

S 4932

American Music Fairness Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Sep 22, 2022

Current Status: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure:

Latest Action: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S4972) (Sep 22, 2022)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/4932>

Sponsor

Name: Sen. Padilla, Alex [D-CA]

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

Cosponsors (3 total)

| Cosponsor | Party / State | Role | Date Joined |
|-------------------------------|---------------|------|--------------|
| Sen. Blackburn, Marsha [R-TN] | R · TN | | Sep 22, 2022 |
| Sen. Feinstein, Dianne [D-CA] | D · CA | | Dec 7, 2022 |
| Sen. Tillis, Thomas [R-NC] | R · NC | | Dec 7, 2022 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | Senate | Referred To | Sep 22, 2022 |

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

| Bill | Relationship | Last Action |
|-------------|----------------|---|
| 117 HR 4130 | Identical bill | Dec 30, 2022: Placed on the Union Calendar, Calendar No. 509. |

American Music Fairness Act

This bill establishes that the copyright holder of a sound recording shall have the exclusive right to perform the sound recording through an audio transmission and addresses other related issues. (Currently, the public performance right only covers performances through a digital audio transmission in certain instances, which means that nonsubscription terrestrial radio stations generally do not have to secure a license to publicly perform a copyright-protected sound recording.)

Under the bill, a nonsubscription broadcast transmission must have a license to publicly perform such sound recordings. The Copyright Royalty Board must periodically determine the royalty rates for such a license. When determining the rates, the board must base its decision on certain information presented by the parties, including the radio stations' effect on other streams of revenue related to the sound recordings.

Terrestrial broadcast stations (and the owners of such stations) that fall below certain revenue thresholds may pay certain flat fees, instead of the board-established rate, for a license to publicly perform copyright-protected sound recordings.

Actions Timeline

- **Sep 22, 2022:** Introduced in Senate
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