

# ASSEMBLY, No. 5287

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 28, 2023

**Sponsored by:**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Assemblyman CLINTON CALABRESE**

**District 36 (Bergen and Passaic)**

**Assemblywoman YVONNE LOPEZ**

**District 19 (Middlesex)**

**Co-Sponsored by:**

**Assemblyman Conaway**

**SYNOPSIS**

Establishes requirements for fee disclosure and for fees allowed as part of sale for certain tickets.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 3/30/2023)

1 AN ACT concerning ticket price transparency and supplementing  
2 P.L.1983, c.135 (C.56:8-26 et seq.).

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

6  
7 1. a. As defined pursuant to section 1 of P.L.1983, c.135  
8 (C.56:8-26), a person, reseller, ticket broker, ticket issuer, and  
9 ticket resale website shall disclose the total cost of a ticket,  
10 including all ancillary fees, including any service charge, to be paid  
11 in order to complete the purchase of a ticket.

12 b. The information required in subsection a. of this section is to  
13 be disclosed in a clear and conspicuous manner, in dollars, to the  
14 ticket purchaser. If a ticket is sold through a website, the  
15 information required to be disclosed shall be displayed prior to the  
16 ticket being selected for purchase. The information disclosed shall  
17 not be false or misleading, and shall not be presented more  
18 prominently or in the same or larger size as the total price.

19 c. The price of a ticket sold through a website shall not  
20 increase during the purchase process, excluding reasonable fees for  
21 delivery of non-electronic tickets based on the delivery method  
22 selected by the purchaser prior to payment for the ticket.

23 d. Nothing in this section shall be construed to:

24 (1) nullify, expand, restrict, or otherwise amend:

25 (a) P.L.1983, c.135 (C.56:8-26 et seq.), including subsection i.  
26 of section 2 of P.L.1983, c.135 (C.56:8-27) regarding the disclosure  
27 of “try and get” policies to ticket purchasers by ticket brokers and  
28 paragraph (1) of subsection c. of section 9 of P.L.1983, c.135  
29 (C.56:8-34) regarding tentative ticket policies of resellers and  
30 disclosure of the policies to purchasers; or

31 (b) regulations at N.J.A.C.13:45A-20.1 et seq.; or

32 (2) make lawful any fraudulent, deceptive, or illegal act or  
33 practice that is unlawful pursuant to P.L.1983, c.135 (C.56:8-26 et  
34 seq.) or regulations at N.J.A.C.13:45A-20.1 et seq.

35  
36 2. a. A place of entertainment, or an agent, representative,  
37 employee or licensee thereof, shall not, if a price is charged for  
38 admission to the venue, exact, demand, accept, or receive, directly  
39 or indirectly, any premium or price in excess of the set price plus  
40 lawful taxes whether designated as price, gratuity, or otherwise,  
41 provided, however, nothing in this section shall be construed to  
42 prohibit:

43 (1) a reasonable service charge by the place of entertainment or  
44 an agent in charge of special services for the place of entertainment,  
45 including, but not limited to, sales away from the box office, credit  
46 card sales, or delivery; or

47 (2) a place of entertainment or its agent from offering initial sale  
48 tickets by means of an auction.

1       b. A reasonable and actual cost for the physical delivery of  
2 tickets may be charged by a seller or reseller based on the method  
3 of delivery selected by the buyer, provided, however, that no  
4 delivery fee shall be charged by a seller or reseller for tickets  
5 delivered electronically or tickets that may be printed independently  
6 by the buyer.

7  
8       3. This act shall take effect on the first day of the seventh  
9 month next after enactment.

10  
11  
12                               STATEMENT

13  
14       This bill requires, as defined in current law, a person, reseller,  
15 ticket broker, ticket issuer, and ticket resale website to disclose the  
16 total cost of a ticket, including all ancillary fees, including any  
17 service charge, to be paid in order to complete the purchase of a  
18 ticket. This is to be disclosed in a clear and conspicuous manner, in  
19 dollars, to the ticket purchaser. If a ticket is sold through a website,  
20 the information required to be disclosed is to be displayed prior to  
21 the ticket being selected for purchase. The information disclosed is  
22 not to be false or misleading, and is not to be presented more  
23 prominently or in the same or larger size as the total price.  
24 Moreover, the price of a ticket sold through a website is not to  
25 increase during the purchase process, excluding reasonable fees for  
26 delivery of non-electronic tickets based on the delivery method  
27 selected by the purchaser prior to payment for the ticket.

28       Additionally, if a price is charged for admission to a venue, a  
29 place of entertainment, or their agent, representative, employee or  
30 licensee, cannot exact, demand, accept, or receive, directly or  
31 indirectly, any premium or price in excess of the set price plus  
32 lawful taxes whether designated as price, gratuity, or otherwise.  
33 However, nothing is to be construed to prohibit: (1) a reasonable  
34 service charge by the place of entertainment or an agent in charge  
35 of special services for the place of entertainment, including, but not  
36 limited to, sales away from the box office, credit card sales, or  
37 delivery; or (2) a place of entertainment or its agent from offering  
38 initial sale tickets by means of an auction. A reasonable and actual  
39 cost for the physical delivery of tickets may be charged by a seller  
40 or reseller based on the method of delivery selected by the buyer,  
41 provided, however, that no delivery fee is to be charged by a seller  
42 or reseller for tickets delivered electronically or tickets that may be  
43 printed independently by the buyer.