



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2003 Assembly Bill 556	Assembly Amendment 1
<i>Memo published:</i> December 17, 2003	<i>Contact:</i> Don Dyke, Chief of Legal Services (266-0292)

2003 Assembly Bill 556 prohibits a county or municipality from enacting an ordinance or adopting a resolution that prohibits the resale of tickets to an entertainment or sporting event when the ticket is resold for face value or less. The bill expressly invalidates existing ordinances inconsistent with the prohibition.

Assembly Amendment 1 extends the bill's prohibition to the Board of Regents of the University of Wisconsin System. Thus, under the amendment, the Board of Regents may not promulgate a rule or adopt a resolution that prohibits the resale of tickets to an entertainment or sporting event when the resale price is equal to or less than the ticket's face value. (The UW System's current rule on ticket resales is consistent with the amendment. See s. UWS 18.06 (28), Wis. Adm. Code.)

Assembly Amendment 1 was introduced by Representative Wasserman. The Assembly Committee on Urban and Local Affairs recommended adoption of the amendment by a vote of Ayes, 6; Noes, 0.

DD:tlu:rv;ksm



**WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO**

2003 Wisconsin Act 191 [2003 Assembly Bill 556]	Regulating the Resale of Sports and Entertainment Tickets
2003 Acts: www.legis.state.wi.us/2003/data/acts/	Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

2003 Wisconsin Act 191 limits local authority to regulate the resale of sports and entertainment tickets at, or below, face value.

Current law places no restrictions on the power of local government to regulate the resale of sports and entertainment tickets.

Act 191 prevents local governments (cities, villages, towns, or counties), as well as the University of Wisconsin Board of Regents, from prohibiting the resale of sports or entertainment tickets at, or below, face value. Any pre-existing laws or policies that prohibit the resale of tickets at, or below, face value do not apply and may not be enforced.

Effective Date: April 22, 2004.

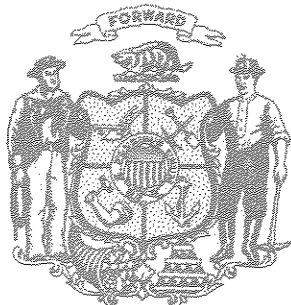
Prepared by: Paul Jones, Legal Intern

April 23, 2004

PJ:rv

This memo provides a brief description of the Act. For more detailed information,
consult the text of the law and related legislative documents.

WISCONSIN
STATE
ASSEMBLY



S H E L D O N
W A S S E R M A N
STATE REPRESENTATIVE

January 30, 2004

Senator Ron Brown, Chair
Senate Committee on Homeland Security,
Veterans and Military Affairs and Government Reform
Room 104-South, State Capitol

Dear Senator Brown:

Earlier this week my proposal to suspend anti-scalping ordinances when tickets are sold at or below face value, Assembly Bill 556, passed the Assembly and was referred to your committee. I am writing to ask you to please consider scheduling this non-controversial bill for a public hearing.

Currently people who cannot attend a concert or game, or who have tickets of family members who are sick are at risk of being arrested if they try to sell those tickets. Assembly Bill 556 would prevent local governments from enacting and/or enforcing anti-scalping ordinances when tickets are sold at or below cost. The bill enjoys broad bi-partisan support. I credit the enthusiasm of Scott Gunderson, the second author on the bill and Dean Kaufert, the third author, for getting this bill through the Assembly.

I think we all can agree that locking people up for selling a sick family member's ticket is unfair as well as a waste of increasingly limited police resources. I do not know of anyone who is opposed to the bill. As you can see from the attached article, even those who might be expected to object to the bill, commercial ticket resellers and major entertainment venues like the Bradley Center, say they have no problem with it.

I understand that this is a busy time with the end of session rapidly approaching, and I appreciate you taking the time to consider my request. Please feel free to contact me anytime should you have any questions or comments.

Sincerely,

Sheldon A. Wasserman
State Representative
22nd District

SW/jph

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MILWAUKEE JOURNAL SENTINEL

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Ticket resellers may get a pass

Bill would allow face-value sales

The bill must be approved by the Senate and signed by Gov. Jim Doyle to become law.

In January 2001, Milwaukee police began a crackdown and issued citations to more than 100 people for selling tickets to sporting events and concerts outside the Bradley Center. Most were handcuffed and jailed, some for

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Evan Zeppos, a spokesman for the Bradley Center, said Thursday that the Bradley Center had no objection to the bill in its current form.

