

P.L. 1997, CHAPTER 275, *approved December 24, 1997*  
Assembly No. 2479 (*Second Reprint*)

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] <sup>2</sup>[concerning the  
4 resale of tickets for admission to places of entertainment<sup>1</sup>]  
5 establishing the Ticket Brokering Study Commission<sup>2</sup>.

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

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10 1. <sup>1</sup>[(New section) Any person licensed pursuant to P.L.1983,  
11 c.135 (C.56:8-26 et seq.) shall clearly and conspicuously disclose his  
12 license number in his advertisements. For purposes of this section,  
13 "advertisement" means any attempt by a person licensed pursuant to  
14 P.L.1983, c.135 (C.56:8-26 et seq.) directly or indirectly to induce the  
15 purchase of tickets, appearing in any newspaper, magazine, periodical,  
16 circular, sign or other written matter placed before the public, or in  
17 any radio or television broadcast or any other media, electronic or  
18 otherwise.] There is established the Ticket Brokering Study  
19 Commission, which shall consist of nine members as follows: two  
20 members of the Senate, to be appointed by the President thereof, who  
21 shall not be of the same political party; two members of the General  
22 Assembly, to be appointed by the Speaker thereof, who shall not be of  
23 the same political party; and the Director of the Division of Consumer  
24 Affairs or his designee. The following members shall be appointed by  
25 the Governor <sup>2</sup>[with the advice and consent of the Senate]<sup>2</sup> : a  
26 representative of ticket brokers or agents <sup>2</sup>[who engage in original

**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.

<sup>2</sup> Assembly amendments adopted in accordance with Governor's recommendations November 17, 1997.

1 sales of tickets, a representative of ticket brokers who engage in the  
2 resale of tickets.];<sup>2</sup> a representative of a group or association  
3 representing consumers; and <sup>2</sup>[a representative] two representatives<sup>2</sup>  
4 of the general public.

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

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

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

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

23 The commission shall organize as soon as possible after the  
24 appointment and qualification of its members. The members of the  
25 commission shall elect a <sup>2</sup>[chairman] chairperson<sup>2</sup> from among the  
26 membership and a secretary, who need not be a member of the  
27 commission.<sup>1</sup>

28  
29 3. <sup>1</sup>[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 <sup>2</sup>[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 comparing the impact of a regulated and deregulated ticket brokering  
35 market on the cost and availability of tickets to entertainment events<sup>2</sup>  
36 . As part of this assessment, the commission shall determine whether  
37 a deregulated market will cause ticket prices <sup>2</sup>and availability to  
38 consumers<sup>2</sup> to significantly increase or decrease; whether it is in the  
39 best interests of the consumer to establish a permanent deregulated  
40 market for the resale of entertainment tickets <sup>2</sup>or to maintain some  
41 regulatory oversight<sup>2</sup> ; and, whether a deregulated market <sup>2</sup>or  
42 regulated market<sup>2</sup> would increase attendance at New Jersey  
43 entertainment events. The commission also shall determine <sup>2</sup>[whether  
44 benefits, such as an increase in tourism and jobs, would inure to the  
45 State's economy through establishment of a deregulated market for  
46 entertainment tickets] how to best ensure the public's equal access to

1 tickets<sup>2</sup> .<sup>1</sup>

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

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

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

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29 <sup>1</sup>[4.] <sup>2</sup>[7.1] 6.<sup>2</sup> This act shall take effect immediately.

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34 Establishes Ticket Brokering Study Commission.