

[First Reprint]  
ASSEMBLY, No. 2479

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 7, 1996

By Assemblymen KAVANAUGH, MALONE, Arnone, Charles,  
Assemblywoman Farragher, Assemblymen Gregg,  
Impeveduto, Assemblywoman Murphy, Assemblyman  
Roberts, Assemblywoman J.Smith, Assemblymen Stuhltrager,  
Kelly, Rocco, Senators Singer and Ewing

1 AN ACT <sup>1</sup>[concerning the resale of tickets for admission to places of  
2 entertainment, amending and supplementing P.L.1983, c.135 and  
3 repealing section 8 thereof and P.L.1995, c.169]concerning the  
4 resale of tickets for admission to places of entertainment<sup>1</sup>.

5  
6 **BE IT ENACTED** by the Senate and General Assembly of the State  
7 of New Jersey:

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9 1. <sup>1</sup>[(New section) Any person licensed pursuant to P.L.1983,  
10 c.135 (C.56:8-26 et seq.) shall clearly and conspicuously disclose his  
11 license number in his advertisements. For purposes of this section,  
12 "advertisement" means any attempt by a person licensed pursuant to  
13 P.L.1983, c.135 (C.56:8-26 et seq.) directly or indirectly to induce the  
14 purchase of tickets, appearing in any newspaper, magazine, periodical,  
15 circular, sign or other written matter placed before the public, or in  
16 any radio or television broadcast or any other media, electronic or  
17 otherwise.] There is established the Ticket Brokering Study  
18 Commission, which shall consist of nine members as follows: two  
19 members of the Senate, to be appointed by the President thereof, who  
20 shall not be of the same political party; two members of the General  
21 Assembly, to be appointed by the Speaker thereof, who shall not be of  
22 the same political party; and the Director of the Division of Consumer  
23 Affairs or his designee. The following members shall be appointed by  
24 the Governor with the advice and consent of the Senate: a  
25 representative of ticket brokers or agents who engage in original sales  
26 of tickets, a representative of ticket brokers who engage in the resale  
27 of tickets, a representative of a group or association representing

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate floor amendments adopted June 26, 1997.

1 consumers; and a representative of the general public.

2 Vacancies in the membership of the commission shall be filled in the  
3 same manner as the original appointments were made. Members of the  
4 commission shall serve without compensation, but may be reimbursed  
5 for the necessary expenses incurred in the performance of their duties  
6 to the extent that funds are made available for this purpose.<sup>1</sup>

7

8 2. <sup>1</sup>[Section 9 of P.L.1983, c.135 (C.56:8-34) is amended to read  
9 as follows:

10 9. No person shall sell, offer to sell, resell, offer to resell or  
11 purchase with the intent to resell any ticket, in or on any street,  
12 highway, driveway, sidewalk, parking area, or common area owned by  
13 a place of entertainment, or any other area adjacent to or in the  
14 vicinity of any place of entertainment as determined by the director;  
15 except that a person may resell, in an area which may be designated by  
16 the place of entertainment, any ticket or tickets originally purchased  
17 for his own personal or family use [at no greater than the lawful price  
18 permitted under this act].

19 (cf: P.L.1983, c.220, s.4)]

20 The commission shall organize as soon as possible after the  
21 appointment and qualification of its members. The members of the  
22 commission shall elect a chairman from among the membership and a  
23 secretary, who need not be a member of the commission.<sup>1</sup>

24

25 3. <sup>1</sup>[Section 8 of P.L.1983, c.135 (C.56:8-33) and P.L.1995, c.169  
26 are repealed.] The commission shall conduct a study of the  
27 deregulated market for ticket brokering to assess the feasibility of  
28 reducing government regulation of entertainment ticket sales in order  
29 to make such tickets available to consumers in the secondary market.

30 As part of this assessment, the commission shall determine whether  
31 a deregulated market will cause ticket prices to significantly increase  
32 or decrease; whether it is in the best interests of the consumer to  
33 establish a permanent deregulated market for the resale of  
34 entertainment tickets; and, whether a deregulated market would  
35 increase attendance at New Jersey entertainment events. The  
36 commission also shall determine whether benefits, such as an increase  
37 in tourism and jobs, would inure to the State's economy through  
38 establishment of a deregulated market for entertainment tickets.<sup>1</sup>

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40 <sup>1</sup>4. The commission shall be entitled to the assistance and services  
41 of the employees of any State, county or municipal department, board,  
42 bureau, commission or agency which it may require and as may be  
43 available to it for its purposes, and to employ such stenographic and  
44 clerical assistants and incur traveling and other miscellaneous expenses  
45 as necessary to perform its duties and as may be within the limits of  
46 funds appropriated or otherwise made available to it for its purposes.<sup>1</sup>

1       <sup>1</sup>5. The commission may meet and hold hearings at such places as  
2 it shall designate and shall report its findings and recommendations to  
3 the Governor and the Legislature within 18 months of the effective  
4 date of this act, accompanied by any legislative bills which it may  
5 desire to recommend for enactment.<sup>1</sup>

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7       <sup>1</sup>6. Notwithstanding the provisions of section 8 of P.L.1983, c.135  
8 (C.56:8-33), for a period of 18 months following the effective date of  
9 this act or until submission of the final report of the Ticket Brokering  
10 Study Commission pursuant to this act, whichever occurs later, the  
11 resale price of each ticket subject to the provisions of P.L.1983, c.135  
12 (C.56:8-26 et seq.) shall not be limited to the price charged therefor  
13 and printed on the face of the ticket. As used in this section, "resale"  
14 means a sale by a person other than the owner or operator of a place  
15 of entertainment or of the entertainment event or an agent of any such  
16 person.<sup>1</sup>

17  
18       <sup>1</sup>[4.] 7.<sup>1</sup> This act shall take effect immediately.

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23       Eliminates current statutory requirement limiting prices charged by  
24       ticket brokers.