

## RÉSUMÉ DIGEST

ACT 311 (SB 318)

2022 Regular Session

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New law defines the following terms:

- (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.

New law provides that no person shall knowingly 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.

New 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.

New law provides that the attorney general or a district attorney can bring a civil action for a permanent or temporary injunction against a person who violates new law.

New 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 new law, in addition to any injunctive relief.

New law authorizes any aggrieved party under new law to bring a civil action for damages.

New law does not apply to a legislatively created tourist commission, convention facility, or destination marketing organization.

Effective August 1, 2022.

(Adds R.S. 51:3221)