



Chair Clarkson and Members of the Committee,

My name is Kendall Gilvar, and I am testifying on behalf of the National Independent Venue Association (NIVA), the trade association representing thousands of independently owned and operated venues, promoters, and festivals across the country, including venues like Higher Ground and The Stone Church in Vermont. Right now,

VERMONT FANS ARE BEING PRICED OUT AND MISLED

- Across VT, live event tickets from the primary market mysteriously sell out in seconds and the same tickets immediately reappear on the secondary market at higher prices.
 - Fans are paying 2x, 5x, even 10x face value.
- Fans are often tricked into buying tickets from deceptive resale websites that appear official, even when tickets are still available from the primary venue.
- Many tickets from the secondary market are fake, duplicated, or are never delivered.

RESELLERS USE TECHNOLOGY TO MANIPULATE SUPPLY

- Professional resellers use illegal online bots and automated tools to hoard tickets.
- They track demand, purchase patterns, and target states with weak regulations.
- This is a professionalized, profit-driven industry that is well-funded.
- There are entire conferences dedicated to resale “strategy” and price gouging.

MONEY IS BEING FUNNELED OUT OF VERMONT’S ECONOMY

- If a \$100 ticket is resold for \$400 → \$300 leaves a Vermont household.
- That money does not go to Vermont venues, workers, or surrounding small businesses.
- It goes to out-of-state resellers and national resale platforms. This is economic extraction from Vermont communities.

VERMONT’S SMALL BUSINESSES ARE LEFT TO CLEAN UP THE DAMAGE

- Fans turn to the venue when something goes wrong.
- Staff must resolve, refund, or troubleshoot issues caused by third-party resellers.
- Small businesses are losing thousands of dollars and hours of staff time to bad actors outside of Vermont.

A 10% RESALE CAP PROTECTS CONSUMERS AND LEGITIMATE RESALE

- It allows fans to resell tickets if plans change.
- A 10% cap is targeted and measured, covering typical processing fees, so fans can recover what they paid and break even.
- It stops extreme markups and disincentivises large-scale speculative resale.

BANNING FAKE TICKETS AND WEBSITES IS NOT ENOUGH

- Maryland banned fake tickets and misleading sites in 2025, but resale gouging persists. After the bill, ~26K tickets at 2x+ face value at Merriweather Post Pavilion (~\$26.5M)
- Minnesota also legislated ticketing reforms without resale caps in 2024 and in 2026, legislators are pushing for a resale price cap to curb ongoing price gouging
- Vermont has the opportunity to get this right the first time

RESALE PRICE CAPS ARE THE GLOBAL STANDARD

- States across the country are introducing and advancing resale price caps in 2026:
 - California, Washington, D.C., Delaware, Hawaii, Kansas, Maryland, Minnesota, Oklahoma, Tennessee, Washington, Wisconsin, West Virginia
- Countries around the world cap resale at or near face value:
 - Ireland, Denmark, Portugal, France, Germany, Australia (NSW and some states), Belgium, Italy, Japan, Norway, Poland, Turkey, Russia, United Kingdom, Ontario

FEDERAL FINDINGS SUPPORT RESALE PRICE CAPS

- The U.S. Senate investigation and Report, "[So Casually Cruel: How Ticketmaster's Monopoly Supercharges Price and Fees](#)," identifies resale price caps as a key policy solution
- The report finds that scalpers and brokers are blocking real fans from access
- According to the report, "A carefully designed cap—such as limiting resale prices to a fixed percentage above face value—could **reduce incentives for large-scale scalping operations** while preserving flexibility for legitimate resale"

MULTI-BILLION DOLLAR RESELLERS FUND OPPOSITION IN VERMONT

- Attached is a document outlining the financial ties between resale platforms and the fake "consumer" groups they fund that have lobbied *against* pro-consumer legislation in Vermont and in states across the country.
- These same groups produce misleading "studies" and testimony opposing price caps but do not represent any local stakeholders.
- Not a single Vermonter opposes this bill.

BY CONTRAST, HUNDREDS OF VERMONT FANS, SMALL BUSINESSES, AND ARTISTS SUPPORT THE PASSAGE OF VT H512.

Ticketing Interest Group Funding Tracker

As legislators consider ticketing reform, it's important to understand who is shaping the debate. Several groups presenting themselves as "consumer advocates" receive funding from the ticket resale industry, lobbying for policies that benefit resellers over fans. This document outlines these financial ties to help ensure that policy decisions truly serve consumers—not corporate interests.

Name:	Resale Funders Include:	Source:
National Consumers League	StubHub, Vivid Seats, Sports Fans Coalition	Annual reports and awards on NCL website
Ticket Policy Forum (a resale ticket platform association)	StubHub, Vivid Seats, GameTime, SeatGeek, TickPick, Event Tickets Center; led by lobbyist for National Association of Ticket Brokers	Who We Are section of Ticket Policy Forum website
Fan Freedom Project	StubHub	Original 2011 founding press release
Protect Ticket Rights	National Association of Ticket Brokers	Protect Ticket Rights website
Sports Fans Coalition	StubHub	Executive Director's testimony before the Georgia House of Representatives
Coalition for Ticketing Fairness	Event Tickets Center, StubHub, Vivid Seats, National Association of Ticket Brokers	Events Ticket Center Press Release , Coalition for Ticket Fairness 2025 Conference Site , Coalition for Ticket Fairness Conference 2023 Site
Chamber of Progress	StubHub, Vivid Seats	Chamber of Progress Partner Page
Consumer Federation of America	Protect Ticket Rights, Fan Freedom Project, Ticket Buyer Bill of Rights	Pitchfork and Official 2024 Awards Celebration
NetChoice	StubHub	NetChoice Site
Progressive Policy Institute's Diana Moss	StubHub funded her former organization, The Antitrust Institute	New York Times
Public Knowledge	Vivid Seats, Sports Fans Coalition, Chamber of Progress	2024 and 2023 Funding Sources page