
The original instrument was prepared by Xavier Alexander. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alan Miller.

SB 318 Engrossed

DIGEST
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 so similar to a name used by a recording group as to cause confusion among members of the public.
- (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)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Makes technical changes.
2. Changes the definition of "performing group" to mean 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 so similar to a name used by a recording group as to cause confusion among members of the public.