



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Senate Bill 458

Senate Substitute Amendment 2

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CURRENT LAW

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 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.

SENATE SUBSTITUTE AMENDMENT 2 TO THE BILL

Senate Substitute Amendment 2 to the bill (offered by Senator Sullivan, Senate author of the bill):

- Authorizes 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 that the entity designates as **the only area of its property in which a ticket may be resold**. "Reselling of tickets" is defined to mean to sell, offer to sell, or offer to purchase a ticket that has been previously sold or otherwise distributed by the original issuer of the ticket.
- Authorizes a political subdivision (city, village, town, or county) to:
 - **Prohibit** the reselling of tickets at or less than face value **within 250 feet of any property on which a resale zone is created** if the political subdivision posts signage notifying the public that reselling of tickets is prohibited in that area.
 - **Prohibit** the reselling of tickets to a National Collegiate Athletic Association tournament event at or less than face value **within 250 feet of the Bradley Center**.

- Specifies that transactions that occur within a resale zone are not endorsed by the entity that created the resale zone, and are not subject to any purchase guarantee against fraudulent activity.
- Creates *penalty provisions* specifying that:
 - 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. The law enforcement officer who issues this first 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. Court costs may be imposed on a defendant.

Senate Substitute Amendment 2 *does not* have any substantive provisions relating to the current law applicable to the University of Wisconsin System. The substitute amendment does make a couple of *technical drafting changes* related to creating a definition of “university.”

LEGISLATIVE HISTORY

At an executive session on February 12, 2010, the Senate Committee on Transportation, Tourism, Forestry, and Natural Resources voted to adopt Senate Amendment 1 to Senate Substitute Amendment 1 on a vote of Ayes, 7; Noes, 0. The committee then voted to adopt Substitute Amendment 1, as amended, and to recommend passage of the bill, as amended, both on votes of Ayes, 6; Noes, 1. On February 25, 2010, Senator Sullivan offered Senate Substitute Amendment 2.

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