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Equity for Visual Artists Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Dec 15, 2011

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S8681-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S8681-8682) (Dec 15, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/2000>

Sponsor

Name: Sen. Kohl, Herb [D-WI]

Party: Democratic • **State:** WI • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Dec 15, 2011

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
112 HR 3688	Identical bill	Jan 6, 2012: Referred to the Subcommittee on Intellectual Property, Competition and the Internet.

Equity for Visual Artists Act of 2011 - Requires, whenever a work of visual art is sold for at least \$10,000 at an auction by someone other than the authoring artist, that the entity collecting the money or other consideration pay a royalty equal to 7% of the price to a visual artists' collecting society.

Defines an "auction" as public sale run by an entity that: (1) sells to the highest bidder works of visual art in which the cumulative amount of such works sold during the previous year is over \$25 million, and (2) does not solely conduct the sale of such visual art on the Internet.

Requires the collecting society to: (1) distribute half of the net royalty to the artist or their successor as copyright owner, and (2) deposit the other half into an escrow account to fund purchases by U.S. nonprofit art museums of works of visual art authored by living artists domiciled in the United States.

Establishes a copyright infringement offense for the failure of the entity collecting the money or other consideration to pay such a royalty. Subjects an infringer to the payment of statutory damages.

Excludes works of visual art from copyright notice procedures.

Directs the Register of Copyrights to issue regulations governing the designation and oversight of visual artists' collecting societies.

Requires that specified fees be paid to the Register out of the total royalty payments received by collecting societies.

Actions Timeline

- **Dec 15, 2011:** Introduced in Senate
- **Dec 15, 2011:** Sponsor introductory remarks on measure. (CR S8681)
- **Dec 15, 2011:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S8681-8682)

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