruno would agree.

SB-1160

Submitted on: 1/29/2025 4:16:40 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bonnie Oda	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of Bill SB 1160

Dear Members of the Senate,

My name is Bonnie L. Oda, and I am a resident of Hawaii, a passionate supporter of our local arts, music, and entertainment scene. I am writing to express my strong support for Bill SB 1160, which aims to put an end to ticket scalping in our beautiful state.

Ticket scalping is not just an inconvenience for fans—it has become a multi-million dollar industry that exploits local residents. The detrimental effects of scalping are particularly pronounced in Hawaii for several reasons:

First, scalpers utilizing automated bots buy tickets in mere seconds, often before genuine fans even have the opportunity to make a purchase. This creates an environment where tickets are hoarded and resold at astronomical markups—two, three, or even ten times the original price. It unfairly shifts the focus from dedicated fans to opportunistic scalpers looking to maximize profits.

Second, Hawaii’s smaller venues face unique challenges. Unlike major arenas on the mainland, our limited seating capacities mean that tickets sell out rapidly, presenting a prime opportunity for scalpers to manipulate supply and effectively shut out local fans from accessing events they love.

Moreover, the profits from scalping do not benefit our artists or promoters, who work hard to provide unforgettable experiences for fans. Many people believe that the high prices are set by the performers or the promoters, but the reality is that scalpers are driving up these costs without contributing anything to our local economy or the live event industry.

Finally, the resale platforms that allow these transactions lack sufficient accountability. Many of these major sites permit anonymous and international scalpers to list tickets without any oversight, making it exceedingly difficult for fans to verify the legitimacy of their purchase or ensure fair pricing.

This bill is fundamentally about fairness. It is about ensuring that true fans, who are passionate about attending events in our local community, have an equal opportunity to buy tickets without being forced to pay outrageous markups to scalpers.

I urge you to support Bill SB 1160 and help protect the interests of fans across Hawaii. Together, we can create a more equitable system for all who wish to enjoy live performances in our state.

Thank you for your attention to this important matter.

Sincerely,

Bonnie L Oda

Honolulu, Hawaii

Testimony in **support of SB 1160** Relating to consumer protection

Aloha, Chair Chris Lee, Vice Chair Lorraine Inouye and TCA committee members

Thank you for allowing me to testify in support of SB1160.

I am on the Board of Directors of the Manoa Valley Theatre. I support this bill because I am a long time supporter of the arts, especially live music and theatre.

This bill will protect Hawaii residents who are priced out of popular concerts and performances because scalpers use bots to buy up tickets as soon as they are available for sale. Fans may have to pay twice or triple the price to scalpers for tickets to live performances.

Please pass SB1160. Thank you.

Amy Monk

SB-1160

Submitted on: 1/29/2025 5:02:29 PM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna L Kam	Individual	Support	Written Testimony Only

Comments:

We really need this bill passed in Hawaii.

In my experience, we were told that Hawaii residents would be the first to purchase tickets at a particular set time, and we all waited to the exact minute. When it time to purchase, it was sold out. How could that be. That's impossible. It's very unfair.

Please pass SB1160

LATE

Testimony for SB1160 / Lisa Kawamoto

I purchased tickets for Bruno Mars and ended up buying it from All Access Tickets instead of the box office. Ended up paying \$433 for each ticket with a Service Fee of 142.89 each. Total for 8 tickets was \$4,615.07 for the 3rd show. I have confirmation on June 16, 2018 at 8:15AM. The price for the show were supposed to be \$48.50 - \$125 for the 3rd show as soon as I selected the seats which was supposed to be all together and that didn't happen either.

Frustrated at that point, I haven't gone to any concerts in Hawaii since then unless it was for an old school group or local entertainers at NBC or the Shell. Even those sometimes increase with fees from the originally announced range of prices.

The next page is the receipt for the tickets. My friends still talk about this today and I'll never be trusted to buy tickets ever again.

No aloha for TICKET MASTER.

From: boxofficevenue.com_customer支持@myticketracker.com
Subject: boxofficevenue.com - Ticket Order Information (927546562)
Date: June 16, 2018 at 8:15 AM
To: lsakv@me.com

B



Your Receipt for Bruno Mars

This email is not your ticket.
You will receive a separate email with instructions for accessing your e-Tickets.

