

[Passed Both Houses]

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ASSEMBLY, No. 2479

STATE OF NEW JERSEY

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

1 AN ACT ¹[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 entertainment¹.

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

8
9 1. ¹[(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

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:

¹ Senate floor amendments adopted June 26, 1997.

1 the Governor with the advice and consent of the Senate: a
2 representative of ticket brokers or agents who engage in original sales
3 of tickets, a representative of ticket brokers who engage in the resale
4 of tickets, a representative of a group or association representing
5 consumers; and a representative of the general public.

6 Vacancies in the membership of the commission shall be filled in the
7 same manner as the original appointments were made. Members of the
8 commission shall serve without compensation, but may be reimbursed
9 for the necessary expenses incurred in the performance of their duties
10 to the extent that funds are made available for this purpose.¹

11

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

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

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

24 The commission shall organize as soon as possible after the
25 appointment and qualification of its members. The members of the
26 commission shall elect a chairman from among the membership and a
27 secretary, who need not be a member of the commission.¹

28

29 3. ¹[Section 8 of P.L.1983, c.135 (C.56:8-33) and P.L.1995, c.169
30 are repealed.] The commission shall conduct a study of the
31 deregulated market for ticket brokering to assess the feasibility of
32 reducing government regulation of entertainment ticket sales in order
33 to make such tickets available to consumers in the secondary market.
34 As part of this assessment, the commission shall determine whether
35 a deregulated market will cause ticket prices to significantly increase
36 or decrease; whether it is in the best interests of the consumer to
37 establish a permanent deregulated market for the resale of
38 entertainment tickets; and, whether a deregulated market would
39 increase attendance at New Jersey entertainment events. The
40 commission also shall determine whether benefits, such as an increase
41 in tourism and jobs, would inure to the State's economy through
42 establishment of a deregulated market for entertainment tickets.¹

43

44 ¹4. The commission shall be entitled to the assistance and services
45 of the employees of any State, county or municipal department, board,
46 bureau, commission or agency which it may require and as may be

1 available to it for its purposes, and to employ such stenographic and
2 clerical assistants and incur traveling and other miscellaneous expenses
3 as necessary to perform its duties and as may be within the limits of
4 funds appropriated or otherwise made available to it for its purposes.¹

5
6 ¹5. The commission may meet and hold hearings at such places as
7 it shall designate and shall report its findings and recommendations to
8 the Governor and the Legislature within 18 months of the effective
9 date of this act, accompanied by any legislative bills which it may
10 desire to recommend for enactment.¹

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

22
23 ¹[4.] 7.¹ This act shall take effect immediately.

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28 Eliminates current statutory requirement limiting prices charged by
29 ticket brokers.