[Passed Both Houses]

[Second Reprint]

ASSEMBLY, No. 2479

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 7, 1996

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

AN ACT [1]**[**concerning the resale of tickets for admission to places of entertainment, amending and supplementing P.L.1983, c.135 and repealing section 8 thereof and P.L.1995, c.169**]** [2]**[**concerning the resale of tickets for admission to places of entertainment[1]**]** establishing the Ticket Brokering Study Commission[2].

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

1. [1]**[**(New section) Any person licensed pursuant to P.L.1983, c.135 (C.56:8-26 et seq.) shall clearly and conspicuously disclose his license number in his advertisements. For purposes of this section, "advertisement" means any attempt by a person licensed pursuant to P.L.1983, c.135 (C.56:8-26 et seq.) directly or indirectly to induce the purchase of tickets, appearing in any newspaper, magazine, periodical, circular, sign or other written matter placed before the public, or in any radio or television broadcast or any other media, electronic or otherwise.**]** There is established the Ticket Brokering Study Commission, which shall consist of nine members as follows: two members of the Senate, to be appointed by the President thereof, who shall not be of the same political party; two members of the General Assembly, to be appointed by the Speaker thereof, who shall not be of

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.
[2] Assembly amendments adopted in accordance with Governor's recommendations November 17, 1997.

the same political party; and the Director of the Division of Consumer Affairs or his designee. The following members shall be appointed by the Governor [2][with the advice and consent of the Senate] [2]; a representative of ticket brokers or agents [2][who engage in original sales of tickets, a representative of ticket brokers who engage in the resale of tickets,]; [2] a representative of a group or association representing consumers; and [2][a representative] two representatives[2] of the general public.

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

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

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

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

The commission shall organize as soon as possible after the appointment and qualification of its members. The members of the commission shall elect a [2][chairman] chairperson[2] from among the membership and a secretary, who need not be a member of the commission.[1]

3. [1][Section 8 of P.L.1983, c.135 (C.56:8-33) and P.L.1995, c.169 are repealed.] The commission shall conduct a study [2][of the deregulated market for ticket brokering to assess the feasibility of reducing government regulation of entertainment ticket sales in order to make such tickets available to consumers in the secondary market] comparing the impact of a regulated and deregulated ticket brokering market on the cost and availability of tickets to entertainment events[2]. As part of this assessment, the commission shall determine whether a deregulated market will cause ticket prices [2]and availability to consumers[2] to significantly increase or decrease; whether it is in the best interests of the consumer to establish a permanent deregulated market for the resale of entertainment tickets [2]or to maintain some regulatory oversight[2]; and, whether a deregulated market [2]or regulated market[2] would increase attendance at New Jersey

entertainment events. The commission also shall determine [2][whether benefits, such as an increase in tourism and jobs, would inure to the State's economy through establishment of a deregulated market for entertainment tickets] how to best ensure the public's equal access to tickets[2] .[1]

[1]4. The commission shall be entitled to [2]request[2] the assistance and services of the employees of any State, county or municipal department, board, bureau, commission or agency which it may require and as may be available to it for its purposes, and to employ such stenographic and clerical assistants and incur traveling and other miscellaneous expenses as necessary to perform its duties and as may be within the limits of funds appropriated or otherwise made available to it for its purposes.[1]

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

[2][[1]6. Notwithstanding the provisions of section 8 of P.L.1983, c.135 (C.56:8-33), for a period of 18 months following the effective date of this act or until submission of the final report of the Ticket Brokering Study Commission pursuant to this act, whichever occurs later, the resale price of each ticket subject to the provisions of P.L.1983, c.135 (C.56:8-26 et seq.) shall not be limited to the price charged therefor and printed on the face of the ticket. As used in this section, "resale" means a sale by a person other than the owner or operator of a place of entertainment or of the entertainment event or an agent of any such person.[1]][2]

[1][4.] [2][7.[1]] 6.[2] This act shall take effect immediately.

Establishes Ticket Brokering Study Commission.