



Date: February 10, 2026

To: Members of the House Committee on Commerce and Economic Development

From: Susan Evans McClure, Executive Director, Vermont Arts Council

Re: H.512 An act relating to the regulation of the event ticketing market

Live events are the heartbeat of Vermont's creative economy and our local communities. The relationship between artists, performing arts venues, and consumers is crucial to supporting our local economies and bringing joy through the arts. As this committee has heard, deceptive online ticket practices—from fake websites to scam tickets to inflated prices—are negatively affecting both Vermont consumers and Vermont's performing arts industry. Vermonters deserve common sense guardrails for online ticket sales that will protect consumers, small businesses, and our economy.

Price Caps on Secondary Ticket Exchange: A Crucial Step to Protecting Consumers

While the bill covers a lot of important areas that will measurably improve the situation for consumers and venues, the heart of this bill is a price cap on the secondary resale market. While we know that no bill can completely solve the challenges of our modern internet age, we do know that a price cap will have the most impact in ending the incentives for predatory online practices—namely selling tickets online for grossly inflated prices and tricking Vermont consumers into purchasing them.

Price caps are a crucial part of the market working effectively and protecting consumers. Price caps do not set the original ticket price. They only regulate abusive resale markups that have no relationship to real demand. Markets only work when they are free from fraud and manipulation. Price caps simply prevent conduct that distorts competition.

You heard last week about states that used to have price caps on resale and have since repealed those laws. The timing of the repeal of those laws in the mid-2000s aligns with the growth and consolidation of the resale ticket market, and the professionalization of lobbying efforts by the industry to undermine common sense regulations. And since those price caps have been repealed, this issue has only become worse for consumers.

One of the false claims you have heard is that when you regulate the price of resale tickets, it limits competition and directs consumers to unregulated black markets. There is no

evidence to suggest that a price cap makes things worse than they are right now for consumers. In fact, we have examples of the price cap improving the situation. Even in the research that was funded by the resale industry, when you compare reports of fraud in social media resale experiences, there is consistency from country to country, no matter if they have a price cap law or not.

Legislation with price caps on resale is not unique to Maine. There are currently bills in multiple state legislatures considering price caps, including California, Wisconsin, Oklahoma, DC, and others. In recent federal testimony in the Senate's Commerce Committee, musician Kid Rock started his testimony by saying that he was an ardent capitalist. He then went on to say, and I quote, "In parts of Europe resale ticket prices are capped, and it seems to be working.... I have been advocating for a 10% price cap on the resale of a ticket.... resale ticket price caps work and protect real fans¹."

Ireland outlawed the resale of tickets above their original value for some venues in 2021. Last fall, the United Kingdom passed a law banning the resale of tickets above face value across their entire country. Several other European countries have strict conditions on resale, including price caps.

The example was shared last week about Ontario, one of our neighbors to the north. In 2017, Ontario passed a law with a ticket resale cap of 50%. In 2019, the Ontario government repealed the price cap section of the law. And since then, there have been huge increases in the cost of resale tickets², and people are asking the government to reinstate the price cap because it helped so much. This issue became news last year when the Blue Jays were in the World Series and there were huge issues with price gouging on resale tickets. There has been a demand for Ontario to actually return to their price cap, because when they got rid of it, they realized how well it worked.

Maine's bill was based on years of research, evidence, and work advocating for the 10% price cap. And our peers at venues in Maine are telling us that it is working. It was noted that Maine's Attorney General is working out how to enforce the legislation, and that is why we have been partnered with the Vermont Attorney General's Office from day one in development of this legislation.

¹ "Kid Rock Testifies Before Senate on Concert Ticket Fees." CSPAN. Jan. 28, 2026.

<https://www.youtube.com/watch?v=D1udYN6RBKK>

² "Ontario premier criticizes World Series ticket 'gouging,' with resale tickets costing thousands." CBC. Oct. 22, 2025.

