HOUSE FILE 498
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 180)

(As Amended and Passed by the House March 8, 2021)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to the practices of performing rights societies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 549.3, subsection 1, Code 2021, is amended to read as follows:

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 identifies itself to the proprietor and describes to the proprietor the purpose for entering onto the proprietor's business premises~~ 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.

Sec. 2. Section 549.5, Code 2021, is amended to read as follows:

549.5 Improper licensing practices.

A performing rights society shall not do any of the following:

1. ~~A performing rights society shall not collect,~~ Collect or attempt to collect, from a proprietor licensed by that performing rights society, a royalty payment except as provided in a contract executed pursuant to the provisions of this chapter.

2. Make a misleading or threatening verbal or written communication to a proprietor in connection with a contract for the payment of royalties or an attempt to collect royalties.

3. State or imply in a verbal or written communication with

a proprietor that the performing rights society is an agent or representative of a public body, regulatory agency, or law enforcement agency.