

No Doubt a-Bot It: Swifties' Ticket Woes Lead to Change

After scalper bots caused millions of Taylor Swift fans to lose out on tickets to her Eras Tour, Texas lawmakers worked across the aisle on a bill to help level the playing field.

By Kelley Griffin | October 10, 2023

State Legislatures News

Taylor Swift has been a force to be reckoned with this year. And not just on the stage—but in state legislatures, too.

Swift's wildly popular Eras Tour had a wildly unpopular kickoff last November. When Ticketmaster's system left so many fans without tickets, Swift apologized on Instagram, calling it excruciating to see her fans facing so much difficulty when she had been assured it would go smoothly.

On the first day of a "presale" for select fans, the system kept crashing. Ticketmaster says that happened because 14 million hits flooded a presale open to only 1.5 million fans. Software apps known as bots had invaded, snatching up tickets faster than humanly possible to be sold later for often thousands of dollars above face value.

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—Texas Rep. Krona Thimesch

The presale, which was intended to weed out bots, didn't work. The final day of sales meant for the general public was canceled.

Ticketing bots aren't even legal under a 2016 federal law, but they are hard to control. In fact, the federal government has [enforced the law only once](#) since it was enacted. But this year—call it the "Swift effect"—24 states and Puerto Rico considered more than 70 bills to address the bots and other ticketing problems.

So far, Texas is the first state to pass bipartisan legislation banning mass ticket purchases with bots. And it happened in large part because of one particular person's trouble with the ticketing system.

Listen to the podcast: [Across the Aisle: Swift Action on Ticketing](#)

Karissa Thimesch and her college friends had it all mapped out. They got access to the first day of Era Tour presales by registering as Ticketmaster “verified fans.”

“We left class early to get back to the house, and we had three computers open,” she says.

They sat in a virtual queue for about two hours and then were admitted to select their tickets.

As if.

“I’d click on it and say ‘add to cart.’ But then it was, sorry, another fan beat you to it,” she says. “That happened probably a hundred times, so it ended up being a four- or five-hour ordeal.”

And in the end, she and her friends had no tickets.

Many fans were in the same situation. But Karissa Thimesch had one thing the other fans didn’t: A mom who was newly elected to serve as a Republican member of the Texas House of Representatives. Kronda Thimesch remembers when her daughter shared her frustration about failing to get tickets.

“She said, ‘Well, I wish there was something that (someone) could actually do about this. I mean, this is such a travesty.’ And I said, ‘Well, actually, I’ve just been elected a state rep. There is very likely something that we can do to fix this problem,’” Thimesch says.

It was too late to change things for the disappointed fans on the first leg of the tour, but Thimesch was determined to take aim at the bots to avoid problems with future ticket sales. She notes the artists are certainly not happy when fans get gouged; they’ve been calling out the practice for years.

Thimesch says it was common to hear of tickets selling for \$10,000. “One in Arlington went for \$17,000,” she says. “You’re talking \$250, \$300, \$500 tickets that were going for well above, and we’re not even talking on the floor or suites, I mean nosebleed tickets.”

Thimesch says she wanted the state to have enforcement power against the bots—and not just for ticket sales to concerts and sporting events, but also for those popular retail items like special edition tennis shoes or electronics and holiday toys. She ended up crafting two bills: one targeting ticket bots—informally called “Save Our Swifties”—and one tackling bots that buy up retail products, dubbed the “Grinch Bot” bill.

The bills make it illegal to buy tickets using automation that gets around security or purchase limits. Thimesch is aware this is already illegal under federal law.

"I think being from Texas, we tend to not see the federal government as somebody that really helps us as far as getting things done and enforcing it," Thimesch says. "We like to do our own thing to make sure it gets done. We really wanted to put teeth into it."

A Helping Hand

Thimesch also wanted to gain support from Democrats, and she started with a colleague who sat just two seats away from her, Rep. Venton Jones.

"You just hear stories throughout the years around being able to buy tickets, and they're selling out within a matter of minutes," says Jones, who had a nerve-racking experience buying tickets for Beyonce's September concert in Dallas. Bots were at play, but the system didn't crash, and he was one of the lucky ones who got tickets.

Thimesch and Jones say it was easy to work together on this one. Thimesch says nobody wanted to defend bots, especially not with Taylor Swift fans watching.

"One thing that's important to me as a freshman legislator coming into the Texas House was being able to come in and be able to work across the aisle and be able to find the best solutions to be able to help Texans right now," Jones says. "And I think that this is one of those bills."

Texas Sen. Judith Zaffirini, a Democrat, sponsored the bill in her chamber. In a Facebook post, she wrote, "Fans win, scalpers lose!"

And in a hearing on Thimesch's bill in the House, it was a Democrat on the committee, Rep. Victoria Neave Criado, who broke into a mashup of Swift lyrics to express her support.

"Are you ready for it? I hear there is some bad blood, don't blame me, folks are told they should just shake it off, but it's folks' wildest dreams to see Taylor Swift," she said to laughter.

"Well I don't think there's going to be any trouble, trouble, trouble here today," Thimesch replied.

As Thimesch worked to make the bill a law, her family was still shut out of Swift's big tour. But three days before the Dallas show, a friend came up with extra tickets for them. Thimesch remembers calling her daughter-in-law to let her know.

"She literally started screaming. So my son picks up the phone, thinking something bad had happened," Thimesch says. "And I'm like, 'Got Taylor Swift tickets in Dallas.' He's like, 'Oh my gosh, I thought somebody had died.'"

For all the excitement, enforcing this won't be easy. The Texas attorney general is authorized to pursue those who break the law, and each offense can incur a \$10,000 fine. But it would take a lot of sleuthing to track down the people behind the bots. Jas Sajjan of Live Nation, which owns Ticketmaster, testified in favor of the bill and described the challenges.

"Primary ticket platforms such as Ticketmaster make significant investments to combat bots, but in the ever-evolving world of tech and internet, it is a game of whack-a-mole," Sajjan told the House Business and Industry Committee in April. "This bill will not solve all the problems or prevent every bot attack, but it takes a step forward when we are seeing more bot activity than ever."

With so many other states considering measures to rein in bots and make ticket fees more transparent, Thimesch says she's happy to share what she's learned. And now there is a bipartisan approach underway in Congress to do many of the same things. U.S. Sen. John Cornyn (R-Texas) is working with Sen. Amy Klobuchar (D-Minn.) to write a bill called Fans First. Cornyn has praised state efforts but says since the sales cross state lines, it's important for the federal government to have a role. While Live Nation and Ticketmaster supported the Texas law, they have pushed back on many reforms, so broader changes may not come easily.

For Thimesch, the bill was personal. She says she knows every Taylor Swift lyric since she began hearing them years ago when driving her daughters to school starting in second grade. Thimesch says it would be rewarding if Swift learned about her efforts.

"We've certainly tagged her to let her know all the great things we're doing here in Texas to fix that problem," Thimesch says.

Kelley Griffin hosts NCSL's Across the Aisle podcast; listen to her podcast on this topic [here](#).