

PHONOGRAPH RECORD, DISC, WIRE, TAPE, FILM OR ARTICLE; OR (2) SELL, DISTRIBUTE, CIRCULATE, OFFER FOR SALE, DISTRIBUTION OR CIRCULATION, POSSESS FOR THE PURPOSE OF SALE, DISTRIBUTION OR CIRCULATION OR CAUSE TO BE SOLD, DISTRIBUTED, OR CIRCULATED, OFFERED FOR SALE, DISTRIBUTION OR CIRCULATION, OR POSSESSED FOR SALE, DISTRIBUTION OR CIRCULATION ANY ARTICLE OR DEVICE ON WHICH SOUNDS HAVE BEEN SO [[RECORDED]] [[.]] TRANSFERRED WITHOUT CONSENT OF THE OWNER OF THE MASTER PHONOGRAPH RECORD, MASTER DISC, MASTER TAPE, OR OTHER DEVICE OR ARTICLE FROM WHICH THE SOUNDS ARE DERIVED.

(B) IT IS UNLAWFUL FOR ANY PERSON, FIRM, PARTNERSHIP, CORPORATION OR ASSOCIATION KNOWINGLY TO SELL, DISTRIBUTE, CIRCULATE, OFFER FOR SALE, DISTRIBUTION OR CIRCULATION, OR POSSESS FOR THE PURPOSE OF SALE, DISTRIBUTION OR CIRCULATION, ANY PHONOGRAPH RECORD, DISC, WIRE, TAPE, FILM, OR OTHER ARTICLES ON WHICH SOUNDS HAVE BEEN TRANSFERRED UNLESS THE PHONOGRAPH, RECORD, DISC, WIRE, TAPE, FILM, OR OTHER ARTICLE BEARS THE ACTUAL NAME AND STREET ADDRESS OF THE TRANSFEROR OF THE SOUNDS IN A PROMINENT PLACE ON ITS OUTSIDE FACE OR PACKAGE.

(C) THIS SECTION DOES NOT APPLY TO

(1) ANY RADIO OR TELEVISION BROADCASTER OR CABLE RADIO OR TELEVISION [[OPERATORS]] OPERATOR WHO TRANSFERS SOUNDS AS PART OF OR IN CONNECTION WITH A RADIO OR TELEVISION [[BROADCAST]] TRANSMISSION OR FOR ARCHIVAL PRESERVATION;

(2) ANY PERSON TRANSFERRING SOUNDS FOR HIS PERSONAL USE WITHOUT ANY COMPENSATION OR OTHER CONSIDERATION BEING DERIVED BY THE PERSON, OR ANY OTHER PERSON, FROM THE TRANSFER.

(D) EACH AND EVERY INDIVIDUAL VIOLATION OF THIS SECTION IS PUNISHABLE, UPON CONVICTION, BY A FINE OF NOT MORE THAN TWENTY-FIVE HUNDRED (\$2,500) DOLLARS FOR THE FIRST OFFENSE AND NOT MORE THAN TEN THOUSAND (\$10,000) DOLLARS FOR A SUBSEQUENT OFFENSE, OR BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR FOR A FIRST OFFENSE, NOR MORE THAN THREE (3) YEARS, FOR A SUBSEQUENT OFFENSE, OR BY BOTH FINE AND IMPRISONMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 24, 1973.