Thank you Lisa for ordering from boxofficevenue.com.

To check your order status, please sign into MyTicketTracker with the following information:
Email: lsakv@me.com PIN: 39598539

[Check Your Order Status](#)

Delivery Details

After your order is confirmed, we'll email you instructions for downloading your tickets from our secure website. You will need to print your eTickets, and bring them with you to the event.

Questions about your order?

Email us at customersupport@myticketracker.com.

You've qualified for **\$15 CASH BACK!** [Click Here](#)

Order Summary

Order #27546562 Order Date: 6/16/2018

Event

Bruno Mars
Sunday, Nov 11 2018 at 7:00PM
Aloha Stadium, Aiea, HI
Section Orange KK Row 25 Qty 8
Seller Notes: Tickets will be ready for delivery by Nov 09, 2018.

Payment

Bill to: Lisa N Kawamoto 426B Kekau Place Honolulu, HI 96817 8085544499	Tickets: 8 x \$433 \$3,464.00 Service Fee: 8 x \$142.89 \$1,143.12 Delivery: \$7.95
Order Total: \$4,615.07	
* Price is in USD (\$). * All sales are final.	

Delivery

Delivery Method:

eTicket

Seller Information

Seller Name: All Access Tickets
Phone: (310) 247-0033
Email: tickets@allaccesstickets.com

Don't forget to protect your tickets!

Get reimbursed up to 100% with ticket protection if you can't attend this event for any number of reasons such as covered illness, injury, car trouble, job loss, and more. Also includes access to Viewer Advantage, a 24/7 assistance hotline.

Terms, conditions, and exclusions apply. Plan underwritten by Jefferson Insurance Company. AGA Service Company is the licensed producer and administrator of this plan.

[Protect My Tickets](#)

If you need additional support, please:

Track Your Order Online

To track the status of your order at any time, please sign into MyTicketTracker with your email and unique PIN provided below:

Email: lsakv@me.com PIN: 39598539

[Check Your Order Status](#)

Contact Your Ticket Seller - All Access Tickets:

All Access Tickets is a member of our outstanding service network. If you have any questions about your order, please contact All Access Tickets directly

Email: tickets@allaccesstickets.com

Phone: (310) 247-0033

Contact the boxofficevenue.com Customer Service Department:

Service is very important to us at boxofficevenue.com. If you have any questions after checking your order status online or contacting All Access Tickets, please email us at customersupport@myticketracker.com.

LATE

SB-1160

Submitted on: 1/30/2025 8:07:14 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Liane Tamashiro	Individual	Support	Written Testimony Only

Comments:

I fully support **Senator Chris Lee** on **Senate Bill 1160**, which will put an end to predatory ticket scalping practices and ensure that tickets remain **fairly priced and accessible to all Hawaii Residents.**

LATE

SB-1160

Submitted on: 1/30/2025 10:32:17 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
S Holloway	Individual	Support	Written Testimony Only

Comments:

I'm writing regarding Ticket sellers and the unfair consumer practice they have implemented.

They have implemented platinum pricing that dynamically changes the cost of tickets while consumers are still trying to purchase them.

Platinum pricing dynamically changes the price of a ticket while consumers are still trying to purchase tickets for an event. As the number of tickets available goes down the price on the remaining tickets is automatically doubled, tripled, or quadrupled, and Ticket sellers collect a higher fee on the **original sale of the ticket** based on the new price. In doing this they become their own scalpers by increasing the original cost of the ticket while the sale is going on and collecting a higher fee on the original sale, thus recouping the money they lost when they stopped allowing resell on their site. This is wrong; once the sale starts the price should remain the same for EVERYONE trying to purchase until the sale is done.

In the old days you stood in line and waited to buy a ticket and people at the front got better seats than the people at the back but everyone paid the same price until the tickets were gone. Now, Ticket seller is penalizing those with a slower internet connection by charging them more as the number of tickets available goes down. The first people in line pay one price and the people at the back pay more. Imagine being in line at Costco for gas and 3 cars in front of you they change the price from \$3.50/gal to \$6.50/gal and you have been in line for 20 minutes. Imagine the person 7 cars behind you, by the time they get to the front the price is now \$13.00/gal and they have been in line for 35 minutes. Ticket sellers are changing the price as consumers are still in line trying to buy tickets for an event, successfully circumventing their loss of revenue from the resell ticket process they no longer allow, and gouging consumers at the back of the line with higher base ticket prices which means higher fees on the original sale of the ticket. I witnessed this first hand trying to buy a ticket for the Suga of BTS concert on May 14, 2023.

