

FLORIDA
SPORTS &
ENTERTAINMENT
INDUSTRY COALITION

February 4, 2016

The Honorable Nancy C. Detert
416 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

RE: Opposition to Senate Bill 1344
Legislation that Protects Out-of-State Scalpers to the Detriment of Florida Fans

Dear Chair Detert:

The following organizations write to express our strong opposition to Senate Bill 1344—a bill that, while purportedly consumer-friendly, would only serve to benefit ticket scalpers at the expense of Florida fans, teams and venues. Opposed are:

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| - Amalie Arena | - Germain Arena/KTB Florida | - SMG Jacksonville |
| - Amway Center | Sports Arena, LLC | - SMG Osceola Heritage Park |
| - Broadway Across America | - IAVM (<i>International Association of</i> | - SMG/Pensacola Bay Center |
| - Broward Center for the | <i>Venue Managers</i>) | - Straz Center for the Performing |
| Performing Arts | - Jacksonville Jaguars | Arts |
| - Fans First Coalition | - Jam Productions | - Sunrise Sports & Entertainment |
| - Feld Entertainment, Inc. | - James L Knight Center | (Florida Panthers / BB&T Center) |
| - Feld Motor Sports®(including | - Live Nation Entertainment, Inc. | - Tampa Bay Buccaneers |
| Monster Jam®, Monster Energy® | (<i>Artist Nation, House of Blues, Live</i> | - Tampa Bay Lightning |
| Supercross, Nuclear Cowboyz, | <i>Nation, Ticketmaster</i>) | - The Broadway League |
| AMSOIL Arenacross) | - New York Yankees | - The Recording Academy®, |
| - FFMA (<i>Florida Facility Managers</i> | - Orlando Citrus Bowl | Florida Chapter |
| <i>Association</i>) | - Orlando Magic | - University of Florida |
| - Florida State University | - Red Light Management | |
| - Florida Theatre, Jacksonville | - Ringling Bros. and Barnum & | |
| - Florida Theatrical Association | Bailey® | |

The sports and entertainment industry is a huge source of pride in Florida—hundreds of millions of dollars have been invested in venues, sporting events, concerts, and other live event productions in the State, significantly contributing to the employment of thousands of Florida residents. This bill is an attempt by out-of-state ticket scalpers and companies to use legislation to shape the marketplace in order to protect their profits—at the detriment of Florida consumers, businesses and the State's economy.

We oppose this bill for two significant reasons. **First, this is legislation promoted by companies and scalpers who aim to limit the ability of teams, venues, artists and promoters—the event presenters who financially and creatively invest in putting on an event—to determine the terms under which tickets to their events may be sold.** Thus, ticket scalpers aim to use the bill to dictate how event presenters can sell what they create. **This is as simple as the Florida event presenter vs. out-of-state scalpers and companies.** By banning ticketing

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methods that help keep tickets at the price the artists and teams intend for Florida fans there would be significant interference with a robust and dynamic competitive marketplace, putting scalpers ahead of your constituents. If fans don't like these types of tickets, they will vote with their wallets by choosing other types of available tickets or tickets to other events. The Connecticut Department of Consumer Protection used this same rationale when studying the issue, and recommended that market forces—not the state legislature—should decide such matters.

Second, this bill will cause unintended harm to Florida's economy. The sports and entertainment industry directly affects many people in Florida beyond the teams and venues. Many ancillary businesses (hotels, restaurants, parking lots, food vendors, union workers, transportation and security companies, etc.) are positively impacted when opposing teams come to town, or when a tour comes through a city. Yet, some teams and promoters may avoid appearing in Florida if they encounter less fan-friendly protections in fear that their events will be over-run by scalpers. If Florida becomes a less attractive destination for performers and sporting events, the State will lose millions of dollars in taxable revenue during a time when it can ill afford such losses.

Finally, the real industry-wide problems that need to be addressed are the lack of consumer disclosures from scalpers and resale websites in the resale market. The lack of disclosure on resale sites prevents fans from making informed purchases and the State from collecting appropriate taxes. Fans routinely purchase tickets on the resale market unaware of the original price, or that they are shopping on sites where prices often exceed face value. They're also often purposely misled by language or images of an artist, venue, team, or an entertainment event to give the appearance of an official or legitimate ticket selling channel. We encourage the Florida Legislature to pursue stand-alone legislation that put fans first instead of out-of-state scalpers.

The signatories to this letter employ people in Florida, pay taxes in Florida, and help attract tourism and visitors contributing to Florida's economic base. We have a vested interest in ensuring that fans have a great live entertainment experience—and that they come back again and again. We're standing with fans against this legislation, and we urge you to do the same.

Please oppose this legislation and support our Florida live entertainment industry and fans.

Sincerely the Florida Sports & Entertainment Industry Coalition

cc: Senate Committee on Commerce and Tourism
The Honorable Geraldine F. "Geri" Thompson, Vice Chair
The Honorable Aaron Bean
The Honorable Travis Hutson
The Honorable Jack Latvala
The Honorable Garrett Richter
The Honorable Jeremy Ring