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Yes

"Corzine eases ticket sale law," Gloucester County Times, 8-6-08, p.A-3.

LAW

P.L. 2008, CHAPTER 55, *approved August 5, 2008*
Assembly, No. 2147 (*First Reprint*)

1 AN ACT concerning certain ticket sales and amending P.L.1983,
2 c.135.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 ¹1. Section 1 of P.L.1983, c.135 (C.56:8-26) is amended to read
8 as follows:

9 1. As used in this act:

10 a. "Director" means the director of the Division of Consumer
11 Affairs in the Department of Law and Public Safety.

12 b. "Division" means the Division of Consumer Affairs in the
13 Department of Law and Public Safety.

14 c. "Person" means corporations, companies, associations,
15 societies, firms, partnerships and joint stock companies as well as
16 individuals.

17 d. "Place of entertainment" means any privately or publicly
18 owned and operated entertainment facility within this State, such as
19 a theater, stadium, museum, arena, racetrack or other place where
20 performances, concerts, exhibits, games or contests are held and for
21 which an entry fee is charged.

22 e. "Ticket" means any piece of paper which indicates that the
23 bearer has paid for entry or other evidence which permits entry to a
24 place of entertainment.

25 f. "Ticket broker" means any person situated in and operating in
26 this State who is involved in the business of reselling tickets of
27 admission to places of entertainment and who charges a premium in
28 excess of the price, plus taxes, printed on the tickets. For the
29 purposes of this act, the term "ticket broker" shall not include an
30 individual not regularly engaged in the business of reselling tickets,
31 who resells less than 30 tickets during any one-year period, and
32 who obtained the tickets for his own use, or the use of his family,
33 friends, or acquaintances.

34 g. "Resale" means a sale by a person other than the owner or
35 operator of a place of entertainment or of the entertainment event or
36 an agent of any such person.

37 h. "Resell" means to offer for resale or to consummate a resale.

38 i. "Digger" means a person temporarily hired for the purpose of
39 securing tickets by intimidating a purchaser waiting in line to
40 procure event tickets.¹

41 (cf: P.L.2001, c.394, s.1)

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ATG committee amendments adopted March 10, 2008.

1 ¹[1.] 2.¹ Section 8 of P.L.1983, c.135 (C.56:8-33) is amended
2 to read as follows:

3 8. a. Each place of entertainment shall print on the face of each
4 ticket ~~and include in any advertising for any event~~ ¹and include
5 in any advertising for any event¹ the price charged therefor.
6 ~~【Tickets printed prior to the enactment of P.L.2001, c.394 (C.56:8-~~
7 ~~35.1 et al.) shall have endorsed thereon the maximum premium not~~
8 ~~to exceed 20% of the ticket price or \$3.00, whichever is greater,~~
9 ~~plus lawful taxes, at which the ticket may be resold. Tickets printed~~
10 ~~on or after the effective date of P.L.2001, c.394 (C.56:8-35.1 et al.)~~
11 ~~shall have endorsed thereon the maximum premium not to exceed~~
12 ~~20% of the ticket price or \$3.00, whichever is greater, plus lawful~~
13 ~~taxes, at which the ticket may be resold, except for tickets resold by~~
14 ~~registered ticket brokers or season ticket holders.】~~

15 b. No person other than a registered ticket broker ¹~~【or season~~
16 ~~ticket holder】~~¹ shall resell or purchase with the intent to resell a
17 ticket for admission to a place of entertainment at a maximum
18 premium in excess of 20% of the ticket price or \$3.00, whichever is
19 greater, plus lawful taxes. No registered ticket broker ¹~~【or season~~
20 ~~ticket holder】~~¹ shall resell or purchase with the intent to resell a
21 ticket for admission to a place of entertainment at a premium in
22 excess of 50% of the price paid to acquire the ticket, plus lawful
23 taxes.

24 c. Notwithstanding the provisions of subsections a. or b. of this
25 section, nothing shall limit the price for the resale or purchase of a
26 ticket for admission to a place of entertainment sold by any person
27 other than a registered ticket broker ¹~~【or season ticket holder】~~¹ ,
28 provided such resale or purchase is made through an Internet web
29 site.

30 (cf: P.L.2001, c.394, s.6)

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32 ¹[2.] 3.¹ This act shall take effect immediately.

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36

37 Removes maximum price limitation for sale of certain tickets of
38 admission to places of entertainment.

ASSEMBLY, No. 2147

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED FEBRUARY 25, 2008

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Removes maximum price limitation for sale of certain tickets of admission to places of entertainment.

CURRENT VERSION OF TEXT

As introduced.



