

## METRO 2026 LEGISLATIVE ISSUE IDENTIFICATION

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**Date:** October 20, 2025

**ISSUE:** Speculative ticketing

### **BACKGROUND:**

#### *Speculative ticketing*

With the rise of secondary marketplaces to sell event tickets, there has been a corresponding increase in speculative ticketing. Speculative ticketing is when entities or individuals list tickets for sale that they don't have in their possession. These sellers are wagering that they can purchase tickets at a lower price and make money on the price difference. Speculative ticketing can occur prior to the event tickets being on sale or while they are on sale.

It is not uncommon to find tickets to Portland's events for sale on secondary marketplaces before the official on-sale date. For example, in early November, tickets to the comedian Matteo Lane were for sale on Vivid Seats before tickets went on sale. These tickets were priced at double face value.

There is no data that illustrates the size and scope of this issue. By and large, many consumers who buy speculative tickets are unaware and attend events with no issues, though in likely every case they paid above face value. However, there are instances where, because of speculative ticketing, buyers are denied event entry because the ticket is not valid, believe they were meant to be in one section and find out that they are in another, or receive a last-minute cancellation due to the buyers' inability to secure tickets.

Portland's regularly supports patrons arriving to performances only to find out their ticket is not valid. Sometimes this is because the broker or reseller sold speculative tickets and was unable to secure actual tickets. In the best case, patrons can purchase a legitimate ticket and try to get a refund for the fraudulent ticket. The worst case is that tickets are not available at the door or that the patron is not able to afford to purchase a seat twice, and they leave without having experienced the performance.

The federal government and several states have taken legislative steps to address speculative ticketing. The U.S. House of Representatives passed the TICKET Act in April 2025 which would ban the selling of tickets that the seller does not yet possess. The U.S. Senate has yet to take up the bill. In recent years, Nevada, Maryland, Minnesota and Maine have all passed speculative ticketing bans.

### **RECOMMENDATION:**

Support legislation that bans speculative ticketing, protecting consumers and artists from deceptive ticketing practices.

**LEGISLATIVE HISTORY:**

In 2025, the Legislature passed HB 3167, a bill aimed at increasing transparency and protecting consumers when purchasing event tickets. The bill prohibits the use of bots for event ticket sales and bans misleading marketing tactics, including the unauthorized and misleading use of venue logos, branding, and website names. Earlier versions of the bill contained speculative ticketing ban and this, and other pieces, were taken out as a part of the negotiations with the secondary marketplaces.

**OTHER INTERESTED PARTIES:**

Interested parties include Britt Festival, Independent Venues Coalition, National Independent Venues Association, LiveNation, StubHub, Seat Geek and other secondary marketplaces.

**IMPACT IF PROPOSED ACTION OCCURS:**

Speculative ticketing bans are too recent in other states to have a full evaluation of their impact and enforcement can be challenging. However, banning speculative ticketing will help increase transparency and give additional legal avenues for consumers.

**RACIAL EQUITY IMPACTS**

Speculative ticketing often results in higher prices for events. Consumers can pay a premium for an event they would like to attend. In addition, speculative ticketing also can result in counterfeit tickets and last-minute cancellations. All of this can have a disproportionate financial impact on lower income communities which are overrepresented by Black, Indigenous and People of Color.

**CLIMATE IMPACTS**

No climate impact.