

S 253

American Music Fairness Act

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Feb 2, 2023

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 S235) (Feb 2, 2023)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/253>

Sponsor

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

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

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blackburn, Marsha [R-TN]	R · TN		Feb 2, 2023
Sen. Feinstein, Dianne [D-CA]	D · CA		Feb 2, 2023
Sen. Tillis, Thomas [R-NC]	R · NC		Feb 2, 2023
Sen. Butler, Laphonza R. [D-CA]	D · CA		Jul 30, 2024

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Feb 2, 2023

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
118 HR 791	Related bill	Feb 2, 2023: Referred to the House Committee on the Judiciary.

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. (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 get 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

- **Feb 2, 2023:** Introduced in Senate
- **Feb 2, 2023:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S235)