



November 15, 2024

The Honorable Maura Healey  
Governor of the Commonwealth  
Massachusetts State House  
24 Beacon Street, Room 280  
Boston, MA 02133

*Re: H. 5100, An Act Relative to Strengthening Massachusetts' Economic Development Leadership*

Dear Governor Healey:

On behalf of Chamber of Progress – a tech industry association supporting public policies to build a more inclusive society in which all people benefit from technological advancements – I write regarding H. 5100, the recently passed economic development legislation. We welcome the legislature's commitment to improving the economy, however, certain provisions, left unamended, will harm competition and drive up prices for Bay Staters. Specifically, Sections 182A(b) and 182(c) will harm the highly competitive ticket resale market. **We respectfully request that you consider amending the legislation given the following reasons.**

**Live events are crucial to the Massachusetts economy; restricting resale hurts consumers**

Massachusetts sports fans are world-renowned for their dedication. And from the Dropkick Murphys to Nicky Jam, Massachusetts musicians have left an indelible mark on the American music scene. Accessing these unforgettable experiences requires tickets, and too often, fans are forced to purchase tickets from Live Nation subsidiary Ticketmaster. If fans miss the initial on-sale period resale may be their only opportunity to attend. Alternatively, hard working families that face a hardship - such as an unexpected childcare complication or family illness - should be able to resale their tickets.

Section 182A(b) purports to support ticket transferability but states that a venue "shall not restrict the transferability of a ticket sold unless the terms and conditions of the restrictions on transferability are clearly and conspicuously provided to the consumer prior to the purchase." This language empowers Live Nation to bury anti-transferrability provisions in terms and conditions that fans often quickly click through in their

eagerness to purchase tickets to the next great event. Worse, Live Nation could use ticket terms to force purchases to resell tickets exclusively on their own platform, further entrenching their monopoly position in the live events ecosystem.

**Defining a ticket as a “license” further undercuts ticket transfer**

Section 182A(c) defines a ticket as “a license” and states that “venue operators ... may maintain and enforce policies and conditions or requirements for ticket purchase with respect to conduct, behavior, public health and safety or age at the venue or event and may establish limits on the quantity of tickets that may be purchase.”

The intention of this language may be to promote orderly events. However, defining a ticket as a “license” implicitly implies that it can be revoked and the ambiguity of “conduct” creates the potential for vertically-integrated ticketers and venue operators Live Nation to selectively bar fans based on where or how they purchased their tickets.

**Amend H. 5100 to promoting competition and protect Bay State consumers**

We note that Massachusetts has joined the Department of Justice’s antitrust complaint against Live Nation. Sections 182A(b) and 182A(c) would not only solidify Live Nation’s market dominance, they would run counter to the Commonwealth’s legal argumentation.

A thriving live events ecosystem is critical to the Commonwealth economy. That, in turn, requires a strong secondary market for ticket resale and transfer. For these reasons, we respectfully ask you to **amend H. 5100 by removing Sections 182A(b) and 182A(c).**

Sincerely,

Brianna January

A handwritten signature in black ink, appearing to read "Brianna January". The signature is fluid and cursive, with the first name being more prominent.

Brianna January  
Director of State & Local Government Relations, Northeast US