

HOUSE BILL 39

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

## INTRODUCED BY

Kathleen Cates

## AN ACT

RELATING TO TICKET SCALPING; AMENDING THE CRIME OF TICKET SCALPING TO INCLUDE EVENTS PRESENTED BY THE STATE OR POLITICAL SUBDIVISIONS OF THE STATE OR BY NONPROFIT CORPORATIONS.

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 selling, offering for sale or attempting to sell any ticket, privilege, license, admission or pass to [any] a college athletic event or an event presented by the state or a political subdivision of the state or by a nonprofit corporation formally recognized as tax exempt under Section 501(c)(3) of the Internal Revenue Code of 1986 at a price greater than the price charged at the place of

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admission or printed on the ticket.

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

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

D. Whoever commits ticket scalping is guilty of a misdemeanor and upon conviction shall be punished by a fine up to five hundred dollars (\$500) or by imprisonment for a definite term of less than one year or both."

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