

ASSEMBLY, No. 3069

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman DONALD A. GUARDIAN

District 2 (Atlantic)

SYNOPSIS

Prohibits circumventing security measures for certain online ticket sales.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



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

3

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

6

7 1. 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
26 in 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
39 of securing tickets by intimidating a purchaser waiting in line to
40 procure event tickets.

41 j. "Online ticket issuer" means any person that makes tickets
42 available directly or indirectly for sale to the general public via the
43 Internet, and may include the owner or operator of a place of
44 entertainment, a sports team or sports league of teams participating
45 in an entertainment event, a theater company, musical group or

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 similar participant in an entertainment event, or an agent of any
2 such person.

3 (cf: P.L.2008, c.55, s.1)

4

5 2. (New section) No person shall employ any software, device
6 or any other technological resource, or provide another person any
7 software, device or any other technological resource, that is used to
8 circumvent a security measure, access control system, or other
9 control or measure on an online ticket issuer's Internet website that
10 is used to ensure an equitable ticket buying process.

11

12 3. This act shall take effect immediately.

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15 STATEMENT

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17 This bill amends and supplements P.L.1983, c.135 (C.56:8-26 et
18 seq.) to prohibit the use of any software, device or any other
19 technological resource that is used to circumvent a security
20 measure, access control system, or other control or measure on an
21 online ticket issuer's Internet website that is used to ensure an
22 equitable ticket buying process.

23 The bill defines "online ticket issuer" to mean any person that
24 makes tickets available directly or indirectly for sale to the general
25 public via the Internet, and may include the owner or operator of a
26 place of entertainment, a sports team or sports league of teams
27 participating in an entertainment event, a theater company, musical
28 group or similar participant in an entertainment event, or an agent
29 of any such person.

30 Pursuant to current law, any person who violates provisions of
31 P.L.1983, c.135 (C.56:8-26 et seq.) is guilty of a crime of the fourth
32 degree. A crime of the fourth degree is ordinarily punishable by a
33 term of imprisonment of up to 18 months or a fine of up to \$10,000,
34 or both. Under the provisions of the bill, this penalty will apply to
35 violations of the bill's provisions.