A2147 BURZICHELLI

2

1 AN ACT concerning certain ticket sales and amending P.L.1983,
2 c.135.

3

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

6

7 1. Section 8 of P.L.1983, c.135 (C.56:8-33) is amended to read
8 as follows:

9 8. a. Each place of entertainment shall print on the face of each
10 ticket **[and include in any advertising for any event]** the price
11 charged therefor. **[Tickets printed prior to the enactment of**
12 **P.L.2001, c.394 (C.56:8-35.1 et al.) shall have endorsed thereon the**
13 **maximum premium not to exceed 20% of the ticket price or \$3.00,**
14 **whichever is greater, plus lawful taxes, at which the ticket may be**
15 **resold. Tickets printed on or after the effective date of P.L.2001,**
16 **c.394 (C.56:8-35.1 et al.) shall have endorsed thereon the maximum**
17 **premium not to exceed 20% of the ticket price or \$3.00, whichever**
18 **is greater, plus lawful taxes, at which the ticket may be resold,**
19 **except for tickets resold by registered ticket brokers or season ticket**
20 **holders.]**

21 b. No person other than a registered ticket broker or season
22 ticket holder shall resell or purchase with the intent to resell a ticket
23 for admission to a place of entertainment at a maximum premium in
24 excess of 20% of the ticket price or \$3.00, whichever is greater,
25 plus lawful taxes. No registered ticket broker or season ticket holder
26 shall resell or purchase with the intent to resell a ticket for
27 admission to a place of entertainment at a premium in excess of
28 50% of the price paid to acquire the ticket, plus lawful taxes.

29 c. Notwithstanding the provisions of subsections a. or b. of this
30 section, nothing shall limit the price for the resale or purchase of a
31 ticket for admission to a place of entertainment sold by any person
32 other than a registered ticket broker or season ticket holder,
33 provided such resale or purchase is made through an Internet web
34 site.

35 (cf: P.L.2001, c.394, s.6)

36

37 2. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 Under current law, individuals may not resell tickets for
43 admission to a place of entertainment in excess of 20% of the ticket
44 price or \$3, whichever is greater, plus lawful taxes. Registered
45 ticket brokers and season ticket holders are allowed to resell tickets

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.

A2147 BURZICHELLI

3

1 at a premium up to 50% of the price paid to acquire the ticket, plus
2 lawful taxes.

3 This bill would lift all caps on the price for the resale or purchase
4 of a ticket sold by a person other than a registered ticket broker or
5 season ticket holder, as long as the sale is made through an Internet
6 web site. In doing so, this bill would level the playing field for
7 citizens of this State trying to relieve themselves of extra tickets,
8 which would otherwise go unused. Currently, New Jersey residents
9 face an unfair disadvantage when competing with sellers from
10 surrounding states, who are not restricted by price caps on tickets
11 resold via the Internet.

12 The bill would also remove the current statutory provision that
13 the face of a ticket include language indicating the maximum
14 premium at which the ticket may be resold. In addition, the bill
15 removes the requirement that each place of entertainment include
16 event ticket pricing in advertising for any event.

ASSEMBLY TOURISM AND GAMING COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2147

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 10, 2008

The Assembly Tourism and Gaming Committee reports favorably and with committee amendments Assembly, No. 2147.

Under current law, individuals may not resell tickets for admission to a place of entertainment in excess of 20% of the ticket price or \$3, whichever is greater, plus lawful taxes. Registered ticket brokers and season ticket holders are allowed to resell tickets at a premium up to 50% of the price paid to acquire the ticket, plus lawful taxes.

As amended by the committee, this bill would lift all caps on the price for the resale or purchase of a ticket sold by a person other than a registered ticket broker, as long as the sale is made through an Internet web site. In doing so, this bill would level the playing field for citizens of this State trying to relieve themselves of extra tickets, which would otherwise go unused. Currently, New Jersey residents face an unfair disadvantage when competing with sellers from surrounding states, who are not restricted by price caps on tickets resold via the Internet.

The bill would also remove the current statutory provision that the face of a ticket include language indicating the maximum premium at which the ticket may be resold.

COMMITTEE AMENDMENTS

The committee amendments:

- exclude from the definition of “ticket broker” individuals who are not regularly engaged in the business of reselling tickets, who resell less than 30 tickets during a one year period, and who obtained the tickets for their own use or the use of family, friends, or acquaintances;
- keep intact the requirement for each place of entertainment to print the ticket price charged for an event on any advertisement for that event; and
- exempt season ticket holders from their current price caps by treating them as other individuals who are not ticket brokers.

SENATE COMMERCE COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2147

STATE OF NEW JERSEY

DATED: JUNE 19, 2008

The Senate Commerce Committee reports favorably Assembly Bill No. 2147(1R).

Under current law, a person may not resell a ticket for admission to a place of entertainment in excess of 20% of the ticket price or \$3, whichever is greater, plus lawful taxes. However, a registered ticket broker or a season ticket holder may resell a ticket at a premium up to 50% of the price paid to acquire the ticket, plus lawful taxes.

