

Fall Estate Planning Update

What Your Clients Need to Know About Transferring Their Season Tickets

Football is king in the United States. According to Gallup polling, football has been America's favorite sport to watch since 1972. Even today, 41 percent of adults say their preference is to watch football, with baseball coming in at 10 percent and basketball at 9 percent.¹

NFL and college teams draw huge audiences on television and in person. Football games are a weekly ritual that brings friends and families together. The once-a-week schedule makes every game feel special and engenders a communal aspect that many fans believe other sports cannot match.

Having a limited number of home games also makes football season tickets highly coveted. The most popular teams commonly have multiyear waiting lists. One way for fans to cut the line is to have season tickets transferred to them. Transferring season tickets can be a way to combine a personal legacy with a team's legacy. Most teams, however, put limits on season ticket transfers, both before and after death.

Season Tickets Are a Contract

A season ticket is a contract between the team and the ticket holder. Even though a fan pays for a season ticket, legally speaking, it is considered the team's property. The team can put terms and conditions on the contract, including a ticket transfer policy.

A season ticket “transfer” does not involve a physical season ticket changing owners. Rather, the name of the official ticket holder changes on the ticket holder account.

Most teams allow season ticket holders to renew their tickets before the season starts and before season ticket sales open to the general public. Many fans take advantage of this policy, effectively allowing a season ticket to function as a lifetime ticket through annual renewals.

While most season tickets cannot be left to heirs through a will or trust, many teams provide an official transfer form that allows ticket holders to indicate who is to receive their season package when they die. The form serves the same function as a will or a beneficiary designation on a financial account and should be completed in a way that aligns with the ticket holder's estate plan.

Season Ticket Transfer Policy Varies Widely by Team

NFL season tickets can cost, on average, between \$800 and \$3,000 per seat for a full season, with availability varying by team, seat location, and other factors.² Teams in high demand often have a waiting list for season packages. Season tickets are in demand at many top college

¹ Jeffrey M. Jones, *Football Retains Dominant Position as Favorite U.S. Sport*, Gallup (Feb. 7, 2024), <https://news.gallup.com/poll/610046/football-retains-dominant-position-favorite-sport.aspx>.

² *The Cost of NFL Season Tickets: Prices, Value, and Availability*, Medium (July 15, 2024), <https://medium.com/@ticketpermit/the-cost-of-nfl-season-tickets-prices-value-and-availability-43590fb16aab>.

programs as well. The Michigan Wolverines sold over 93,000 season tickets for the 2024 season, accounting for about 87 percent of its capacity.³

How these tickets can be transferred varies from team to team. Some teams have an open transfer policy that allows the ticket holder to control the season ticket's destination without limitation. Others have a limited transfer policy that restricts a ticket holder's right to transfer season tickets only to immediate family members or at the team's discretion. Typically, the transfer process occurs in the offseason when season ticket renewals take place, but some teams do allow transfers during the regular season.

Teams may also have a policy regarding season ticket transfers upon the death of the ticket holder. The New England Patriots, for example, have a policy that permits transfer of season tickets after the death of the ticket holder to a family member but only with the team's approval.

The Denver Broncos' policy is that only the personal representative or executor of a deceased season ticket holder may sign the transfer form on behalf of the ticket holder.⁴ Further, the Broncos limit transfers to spouses, children, siblings, and parents.⁵

NFL season ticket waiting lists can be long. In 2023, the waiting list for Green Bay Packers season tickets had nearly 140,000 names on it.⁶ The renewal rate was more than 99 percent.⁷

Green Bay permits transfers to qualifying heirs upon the death of a season ticket holder using the Packers-approved transfer form and the ticket holder's will.⁸ Green Bay allows only one individual to own season tickets, so if the deceased person leaves their season ticket to more than one child—and the children cannot agree on the new owner—the ticket reverts to the team.

There is also a wide range of season ticket transfer policies in college football. The Oregon State Beavers' policy is that the season ticket holder on record can transfer "the opportunity to order season tickets" to a spouse, domestic partner, or child.⁹ However, tickets cannot be transferred to a trust.¹⁰

³ Maceo Gifford, *Michigan Football sells over 93K season tickets for the 2024 season at the Big House*, SI.com (Aug. 28, 2024), <https://www.si.com/college/michigan/football/michigan-football-sells-over-93k-season-tickets-for-the-2024-season-at-the-big-house-01j6dda9bpcm>.

⁴ *Season Ticket Transfers*, DenverBroncos.com, <https://www.denverbroncos.com/tickets/seasontickets/transfers> (last visited Oct. 30, 2024).

⁵ *Id.*

⁶ Richard Ryman, *Green Bay Packers raise season ticket prices \$3 to \$9 per game*, Green Bay Press Gazette (Feb. 22, 2023), <https://www.greenbaypressgazette.com/story/sports/nfl/packers/2023/02/22/green-bay-packers-raise-season-ticket-prices-3-to-9-per-game/69863880007>.

⁷ *Id.*

⁸ *Transferring Packers Season Tickets*, GB, <https://www.packers.com/tickets/transferring-season-tickets> (last visited Oct. 30, 2024).

⁹ *Season Ticket Transfer Policy*, OSUBeavers.com, <https://osubeavers.com/sports/2020/1/13/season-ticket-transfer-policy> (last visited Oct. 30, 2024).

¹⁰ *Id.*

Alabama season ticket transfers are permitted only in the case of the death of the ticket holder and only to the deceased person's surviving spouse.¹¹ Alabama requires a copy of the deceased's death certificate and a seat transfer agreement signed by the surviving spouse.¹²

Teams that have a policy about postdeath season ticket transfers do not always announce it publicly. The only way to learn whether a team has such a policy and how it works may be to contact them or consult their website.

Transferring Season Tickets May Require Proactive Legal Planning

The love of sports is a simple pleasure that a family can share. But transferring season tickets is often complicated. Every team has its own transfer policy, and the terms and conditions can easily run into multiple pages of legalese.

If not properly planned for, passing season tickets from one account holder to another can lead to family infighting every bit as fierce as an on-field rivalry, especially in markets with devoted fans and long season ticket waiting lists. In one such case, a mother sued her son for allegedly stealing Washington Redskin season tickets from her at the peak of the franchise's success.¹³

Transferring season tickets during the ticket holder's lifetime can help avoid conflicts. Clients should at least know what their transfer options are and take proactive steps now, such as contacting the team and completing a ticket transfer form that can be stored with other estate planning documents, to ensure a smooth handoff after their death. Give us a call to learn more about ways we can ensure that all of your clients' affairs are in order.

¹¹ 2023 Football TIDE PRIDE and Season Ticket Pricing, Rolltide.com, <https://rolltide.com/sports/2022/12/16/tide-pride-changes-for-2023> (last visited Oct. 30, 2024).

¹² *Id.*

¹³ Marc Lacey, *Mother Wins Out Over Son in Redskins Tickets Dispute*, Wash. Post (July 22, 1987), <https://www.washingtonpost.com/archive/sports/1987/07/23/mother-wins-out-over-son-in-redskins-tickets-dispute/6f0d5f6d-2593-48ad-9c75-80e86c281f84>.