

**From:** Wood, Brenda  
**Sent:** Monday, February 01, 2010 11:59 AM  
**To:** Elmer, Linda  
**Subject:** FW: brewers ticket resale legislative draft 3.DOC

**Attachments:** brewers ticket resale legislative draft 3.DOC  
This is the latest language for [SB 458/AB 656](#).

Brenda M Wood  
City of Milwaukee  
Senior Legislative Coordinator  
414-286-2371 office  
414-339-9054 cell  
[bwood@milwaukee.gov](mailto:bwood@milwaukee.gov)

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**From:** Kulig, Steven [<mailto:Steven.Kulig@legis.wisconsin.gov>]  
**Sent:** Friday, January 29, 2010 12:47 PM  
**To:** Wood, Brenda; [dwnelson@uwmad.wisc.edu](mailto:dwnelson@uwmad.wisc.edu)  
**Subject:** FW: brewers ticket resale legislative draft 3.DOC

Hello,

You both may have already received these possible changes. I just glanced at them and it looks like it solves a few problems. I still need to run this past my boss before we start drafting. If you could let me know as soon as you can what you think that would be great.

Thanks,

Steve

**1. On page 2, delete the material from lines 3 to 6 and insert the following:**

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

[In this draft, political subdivisions will no longer have the authority to create a resale zone. This paragraph recognizes that policy change by removing the definition of “local government unit” and replacing it with “sports stadium”.]

**2. On page 2, after line 6, insert the following:**

66.0410(1)(af) “Reselling of tickets” means 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.

[This is a new definition to the bill. It is added to acknowledge that there are various steps in the resale process, e.g., “offering to sell,” in addition to actually consummating a sale.]

**3. On page 2, delete the material from lines 9 to 11 and insert the following:**

66.0410(1)(c) “Resale zone” means property owned by a sports stadium, Milwaukee World Festival, Inc. or the university that a sports stadium, the Milwaukee World Festival, Inc. or the university designate as the only area of its property in which a ticket may be resold.

[This definition incorporates the new “sports stadium” definition. This paragraph, along with sub. (3), below, adds the Summerfest grounds as an entity that may create a resale zone. Because we are removing the authority of political subdivisions to create resale zones, and the Summerfest grounds has experienced some of the aggressive ticket reselling behavior addressed in this bill, they must be explicitly included in order to create their own resale zone.]

**4. On page 2, on line 16, delete “Subject to sub. (3)” and insert in its place “Except as provided in pars. (c), (d) and sub. (3),”**

**5. On page 3, after line 5, insert the following:**

66.0410(2)(c) A political subdivision may prohibit the reselling of tickets at or below face value within 250 feet of any property that has created a resale zone under sub. (3), provided conspicuous signage is posted notifying the public that ticket reselling is prohibited in that area.

[Stadiums surrounded by city property in urban areas may face the problem of resellers stepping off the stadium’s property, walking across the street, and continuing their ticket reselling. In order to ensure the intent of the legislation is fulfilled, cities should have the ability to create a 250 foot no-sale “buffer zone” around a property that has established a resale zone.]

(d) A political subdivision may prohibit the reselling of tickets to a National Collegiate Athletic Association tournament event within 250 feet of property owned by the Bradley Center Sports and Entertainment Corporation at which such an event is held.

[Venues that cannot prohibit ticket reselling at post-season tournament events are disfavored. This change will give the Bradley Center a better chance at winning a bid to host a NCAA tournament. This provision would only apply for those few days when such an event is actually taking place at the Bradley Center.]

**6. On page 3, delete the material from lines 7 through 20 and insert the following:**

66.0410(3) TICKET RESALE ZONES. (a) Notwithstanding sub. (2), a sports stadium, Milwaukee World Festival, Inc. or the university may create a resale zone. A political subdivision may enforce the requirements of the resale zone located in its jurisdiction under par. (b).

(b) A person who violates a requirement described under par. (a) shall, upon the first offense, be issued a warning which describes the violation and the penalties that may apply if that person violates the requirement in the future. A person who violates a requirement described under par. (a) may, after their first offense, be cited for that violation and, at the discretion of the entity creating the zone under par. (a), may be removed from the premises. If convicted of the violation the person is subject to a forfeiture not to exceed the penalty for a Class C forfeiture under s. 939.52(3)(c). A person who is cited for a violation may not return to the premises until the person is convicted or the citation is otherwise adjudicated. A person twice convicted of violating such a requirement on the property controlled by the entity creating the resale zone may, at the discretion of that entity, be permanently prohibited from entering the property controlled by the entity where the violations occurred.

[These paragraphs require that a warning be issued for the first violation of the law and removes the ability of a political subdivision to create a resale zone. It was the sentiment of legislators that there should be a mechanism to protect innocent fans who may inadvertently violate the law. Legislators also expressed concern about the ability of cities to effectively ban ticket reselling by creating resale zones in inaccessible areas. Because there are so few venues where ticket reselling is a problem, and those venues are specifically empowered in the legislation, the simplest way to solve the potential problem is to remove the power of cities to create resale zones.]