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"This is common sense. A person who buys a ticket and sells at face value or below... that isn't scalping."

Rep. Sheldon Wasserman (D-Milwaukee)

By TOM KERTSCHER
tkertscher@journalonline.com

Selling tickets to a game or show outside the Bradley Center or any other venue in Wisconsin would be legal, as long as the price doesn't exceed face value, under a bill approved this week by the state Assembly.

Rep. Sheldon Wasserman (D-Milwaukee) said that if his measure becomes law, it would stop

The citations were written under a Milwaukee ordinance that prohibits sales within 500 feet of certain venues. The new law would ban the creation or enforcement of such ordinance as long as sellers sell tickets at or below the face value on the tickets.

Wasserman noted that many of the people arrested in the 2001 crackdown were selling extra tickets at or below face value to recoup some money from tickets that would have otherwise gone unused.

"To make this a huge crime is just wrong," he said.

The bill was applauded by Milwaukee attorney Michael Sperling, who represented citizens in a federal civil rights lawsuit against the Bradley Center and the city. The Bradley Center settled its part of the case by paying \$750 each to the plaintiffs before a federal judge dismissed the case against the city.

Sperling said he will ask the U.S. Supreme Court to consider the case on the question of reasonable search and seizure. The dismissal of the suit was upheld last week by a federal appeals court.

"If you allow things like this to happen," Sperling said of people being held in jail for such minor offenses, "the Fourth Amendment virtually could become meaningless."

Jim Bryce, one of the owners of Ticket King in Milwaukee, said the bill would have no major impact on his reselling business because his firm is focused on the best seats, which command a high price. Some venues would lose ticket sales to people who sell extras outside their door, but the impact will not be large, he said.

There is no general law that bans ticket scalping, which generally is known as the practice of reselling a ticket for more than its face value. The only state law that prohibits selling tickets for more than their face value applies only to events at State Fair Park, according to the attorney general's office.

MAY GET PASS
TICKETS, FROM 1B

Please see TICKETS, 2B


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Ticket resellers may get a pass

Bill would allow face-value sales

By TOM KERTSCHER
tkertscher@journalsentinel.com

Posted: Jan. 29, 2004

Selling tickets to a game or show outside the Bradley Center or any other venue in Wisconsin would be legal, as long as the price doesn't exceed face value, under a bill approved this week by the state Assembly.

Rep. Sheldon Wasserman (D-Milwaukee) said that if his measure becomes law, it would stop crackdowns like the one Milwaukee police did three years ago when people selling extra tickets outside the Bradley Center before they entered to watch a game were handcuffed and jailed for hours.

"This is common sense. A person who buys a ticket and sells at face value or below . . . that isn't scalping," Wasserman said.

Evan Zeppos, a spokesman for the Bradley Center, said Thursday that the Bradley Center had no objection to the bill in its current form.

The bill must be approved by the Senate and signed by Gov. Jim Doyle to become law.

In January 2001, Milwaukee police began a crackdown and issued citations to more than 100 people for selling tickets to sporting events and concerts outside the Bradley Center. Most were handcuffed and jailed, some for as long as eight hours.

The citations were written under a Milwaukee ordinance that prohibits sales within 500 feet of certain venues. The new law would ban the creation or enforcement of such ordinances as long as sellers sell tickets at or below the face value on the tickets.

Wasserman noted that many of the people arrested in the 2001 crackdown were selling extra tickets at or below face just to recoup some money from tickets that would have otherwise gone unused.

"To make this a huge crime is just wrong," he said.

The bill was applauded by Milwaukee attorney Michael Sperling, who represented 15 of the people who received citations in a federal civil rights lawsuit against the Bradley Center and the city. The Bradley Center settled its part of the case by paying \$750 each to the plaintiffs before a federal judge dismissed the case against the city.

Sperling said he will ask the U.S. Supreme Court to consider the case on the question of reasonable search and seizure. The dismissal of the suit was upheld last week by a federal appeals court.

"If you allow things like this to happen," Sperling said of people being held in jail for such minor offenses, "the Fourth Amendment virtually could become meaningless."

Jim Bryce, one of the owners of Ticket King in Milwaukee, said the bill would have no major impact on his reselling business because his firm is focused on the best seats, which command a high price. Some venues would lose ticket sales to

Quotable

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- Rep. Sheldon Wasserman, (D-Milwaukee)

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