

**SENATE, No. 288**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Senator BRIAN P. STACK**

**District 33 (Hudson)**

**SYNOPSIS**

Prohibits circumventing security measures for certain online ticket sales.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



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

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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. 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 physical, electronic, or other evidence  
23 that the possessor of that evidence has a license to enter a place of  
24 entertainment for one or more events at the place of entertainment,  
25 at the date and time or dates and times specified on the ticket,  
26 subject to the terms and conditions specified by the ticket issuer.

27 f. "Ticket broker" means any person situated in and operating  
28 in this State who is involved in the business of reselling tickets of  
29 admission to places of entertainment and who charges a premium in  
30 excess of the price, plus taxes, printed on the tickets. For the  
31 purposes of P.L.1983, c.135 (C.56:8-26 et seq.), the term "ticket  
32 broker" shall not include an individual not regularly engaged in the  
33 business of reselling tickets, who resells less than 30 tickets during  
34 any one-year period, and who obtained the tickets for his own use,  
35 or the use of his family, friends, or acquaintances.

36 g. "Resale" means a sale by a person other than the owner or  
37 operator of a place of entertainment or of the entertainment event or  
38 an agent of any such person. Resale shall not include the first sale  
39 or distribution of a ticket by a ticket issuer.

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

41 i. "Digger" means a person temporarily hired for the purpose  
42 of securing tickets by intimidating a purchaser waiting in line to  
43 procure event tickets.

44 j. "Reseller" means any person, other than a ticket issuer or  
45 ticket resale website, who resells a ticket.

**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 k. "Ticket issuer" means any person, other than a ticket resale  
2 website or reseller, that makes tickets available, directly or  
3 indirectly, to the general public, and may include, as applicable, the  
4 owner or operator of a place of entertainment, the producer or  
5 promoter of an event, a sports team or sports league of teams, a  
6 theater company, musical group or similar participant in an event,  
7 or an agent for any such person.

8 l. "Ticket resale website" means an online platform that  
9 provides a forum for the buying and selling of tickets, but does not  
10 include a ticket broker, ticket issuer, reseller, or place of  
11 entertainment.

12 m. "Online ticket issuer" means any person that makes tickets  
13 available directly or indirectly for sale to the general public via the  
14 Internet, and may include the owner or operator of a place of  
15 entertainment, a sports team or sports league of teams participating  
16 in an entertainment event, a theater company, musical group or  
17 similar participant in an entertainment event, or an agent of any  
18 such person.

19 (cf: P.L.2018, c.117, s.1)

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21 2. (New section) No person shall employ any software, device  
22 or any other technological resource, or provide another person any  
23 software, device or any other technological resource, that is used to  
24 circumvent a security measure, access control system, or other  
25 control or measure on an online ticket issuer's Internet website that  
26 is used to ensure an equitable ticket buying process.

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28 3. This act shall take effect immediately.

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STATEMENT

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

39 The bill defines "online ticket issuer" to mean any person that  
40 makes tickets available directly or indirectly for sale to the general  
41 public via the Internet, and may include the owner or operator of a  
42 place of entertainment, a sports team or sports league of teams  
43 participating in an entertainment event, a theater company, musical  
44 group or similar participant in an entertainment event, or an agent  
45 of any such person.

46 Pursuant to current law, any person who violates provisions of  
47 P.L.1983, c.135 (C.56:8-26 et seq.) is guilty of a crime of the fourth  
48 degree. A crime of the fourth degree is ordinarily punishable by a

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- 1 term of imprisonment of up to 18 months or a fine of up to \$10,000,
- 2 or both. Under the provisions of the bill, this penalty will apply to
- 3 violations of the bill's provisions.