



Hundredth Legislature - Second Session - 2008  
**Introducer's Statement of Intent**  
**LB 1042**

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**Chairperson:** Brad Ashford  
**Committee:** Judiciary  
**Date of Hearing:** February 13, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB1042 seeks to limit the profit a secondary ticket marketer can make on the re-sale of a ticket to an entertainment event and thereby prevent the secondary ticket marketers from gouging Nebraska consumers.

LB1042 would establish a criminal offense for re-selling a ticket to an entertainment event for more than 25% of the face value of the ticket (including taxes, surcharges and general fees).

The penalty for conviction of a first offense of this section would be a Class II misdemeanor. The penalty for conviction of a second offense would be a Class I misdemeanor. Upon conviction of violation of the provisions of this section, the sentencing court would be required to impose a fine of \$100.00 in addition to and independent of any other fine and cost imposed upon the convicted person.

The provisions of this section would not apply to fundraising activities performed by or on behalf of a charitable organization.

LB1042 would also allow an artist, promoter or producer of an entertainment event to bring a civil lawsuit against a person or entity who violates the proposed statute. Under this section the artist, promoter or producer would be entitled to actual or liquidated damages of not less than \$750 and not more than \$10,000.00, plus reasonable attorney's fees and costs.

LB1042 does create a mechanism for a prosecutor, artist, promoter or producer to subpoena information regarding the identity of the wrongdoer from an internet service provider or internet web site.

**Principal Introducer:** \_\_\_\_\_  
**Senator Gwen Howard**