

NetChoice *Promoting Convenience, Choice, and Commerce on The Net*

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April 1, 2013

Rep. René Oliveira, Chairman
House Committee on Business & Industry
Texas House of Representatives
Austin, TX

Subject: HB 3041, *Relating to the sale of event tickets*

Dear Chairman Oliveira:

This bill directly impacts NetChoice members who constitute a wide breadth of e-commerce businesses – members that include AOL, Facebook, VeriSign, and Yahoo.

We thank you for authoring HB 3041. As you know, this bill protects Texans' control of their concert and sports tickets while maintaining state anti-scalping laws and creating additional transparency for consumers. We support this legislation for these benefits:

HB 3041 upholds the property rights that Texans have come to expect when buying, selling, and gifting their tickets.¹

HB 3041 outlaws the anti-consumer practice of ticket issuers using "restrictive tickets"² – tickets whose resale or gifting *is controlled only by the ticket issuer*.

The bill preserves existing anti-scalping laws and would not interfere with future anti-scalping measures.

Under HB 3041 schools and charities can still put restrictions on the resale of student or non-profit tickets.³ So, for example, UT can decide whether students can sell their football tickets, and charities can choose whether to limit the sale of fund-raising tickets for concerts.

HB 3041 creates greater transparency for consumers, by stopping ticket issuers from misleading consumers as to the number of tickets available for public sale.⁴

Thank you for considering our views, and please let me know if I can provide further information.

Sincerely,

A handwritten signature in black ink that reads 'Steve DelBianco'.

Steve DelBianco
Executive Director, NetChoice

NetChoice is a coalition of e-Commerce businesses. More information at www.netchoice.org

¹ See, *Coker vs. Coker*, 650 S.W.2d 391 (Sup. Ct. Tex. 1983) (treating Dallas Cowboys tickets as property as part of an estate).

² HB 3041 § 2158.003

³ HB 3041 § 2158.002

⁴ HB 3041 § 2158.053