

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 2057

By: Hutchison

COMMITTEE SUBSTITUTE

An Act relating to contracts and consumer protection; prohibiting certain organizations from coercing, inducing or compelling execution of certain licensing agreement; requiring certain notice; requiring certain contacts to be made during regular business hours and providing an exception; requiring certain explanation of licensing agreement; providing for certain registration; providing for certain liability; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 790 of Title 15, unless there is created a duplication in numbering, reads as follows:

All performing rights organizations, societies or associations involved in licensing the right of nondramatic performances in public of copyrighted musical works, desiring to collect fees in this state by and through any type of licensing agreement, shall not coerce, induce, or compel any person or organization to sign or enter into any licensing agreement. Such performing rights organizations, societies or associations shall give at least forty-eight (48) hours notice to the owner or manager of any business prior to entering the business premise to discuss, negotiate, or execute a licensing agreement. All contacts, either by telephone or in person by an employee, agent or representative of a performing rights organization, society or association shall be made during the regular business hours of any such business unless otherwise agreed to by the owner or manager of the business. An employee, agent or representative of a performing rights organization, society or association shall fully explain

the necessity of licensing the public performance of copyrighted music in the place of business, the schedule of fees, and any licensing agreement to the extent reasonably necessary to permit the person using the copyrighted musical works to make an informed decision regarding the licensing agreement.

If applicable, all performing rights organizations, societies or associations shall register with the Secretary of State and be licensed to do business in accordance with the laws of this state.

The commission of any act in violation of this section shall render the performing rights organization, society or association liable pursuant to the provisions of Section 761.1 of this title.

SECTION 2. This act shall become effective September 1, 1994.

44-2-9026

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