

S 977

American Royalties Too Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Apr 16, 2015

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Apr 16, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/977>

Sponsor

Name: Sen. Baldwin, Tammy [D-WI]

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

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Markey, Edward J. [D-MA]	D · MA		Apr 16, 2015

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Apr 16, 2015

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
114 HR 1881	Related bill	May 15, 2015: Referred to the Subcommittee on Courts, Intellectual Property, and the Internet.

American Royalties Too Act of 2015

Expands copyright owners' exclusive rights, in the case of a work of visual art, to include the right to collect or authorize the collection of a royalty if the work is sold by a person other than the author for at least \$5,000 in an auction.

Defines "auction" as a public sale of visual art to the highest bidder run by an entity that sold at least \$1 million of works of visual art during the previous year.

Revises the term "work of visual art" to make requirements for photographs consistent with requirements for paintings, drawings, and prints. (Currently, a photograph must be a still photographic image produced for exhibition purposes only.)

Limits the amount of such a royalty to the lesser of: (1) 5% of the purchase price; or (2) \$35,000, subject to cost-of-living adjustments.

Directs entities conducting such auctions to collect and pay the royalties to a visual artists' copyright collecting society. Requires the collecting society, at least four times each year, to distribute the appropriate royalties (minus administrative expenses) to authors or successor copyright owners.

Requires an author of a work of visual art, in order to be eligible to receive such a royalty, to: (1) be a citizen of, or domiciled in, the United States or a country that provides resale royalty rights; or (2) have first created the work in the United States or a country that provides such royalty rights.

Establishes a copyright infringement offense for the failure to pay such a royalty. Subjects infringers to: (1) statutory damages, and (2) liability for the full royalty.

Prohibits the sale, assignment, or waiver of the right to collect such a royalty, subject to exceptions for works made for hire and transfers of copyright ownership.

Directs the Register of Copyrights to issue regulations governing visual artists' copyright collecting societies.

Actions Timeline

- **Apr 16, 2015:** Introduced in Senate
- **Apr 16, 2015:** Read twice and referred to the Committee on the Judiciary.