

To the Housing & Economic Development Committee,

For the past one hundred years, the Portland Symphony Orchestra (PSO) has served our community by enriching lives through music. As part of that mission, we are deeply committed to ensuring that our concerts remain affordable and accessible to all members of our community.

We're writing today to share our concerns around LD 913-An Act to Prohibit Ticket Sellers from Prohibiting the Transfer of Tickets to Third Parties. This bill, while well-intentioned, would undercut the ability of the PSO, and other local performing arts organizations, venues, and nonprofits, to maintain affordable prices and accessibility to our performances, while also failing to address some of the larger issues associated with the secondary ticket market.

The Impact of Resale on Ticket Affordability

One of our primary concerns with this bill is that we are already seeing the real impacts of how ticket resale markets drive up prices and undermine our efforts to maintain affordable access to the arts. Tickets sold through the PSO's box office, PortTIX, are priced to reflect our mission and values, with an average ticket price around \$50 and starting prices starting around \$30 (with fees). However, once these tickets are transferred or resold through third-party websites, their prices can skyrocket to excessive heights.

On the resale markets, we've seen tickets climb as high as \$1,000+ for high-demand performances, like when Yo-Yo Ma performed with the PSO in October of 2024, or for our upcoming performance of *Star Wars: A New Hope* in Concert this May, which currently has tickets on the resale market listed for over \$500. These prices are simply out of reach for the average concertgoer.

Unrestricted ticket transferability would only exacerbate this issue, allowing tickets to be flipped repeatedly on the secondary market, driving prices far beyond the original face value. This will create an even more inequitable system where only those willing to pay exorbitant amounts will have access to tickets.

These inflated prices do not benefit our organization, artists, the local economy, or the community we serve; instead, they enrich ticket resellers who often take advantage of the system by acquiring tickets in bulk and reselling them at a steep markup. This practice disproportionately harms the public by limiting access to tickets and creating an unfair system where access is dictated by profit, not by merit.

Loss of Control and the Power Shift to Resale Platforms

Mandating unrestricted ticket transferability also takes away the ability of organizations to ensure that tickets go to actual fans who want to experience the performance. This bill would strip us of

the control we currently have over how our tickets are distributed and handed over. Instead, it would place that control into the hands of resale platforms that are primarily concerned with profit, rather than ensuring fair access for the public.

When venues and organizations control resale, we are better able to prevent scalpers and profiteers from dominating the market. This control ensures that tickets go to actual attendees at fair prices, preserving the integrity of our pricing and distribution systems. Venue-run exchanges provide an essential option for fans who need to resell their tickets due to scheduling conflicts or other reasons, while also protecting against price gouging and ensuring that prices stay within reasonable bounds. These exchanges are designed to prioritize fairness and keep access to the arts within reach of those who value and will attend the performances.

The Dangers of Unregulated Resale Marketplaces

In addition to price inflation, there is a significant risk to ticket authenticity and consumer protection. Illegitimate resale websites often offer counterfeit or invalid tickets, leaving unsuspecting patrons unable to attend performances despite having paid inflated prices. This undermines public trust and directly harms organizations' reputation, as we work tirelessly to offer authentic experiences to our audience.

We believe that ticket transferability should be regulated and that provisions must be in place to prevent such abuses. While we understand the desire for increased flexibility, any transferability system must be designed in a way that prioritizes fairness, transparency, and consumer protection—not the interests of resellers or profiteers.

Our Call for Balanced Solutions

Rather than mandating unregulated transferability, we urge the committee to consider solutions that address the root issues of speculation, price inflation, and consumer protection. We propose regulations that:

- Ensure that resale platforms are held accountable for their role in price gouging and ticket authenticity, with strong protections for consumers.
- Limit resale prices to ensure they do not exceed the original ticket price by an unreasonable margin.
- Ban speculative sales, deceptive websites, and hidden fees that inflate the price of tickets on the secondary market.
- Enable ticket transfers only through controlled, venue-run exchanges that prevent excessive price increases and maintain accessibility for fans.
- Allow venues to retain control over the resale process, ensuring that tickets are distributed fairly and transparently, and that fans are protected from the risks of counterfeit or invalid tickets.

As a nonprofit arts organization, we are acutely aware of the challenges faced by ticketed venues and performers. We wholeheartedly support the idea of making tickets accessible, but we believe that a fair and regulated approach to transferability is necessary to prevent the exploitation of consumers and the arts community.

We respectfully ask the committee to reconsider the bill and work with us to develop a solution that ensures fair access to the arts, supports nonprofit organizations, and protects consumers from the predatory practices that dominate the secondary market.

Sincerely,
Allison Page
Director of Marketing
On behalf of the Portland Symphony Orchestra