<https://www.cbc.ca/news/canada/toronto/ford-criticizes-world-series-ticket-gouging-9.6949082>

When you make it illegal to re-sell a ticket for a grossly inflated price, you remove the incentive for bad actors to scam Vermonters. It is ok, and in fact, it is better than ok, it is important, for Vermont to be in line with countries around the world on this issue. We can and should set the standard on how to protect artists, arts venues, sports events, fans and consumers.

How can consumers resell in Vermont?

As we have said since day one on this issue, reselling itself is not bad, and we do not want to break what is working about this system. So I want to share a few examples from Vermont venues about how reselling is working and how a Vermont consumer can resell their ticket.

- **University of Vermont Athletics:** UVM Athletics sells their tickets through a ticket sales company called Paciolan, and as part of their agreement with the company, customers can resell tickets directly through SeatGeek.
- **Stone Church, Brattleboro:** At the Stone Church, a for-profit music venue in Brattleboro, they have a partnership with CashorTrade, who you heard in January. When a show sells out at Stone Church, the agreement sets out the method by which Stone Church and CashorTrade will co-promote their relationship and get fans access to resale tickets. Their agreement also includes a provision that Stone Church will receive 3% of gross sales from CashorTrade at the end of the year. As they are in their first year, this has not happened yet. However, the venue's owner and manager, Robin Johnson let me know that, "I would gladly forgo the 3% if that would help them agree to the 10% cap, as the scalping market negatively affects our business and would outweigh the 3%."
- **Higher Ground, South Burlington:** Higher Ground in South Burlington has an agreement with a third-party reseller as well, the company is called Tixel. Higher Ground's founder Alex Crothers shared that this creates a safe and transparent marketplace for their customers to exchange tickets.

If a Vermont consumer buys a ticket and wants to resell it, they would still be able to sell their ticket on any platform they want, as long as they abide within the 10% price cap. So, a Vermont consumer could still list their ticket on StubHub and set the price at 10% above.

As we previously discussed, while I do have concerns that any exemptions may open loopholes for bad actors to slip through, we would be open to supporting an exemption for resellers who have contract relationships with primary venues. If the venue is ok with the reseller selling above the 10% cap, it is not our place to stop that. It is our sole focus to weed out the worst of the worst, not to fix what is not broken.

Some Vermont businesses are recognizing how this market currently works and are choosing not to participate in it. Vermont Green FC just announced their season ticket policy yesterday, and clearly state that, “After purchase, tickets may be transferred to friends or family, but resale is not permitted.”

Vermont’s own Noah Kahan has also made tickets to his upcoming tour nontransferable and is only allowing resale through Ticketmaster’s built-in resale platform. Even before tickets are on sale for his new tour, and even with the restriction on resale (meaning that it is not allowed to resell tickets), tickets are currently available for the tour on Stub Hub.

Other Updates to the Bill

- **Clarifying Deceptive URLs:** We are in full support of what has been discussed about clarifying the language on deceptive websites and the use of artist and venue names. If a legitimate reseller is reselling a ticket, of course we want them to have the artist’s name and the name of the venue correct. What we are trying to prevent are websites that are engaging in deceptive practices to make it seem like you are buying directly from the vendor. The Maine bill says, “A ticket reseller or ticket issuer may not: ... use deceptive website addresses or imply endorsement or ownership of any intellectual property of the venue or artist without explicit written authorization of the venue or artist.”
- **Strengthening Disclosure Requirements:** We would also very much welcome strengthening the disclosure requirements for ticket resellers, requiring that a reseller disclose that they are a ticket resale platform and that the purchaser is not buying directly from the venue. More information will allow consumers to make better choices about how and where to spend their money.
- **1 Year Pause on the Reseller Registry:** We are requesting that we place a 1 year pause on the creation and management of a reseller registry. The Arts Council, in collaboration with the Attorney General’s Office, will report back after 1 year on the need for a registry.
- **Education Campaign:** The Vermont Arts Council is committed to working with Vermont’s performing arts venues to ensure that all venues have aligned messaging and information to share with patrons. However, given that there will be no funding with the removal of the registry, we request that this not be mandated for the Council in the bill.
- **Start date:** With the removal of the registry, and how much of a problem this issue is right now across Vermont, we would like the bill to become effective on July 1, 2026.