

SENATE SUBSTITUTE FOR
SENATE, No. 1679

STATE OF NEW JERSEY

ADOPTED JUNE 5, 1997

Sponsored by Senators SINGER, EWING, Bassano, Rice and
Cafiero

1 AN ACT concerning the resale of tickets for admission to places of
2 entertainment.

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

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7 1. There is established the Ticket Brokering Study Commission,
8 which shall consist of nine members as follows: two members of the
9 Senate, to be appointed by the President thereof, who shall not be of
10 the same political party; two members of the General Assembly, to be
11 appointed by the Speaker thereof, who shall not be of the same
12 political party; and the Director of the Division of Consumer Affairs
13 or his designee. The following members shall be appointed by the
14 Governor with the advice and consent of the Senate: a representative
15 of ticket brokers or agents who engage in original sales of tickets, a
16 representative of ticket brokers who engage in the resale of tickets, a
17 representative of a group or association representing consumers; and
18 a representative of the general public.

19 Vacancies in the membership of the commission shall be filled in
20 the same manner as the original appointments were made. Members
21 of the commission shall serve without compensation but may be
22 reimbursed for the necessary expenses incurred in the performance of
23 their duties to the extent that funds are made available for this
24 purpose.

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

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

Matter underlined thus is new matter.

1 3. The commission shall conduct a study of the deregulated
2 market for ticket brokering to assess the feasibility of reducing
3 government regulation of entertainment ticket sales in order to make
4 such tickets available to consumers in the secondary market. As part
5 of this assessment the commission shall determine whether a
6 deregulated market will cause ticket prices to significantly increase or
7 decrease; whether it is in the best interests of the consumer to establish
8 a permanent deregulated market for the resale of entertainment tickets;
9 and, whether a deregulated market would increase attendance at New
10 Jersey entertainment events. The commission also shall determine
11 whether benefits, such as an increase in tourism and jobs, would inure
12 to the State's economy through establishment of a deregulated market
13 for entertainment tickets.

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

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

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

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40 7. This act shall take effect immediately.

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STATEMENT

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44 This Senate substitute provides for the creation of a "Ticket
45 Brokering Study Commission" composed of nine members to study

1 whether a free market for the sale of entertainment tickets would be
2 beneficial to this State. The members would be as follows: two
3 members of the Senate appointed by the Senate President, of different
4 political parties; two members of the General Assembly appointed by
5 the Speaker, of different political parties; and the Director of the
6 Division of Consumer Affairs or his designee. The following members
7 would be appointed by the Governor with the advice and consent of
8 the Senate: a representative of ticket brokers or agents who engage
9 in original sales of tickets; a representative of ticket brokers who
10 engage in the resale of tickets; a representative of a group or
11 association representing consumers; and, a representative of the
12 general public.

13 The commission is instructed to conduct a study of the deregulated
14 market for ticket brokering to determine whether there is a need to
15 reduce government regulation of entertainment ticket sales and make
16 these tickets available to consumers in the secondary market. The
17 commission would also determine whether a free market will cause
18 ticket prices to significantly increase or decrease; whether it is in the
19 best interests of the consumer to establish a permanent deregulated
20 market for the resale of entertainment tickets; whether a deregulated
21 market would result in increased attendance at New Jersey
22 entertainment events and venues; and, whether benefits such as an
23 increase in tourism and jobs would inure to the State's economy.

24 The commission would be required to report its findings and
25 recommendations to the Governor and the Legislature within 18
26 months of the substitute bill's effective date, along with any legislative
27 bills which it may desire to recommend for enactment.

28 The substitute also provides that for a period of 18 months after its
29 effective date or until submission of the commission's final report,
30 whichever occurs later, the statutory limitations on the resale price of
31 entertainment tickets would not be applicable.

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37 Creates Ticket Brokering Study Commission; provides for 18 month
moratorium on ticket resale price limitations.