The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

DIGEST

SB 318 Original 2022 Regular Session Foil

Proposed law defines the following:

(1) "Performing group" means a vocal or instrumental group of one or more members that intends to advertise or perform under the name of a recording group or a name similar to a recording group.

(2) "Recording group" means a vocal or instrumental group of one or more members, with at least one of the members having previously released a commercial sound recording under the group's name and the legal rights to the recording have not been abandoned.

(3) "Sound recording" means a work that results from the fixation of a series of musical, spoken, or other sounds, regardless of the nature of the material object, such as phonograph, disc, tape, wire, digital storage, or other medium in which the sounds are embodied.

Proposed law provides that no person shall advertise or conduct a live musical performance or production through false, deceptive, or misleading affiliation, connection, or association between the performing group and recording group.

Proposed law provides that a recording group can advertise or conduct a live musical performance or production affiliated, connected, or associated with a recording group under certain circumstances.

Proposed law provides that the attorney general or a district attorney can bring a civil action, for permanent or temporary injunction against a person that violates proposed law.

Proposed law provides for a civil penalty in the amount of not less than $5,000 and not more than $15,000 for any violation of proposed law, in addition to any injunctive relief.

Proposed law provides that any aggrieved party under this Section may bring a civil action for damages.

Effective August 1, 2022.

(Adds R.S. 51:3221)