After waiting in the digital line for 20 minutes with 2000+ people in front of me I got in to buy my tickets, the cheapest was \$490, I clicked on it and did not get it. I went back to the sale room and prices were now \$583 and up. I clicked on a \$583 ticket didn't get it, went back to the sale room and prices were \$700 and up. I saw a few tickets drop in costing \$99, \$79, and \$386; these are tickets that got dumped back in because the person did not complete the purchase in the time allowed so they were released. I clicked on those and didn't get them. I went back to the sale room and all remaining tickets were \$900-999; I did not purchase any. Fortunately a friend got

me a ticket for \$420 with a fee of \$249 for a total cost of \$669. And why is the fee so high? What is the formula for this and what does it cover?

I mentioned to my friend how disappointed I was that people were scalping tickets at such a high price to Fans of the same group. It was then she told me about Ticketmaster's platinum pricing and that it was not consumers but Ticket sellers dynamically changing the price during the sale. I was stunned. Once a sale starts the price of the ticket should remain the same until it is over from the first to the last consumer. Consumers should not be penalized for having a slow Internet connection that doesn't allow them to get in as fast as someone else. And being at the back of the line should not cost you more money. The price should be the same from the first to the last consumer waiting to make a purchase while the sale is going on. Once the sale is over and people have to go to a 3rd party vendor outside of Ticketmaster, all bets are off as that is where the scalping should happen, not during the original sale.

I bring this to your attention because Ticket sellers have a monopoly on ticket sales for many events and this platinum pricing is unfair to consumers. It unfairly penalizing consumers who don't have a fast Internet connection and have to wait as they will always be charged more than someone who has a fast connection and can get in sooner. It should also be against the law to change prices while consumers are still actively trying to purchase an item; Costco gas line. The price should be the same from the first to the last consumer during a sale event. If they want to change the price then they need to close down and re-open with the new pricing in place. I hesitate to say this because I can see Ticket sellers holding back tickets so they can sell them the next day for a higher price than the day before...

This unfair gouging of consumers by Ticket sellers needs to be stopped and this is not just a US consumer issue this is a global consumer gouging. Groups like BTS and artists like Taylor Swift are a global commodity and this ticket gouging by Ticket sellers affects consumers all over the world.

LATE

SB-1160

Submitted on: 1/29/2025 7:51:33 PM
Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jim Herman	Individual	Comments	Written Testimony Only

Comments:

Aloha and Mahalo for working on this issue.

I wonder how difficult it will be for the State to police this problem and whether it will be a high priority for them. Wouldn't it be easier to require that online ticket vendors validate the identity of each person who purchases a ticket through id.me or login.gov? Each person validated through those systems could buy no more than two tickets and must show up with an identity document to the event.

Perhaps they could even create a lottery system rather than a first-come-first-served system and charge based on the popularity of the event. Perhaps allow the artists to sue the vendors if they don't get this right.

The vendors should also create systems that prevent bots from buying tickets. If they validate identity, it shouldn't be that difficult.

LATE

SB-1160

Submitted on: 1/30/2025 7:38:16 AM

Testimony for TCA on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shawn Delp	Individual	Oppose	Written Testimony Only

Comments:

I do not beleive that event tickets should be restricted from resale or prices capped. While there are issues with event ticketing, a ban or cap on resale is not the answer. A couple of questions I would like answered:

1. Tickets are a luxury item. Why all of the focus on this one aspect of our economy? There are more important issues that we should be focused on. Why cap ticket prices and not items needed by everyday people like food, water, housing, and health care? Why do we leave life essentials to market forces and let people profit off of those items but not tickets? I would rather see a ban on selling houses and food for a profit instead of tickets.
2. Will this bill also include a ban on Platinum/VIP tickets? Platinum tickets are tickets that the band/promoter sell above face value themselves. Essenitally becoming the ticket broker. I assume that these will be banned? How about dynamic pricing? Prcing that changes instantly based on supply and demand. Will this practice be banned?

Thank you,

Shawn Delp