

March 7, 2024

Representative Zack Stephenson  
Chair, House Commerce Finance & Policy Committee  
State of Minnesota  
449 State Office Building  
St. Paul, MN 55155

Chair Stephenson and Members of the House Commerce Finance & Policy Committee:

Thank you for allowing me to provide testimony in support of this Minnesota bill aimed at protecting consumers from unfair practices by ticket resellers. This legislation represents a critical step forward in safeguarding the rights and interests of Minnesotans in the realm of ticket purchasing. By supporting HF 1989 together, we affirm and protect our belief in the intrinsic value of the arts and their power to elevate the human spirit, unite communities, and positively impact local economies.

Ticket resellers, often operating in a largely unregulated market, have been known to engage in practices that harm consumers, including exorbitant markups, hidden fees, and deceptive advertising. These bad actors dupe the consumer by manipulating the online marketplace to represent themselves as the official ticket source or falsely represent that they have ownership of the most desirable tickets, when in fact they do not. These practices not only exploit unsuspecting consumers but also undermine the integrity of the attendee experience.

By implementing measures to regulate ticket resellers and ensure transparency and fairness in ticket transactions, this bill seeks to level the playing field and empower consumers to make informed choices. It aims to curb predatory pricing practices and establish mechanisms for recourse in cases of fraud or misrepresentation. The non-profit arts and entertainment presenter will no longer have to be beholden to remedy a bad actor's dishonesty to preserve its reputation and relationship with eventgoers.

Furthermore, this legislation aligns with Minnesota's commitment to promoting consumer rights and fostering a marketplace that operates with integrity and accountability. It sends a clear message that the interests of consumers will not be overlooked or sacrificed in the pursuit of profit. Your leadership on this bill exemplifies your commitment to support non-profit arts organizations like the Hennepin Theatre Trust and our quest to deliver memorable experiences to individuals and families across Minnesota.

I commend the legislators who have championed this bill and their dedication to standing up for consumers across our state. I'd like to particularly recognize Representative Kelly Moller. Her leadership underscores the importance of enacting meaningful protections for all Minnesotans in all sectors of consumerism. I'd like to also acknowledge the bicameral partnership of these policies between the representative and her senate counterpart Matt Klein.

We fully support this bill and we thank you for not only championing consumer protection, but also for being guardians of the goods that are important to our quality of life.

Sincerely,

*Todd Duesing*

Todd Duesing | President & CEO  
O: (612) 455-9510 | C: (513) 300-1243  
[Todd.Duesing@HennepinTheatreTrust.org](mailto:Todd.Duesing@HennepinTheatreTrust.org)

# HF1989

In Your Protecting  
Minnesotans from  
Predatory Ticketing  
Era



...Ready For It?

HF1989 would regulate ticket sales by requiring:

- the total cost of the ticket to be disclosed upfront;
- disclosure of the face value; and
- prohibits selling more than one copy of a ticket.

Minnesotans want to be Out of the Woods and see a Blank Space where they currently fact junk fees. Surprise ticketing fees cause Bad Blood. Minnesotans are not able to Tolerate It.

According to a study by Consumer Reports, the average American spends over \$3,000 a year on junk fees. These additional costs offer Minnesotans no additional products or services--it is hard for Minnesotans to Shake It Off.



Minnesotans are proud to call the North Star State home. But we know that too many face economic barriers to success while juggling work, life, and raising a family.



**Contact:**  
**Mike Dean, Executive Director**  
**M.Dean@Northstarprosperity.org**  
**www.NorthStarProsperity.Org**

**IT'S A LOVE STORY WITH HF1989. PROTECT MINNESOTANS FROM PREDATORY TICKET PRICING.**

**State of Minnesota**  
**House Committee on Commerce, Finance and Policy**  
**House File 1989**  
**Written Testimony of Tyler St. Clair, Vivid Seats**

Good afternoon Chair Stephenson and members of the Committee on Commerce, Finance and Policy. For the record, my name is **Tyler St. Clair**, and I serve on the Public Policy team for Vivid Seats, a ticket resale marketplace which aims to connect fans with memory-making live events. I write to you today to provide written testimony in support with amendments for House File 1989. We very much appreciate the opportunity to provide our perspective on how best to protect ticket purchasers in Minnesota.

Vivid Seats offers award-winning customer service, we have been routinely featured on Newsweek's list of "Best Companies for Customer Service" in ticketing. We accompany that service with the leading loyalty program in the industry that rewards every purchase. When a fan buys 10 tickets from us, the 11<sup>th</sup> ticket is free. Since our loyalty program's inception Minnesotans have earned hundreds of thousands of dollars' worth of reward credits.

When fans buy tickets on our platform, they do so with peace of mind. Every ticket sold on Vivid Seats is backed by our 100% Buyer Guarantee - a promise that the fan will receive valid tickets, delivered on time and as described - or else the fan gets their money back. We support this guarantee with a 300-person call center located in Texas, with hours from 7:00 AM to midnight. We are also a proud partner of Major League Baseball and, beginning next year, a fan can buy a ticket on our app and then use our app to enter any MLB stadium.

People buy tickets from us not only because of our excellent customer service, but also because many times tickets offered on our site are priced at less than face value. Last summer, the Sports Fans Coalition published a study that examined resale prices paid by fans over a five-year period on resale marketplaces and found that fans saved over \$260 million dollars on sports tickets by buying them on the resale market.

We support the pro-consumer intent behind House File 1989 and appreciate the sponsor's interest in our industry. We look forward to continuing to work with her on this effort and, in particular,

we have provided suggested edits to the bill to ensure that competition between live event marketplaces continues to thrive for the benefit of Minnesota consumers.

There are several concepts in this bill that we support, including the pro-consumer definition of a ticket as “evidence of right of entry,” clear pricing disclosures and prohibitions on deceptive marketing practices. These concepts would provide good pro-consumer protections that would benefit fans in Minnesota by increasing transparency and protecting the rights of the ticketholder once they have purchased a ticket. As is the case with most property, a ticket belongs to the fan that holds it, and that fan should be able to transfer the ticket on a platform of their choice if they do not use the ticket themselves. We are also supportive of the amendment to House File 1989 that clarifies Subd. 2, Section (e), which makes clear that online ticket marketplaces have the right to describe an event, event location, and seating chart for said events.

However, we are concerned that certain provisions in this bill may have an unintended anticompetitive impact. For example, when listing a ticket for resale, including the seat number could lead to cancelled tickets if a venue sees the ticket available for resale and can identify the exact location. Now that over 90% of tickets are digital and can be revoked remotely, there are numerous examples of where this has happened. We believe that including language prohibiting retaliatory action would resolve this issue. We look forward to continuing to work with the sponsor to clarify this language and arrive at an outcome that will protect consumers and protect competition in Minnesota.

Thank you. I am happy to answer any questions that you may have.