

549.3 Licensing negotiations.

1. A performing rights society shall not enter onto the business premises of a proprietor for the purpose of discussing a contract for the payment of royalties for the public performance of copyrighted musical works by the proprietor unless the performing rights society first uses its best efforts to make an appointment to meet with the proprietor at the business premises during normal business hours, or if the proprietor or the proprietor's agent agree, at a location other than the business premises or at the business premises when the business premises are not open to the public. Upon entering onto the business premises for the purpose of discussing a contract for the payment of royalties for the public performance of copyrighted musical works by the proprietor, the performing rights society shall clearly identify itself to the proprietor and describe to the proprietor the purpose for entering onto the business premises.

2. A performing rights society shall not enter into, or offer to enter into, a contract for the payment of royalties by a proprietor unless at the time of the offer, or any later time, but not later than seventy-two hours prior to the execution of the contract, the performing rights society provides to the proprietor, in writing, all of the following:

a. A schedule of the rates and terms of royalties under the contract.

b. Upon the request of the proprietor, the opportunity to review the most current available list of the members or affiliates represented by the performing rights society.

c. Notice that the performing rights society will make available, upon the written request of a proprietor, at the sole expense of the proprietor, the most current available listing of the copyrighted nondramatic musical or similar works in the performing rights society's repertory, provided that the notice shall specify the means by which the listing can be secured.

d. Notice that the performing rights society complies with federal law and orders of courts having appropriate jurisdiction regarding the rates and terms of royalties and the circumstances under which licenses for rights of public performance are offered to any proprietor.

[96 Acts, ch 1155, §3; 2024 Acts, ch 1067, §1](#)

Subsection 1 amended