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HOUSE BILL 1000

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Antonio "Moe" Maestas

AN ACT

RELATING TO CRIMINAL LAW; INCLUDING SALES TO ALL EVENTS AND
SALES BY ELECTRONIC MEANS IN THE CRIMINAL OFFENSE OF TICKET
SCALPING; LIMITING THE LOCATION OF THE SALE OF TICKETS;
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-46-1 NMSA 1978 (being Laws 1989,
Chapter 142, Section 1) is amended to read:

"30-46-1. TICKET SCALPING.--

A. Ticket scalping consists of a person:

(1) selling, offering for sale or attempting
to sell, whether in person or by electronic means, any ticket,
privilege, license, admission or pass to any [~~college athletic~~]
event at a price greater than the price charged at the place of
admission or printed on the ticket; or

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1 (2) other than the authorized ticket seller
2 selling, offering for sale or attempting to sell any ticket,
3 privilege, license, admission or pass to an event at a price
4 equal to or less than the price charged at the place of
5 admission or printed on the ticket within five hundred yards of
6 the box office location for a college or professional athletic
7 event or one hundred yards for all other events.

8 B. The sale of each ticket, privilege, license,
9 admission or pass in violation of this section shall constitute
10 a separate offense.

11 C. Nothing in this section shall prohibit charging
12 a fee for services rendered in connection with the sale of a
13 ticket, privilege, license, admission or pass to an event if
14 the fee is permitted pursuant to a contract between the ticket
15 seller and the sponsor or promoter of the event.

16 D. Whoever commits ticket scalping as provided in
17 Paragraph (1) of Subsection A of this section is guilty of a
18 misdemeanor and upon conviction shall be punished by a fine
19 [~~up~~] not to exceed five hundred dollars (\$500) or by
20 imprisonment for a definite term of less than one year or both.

21 E. Whoever commits ticket scalping as provided in
22 Paragraph (2) of Subsection A of this section is guilty of a
23 petty misdemeanor and upon conviction shall be punished by a
24 fine not to exceed two hundred fifty dollars (\$250) or by
25 imprisonment for a definite term of less than six months or

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1 both."

2 Section 2. EMERGENCY.--It is necessary for the public
3 peace, health and safety that this act take effect immediately.

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