

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 203

Introduced by Briese, 41.

Read first time January 11, 2019

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the Music Licensing Agency Act; to amend
- 2 section 59-1402, Revised Statutes Cumulative Supplement, 2018; to
- 3 redefine a term; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 59-1402, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 59-1402 For purposes of the Music Licensing Agency Act:

4 (1) Copyright owner means the owner of a copyright of a nondramatic
5 musical work recognized and enforceable under the copyright laws of the
6 United States pursuant to 17 U.S.C. 101 et seq., as such sections existed
7 on January 1, 2018, and does not include the owner of a copyright in a
8 motion picture or audiovisual work or in part of a motion picture or
9 audiovisual work;

10 (2) Music licensing agency means an association or corporation that
11 licenses the public performance of nondramatic musical works on behalf of
12 copyright owners;

13 (3) Performing right means the right to perform a copyrighted
14 nondramatic musical work publicly for profit;

15 (4) Person means any individual, resident or nonresident of this
16 state, and every domestic, foreign, or alien partnership, limited
17 liability company, society, association, corporation, or music licensing
18 agency;

19 (5) Proprietor means the owner of a retail establishment,
20 restaurant, inn, bar, tavern, sports or entertainment facility, multi-
21 family residential dwelling, or other similar place of business or
22 professional office located in this state in which the public may
23 assemble and in which nondramatic musical works or similar copyrighted
24 works may be performed, broadcast, or otherwise transmitted for the
25 enjoyment of members of the public there assembled; and

26 (6) Royalty means the fees payable to a copyright owner for a
27 performing right.

28 Sec. 2. Original section 59-1402, Revised Statutes Cumulative
29 Supplement, 2018, is repealed.