



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 656**

February 16, 2010 – Offered by Representative ZEPNICK.

1 **AN ACT** *to renumber* 66.0410 (1) (a) and 66.0410 (1) (b); *to amend* 66.0410 (2)
2 (a) and 66.0410 (2) (b); and *to create* 66.0410 (1) (bm), 66.0410 (1) (bs), 66.0410
3 (1) (c), 66.0410 (1) (e), 66.0410 (2) (c), 66.0410 (2) (d) and 66.0410 (3) of the
4 statutes; **relating to:** the local regulation of ticket selling and providing
5 penalties.

Analysis by the Legislative Reference Bureau

Under current law, a city, village, town, or county (political subdivision) may not enact an ordinance or adopt a resolution that prohibits the resale of any ticket to an entertainment event or a sporting event if the resale price is equal to or less than the ticket's face value. Also under current law, the Board of Regents of the University of Wisconsin System (university) may not promulgate a rule or adopt a resolution prohibiting the resale of any ticket for an amount that is equal to or less than the ticket's face value.

This substitute amendment authorizes the university or an entity (a professional baseball or football district, the Bradley Center, or Milwaukee World Festival, Inc., which operates the Summerfest grounds) to create a resale zone. A resale zone is defined as property controlled by an entity or the university that the entity designates as the only area of its property in which a ticket may be resold.

With regard to the university, it may create a resale zone only for Camp Randall Stadium and the Kohl Center. The substitute amendment also authorizes a political subdivision to prohibit the reselling of tickets at or below face value within 250 feet of any property on which a resale zone is created and to prohibit the reselling of tickets at or below face value to a National Collegiate Athletic Association tournament event within 250 feet of the Bradley Center.

If a person is convicted of violating the requirements of a resale zone, the person is subject to a forfeiture of \$10 for the first offense, and the law enforcement officer who issues the citation must also give the person information about the penalty that may apply for any subsequent violations. For a first offense, no court costs may be imposed on a defendant. For a second or any subsequent offense, a person is subject to a forfeiture not to exceed the penalty for a Class C forfeiture, which is a civil penalty with a maximum forfeiture of \$500.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 66.0410 (1) (a) of the statutes is renumbered 66.0410 (1) (be).

2 **SECTION 2.** 66.0410 (1) (b) of the statutes is renumbered 66.0410 (1) (d).

3 **SECTION 3.** 66.0410 (1) (bm) of the statutes is created to read:

4 66.0410 (1) (bm) “Resale zone” means property controlled by a sports stadium,
5 Milwaukee World Festival, Inc., or the university that such an entity designates as
6 the only area of the property within its control in which a ticket may be resold.

7 **SECTION 4.** 66.0410 (1) (bs) of the statutes is created to read:

8 66.0410 (1) (bs) “Reselling of tickets” means to sell, offer to sell, or offer to
9 purchase a ticket that has been previously sold or otherwise distributed by the
10 original issuer of the ticket.

11 **SECTION 5.** 66.0410 (1) (c) of the statutes is created to read:

12 66.0410 (1) (c) “Sports stadium” means a local professional baseball park
13 district under s. 229.65 (5), a local professional football stadium district under s.
14 229.821 (4), or the Bradley Center Sports and Entertainment Corporation under s.
15 232.02.

1 **SECTION 6.** 66.0410 (1) (e) of the statutes is created to read:

2 66.0410 (1) (e) “University” means the Board of Regents of the University of
3 Wisconsin System.

4 **SECTION 7.** 66.0410 (2) (a) of the statutes is amended to read:

5 66.0410 (2) (a) ~~A~~ Except as provided in par. (c) or (d) and sub. (3), a political
6 subdivision may not enact an ordinance or adopt a resolution and the Board of
7 Regents of the University of Wisconsin System university may not promulgate a rule
8 or adopt a resolution prohibiting the resale of any ticket for an amount that is equal
9 to or less than the ticket’s face value.

10 **SECTION 8.** 66.0410 (2) (b) of the statutes is amended to read:

11 66.0410 (2) (b) If a political subdivision or the ~~Board of Regents of the~~
12 ~~University of Wisconsin System~~ university has in effect on April 22, 2004, an
13 ordinance, rule, or resolution that is inconsistent with par. (a), the ordinance, rule,
14 or resolution does not apply and may not be enforced.

15 **SECTION 9.** 66.0410 (2) (c) of the statutes is created to read:

16 66.0410 (2) (c) A political subdivision may prohibit the reselling of tickets for
17 an amount that is equal to or less than the ticket’s face value within 250 feet of any
18 property on which a resale zone is created under sub. (3) if the political subdivision
19 posts signage notifying the public that reselling of tickets is prohibited in that area.

20 **SECTION 10.** 66.0410 (2) (d) of the statutes is created to read:

21 66.0410 (2) (d) A political subdivision may prohibit the reselling of tickets to
22 a National Collegiate Athletic Association tournament event for an amount that is
23 equal to or less than the ticket’s face value within 250 feet of property controlled by
24 the Bradley Center Sports and Entertainment Corporation, under s. 232.02, at
25 which such an event is held.

1 **SECTION 11.** 66.0410 (3) of the statutes is created to read:

2 66.0410 **(3)** TICKET RESALE ZONES. (a) All of the following may create a resale
3 zone:

4 1. A sports stadium.

5 2. Milwaukee World Festival, Inc.

6 3. The University of Wisconsin System, except that the University of Wisconsin
7 System may create a resale zone only for Camp Randall Stadium and the Kohl
8 Center at the University of Wisconsin–Madison.

9 (b) A political subdivision may enforce the requirements of a resale zone, which
10 is located within its jurisdiction, under par. (c).

11 (c) A person who is convicted for the first time of violating the requirements of
12 a resale zone is subject to a forfeiture of \$10. A law enforcement officer who cites a
13 person for a first violation shall provide the person, along with his or her citation,
14 information about the penalty that may apply upon subsequent violations, as
15 described in this paragraph. If a person is convicted of a 2nd or subsequent violation
16 of the requirements of a resale zone, the person is subject to a forfeiture not to exceed
17 the penalty for a Class C forfeiture under s. 939.52 (3) (c).

18 (d) Transactions that occur within a resale zone are not endorsed by the entity
19 that created the resale zone, and are not subject to any purchase guarantee against
20 fraudulent activity.

21 (e) Notwithstanding the provisions of s. 814.65 (1), no court costs may be
22 assessed against a defendant, for a first violation, in an action under this subsection.

23 **SECTION 12. Initial applicability.**