This bill, as amended, applies the general resale cap of up to 20% of the ticket price or \$3, whichever is greater, plus lawful taxes to a season ticket holder. However, it removes all caps on the price for the resale or purchase of a ticket sold by a season ticket holder or any other person, other than a registered ticket broker, as long as the resale or purchase is made through an Internet web site.

The bill also removes the current statutory provision requiring the face of a ticket include language indicating the maximum premium at which the ticket may be resold.

This bill is identical to Senate Bill No. 1547, as amended and reported by the committee today.

SENATE, No. 1547

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED APRIL 7, 2008

Sponsored by:

Senator PAUL A. SARLO

District 36 (Bergen, Essex and Passaic)

SYNOPSIS

Removes maximum price limitation for sale of certain tickets of admission to places of entertainment.

CURRENT VERSION OF TEXT

As introduced.



S1547 SARLO

2

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2 c.135.

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5 of New Jersey:

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7 1. Section 8 of P.L.1983, c.135 (C.56:8-33) is amended to read
8 as follows:

9 8. a. Each place of entertainment shall print on the face of each
10 ticket **[and include in any advertising for any event]** the price
11 charged therefor. **[Tickets printed prior to the enactment of**
12 **P.L.2001, c.394 (C.56:8-35.1 et al.) shall have endorsed thereon the**
13 **maximum premium not to exceed 20% of the ticket price or \$3.00,**
14 **whichever is greater, plus lawful taxes, at which the ticket may be**
15 **resold. Tickets printed on or after the effective date of P.L.2001,**
16 **c.394 (C.56:8-35.1 et al.) shall have endorsed thereon the maximum**
17 **premium not to exceed 20% of the ticket price or \$3.00, whichever**
18 **is greater, plus lawful taxes, at which the ticket may be resold,**
19 **except for tickets resold by registered ticket brokers or season ticket**
20 **holders.]**

21 b. No person other than a registered ticket broker or season
22 ticket holder shall resell or purchase with the intent to resell a ticket
23 for admission to a place of entertainment at a maximum premium in
24 excess of 20% of the ticket price or \$3.00, whichever is greater,
25 plus lawful taxes. No registered ticket broker or season ticket holder
26 shall resell or purchase with the intent to resell a ticket for
27 admission to a place of entertainment at a premium in excess of
28 50% of the price paid to acquire the ticket, plus lawful taxes.

29 c. Notwithstanding the provisions of subsections a. or b. of this
30 section, nothing shall limit the price for the resale or purchase of a
31 ticket for admission to a place of entertainment sold by any person
32 other than a registered ticket broker or season ticket holder,
33 provided such resale or purchase is made through an Internet web
34 site.

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37 2. This act shall take effect immediately.

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S1547 SARLO

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3 This bill would lift all caps on the price for the resale or purchase
4 of a ticket sold by a person other than a registered ticket broker or
5 season ticket holder, as long as the sale is made through an Internet
6 web site. In doing so, this bill would level the playing field for
7 citizens of this State trying to relieve themselves of extra tickets,
8 which would otherwise go unused. Currently, New Jersey residents
9 face an unfair disadvantage when competing with sellers from
10 surrounding states, who are not restricted by price caps on tickets
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12 The bill would also remove the current statutory provision that
13 the face of a ticket include language indicating the maximum
14 premium at which the ticket may be resold. In addition, the bill
15 removes the requirement that each place of entertainment include
16 event ticket pricing in advertising for any event.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1547

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 19, 2008

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 1547.

Under current law, a person may not resell a ticket for admission to a place of entertainment in excess of 20% of the ticket price or \$3, whichever is greater, plus lawful taxes. However, a registered ticket broker or a season ticket holder may resell a ticket at a premium up to 50% of the price paid to acquire the ticket, plus lawful taxes.

This bill, as amended, applies the general resale cap of up to 20% of the ticket price or \$3, whichever is greater, plus lawful taxes to a season ticket holder. However, it removes all caps on the price for the resale or purchase of a ticket sold by a season ticket holder or any other person, other than a registered ticket broker, as long as the resale or purchase is made through an Internet web site.

The bill also removes the current statutory provision requiring the face of a ticket include language indicating the maximum premium at which the ticket may be resold.

The committee amendments to the bill:

- exclude from the definition of "ticket broker" any individual not regularly engaged in the business of reselling tickets, who resells less than 30 tickets during any one-year period, and who originally obtained the tickets for the individual's own use or that of family, friends, or acquaintances;

- apply the general resale cap of up to 20% of the ticket price or \$3, whichever is greater, plus lawful taxes to a season ticket holder, but remove this cap with respect to a season ticket holder resale made through an Internet web site; and

- reinstate the current statutory requirement that each place of entertainment include the price charged for tickets for an event in any advertising for that event, which the underlying bill proposed for deletion.

This bill, as amended, is identical to Assembly Bill No. 2147(1R), also reported by the committee today.