

(D) "PERFORMING RIGHTS SOCIETY" MEANS AN ASSOCIATION OR CORPORATION THAT LICENSES THE PUBLIC PERFORMANCE OF NONDRAMATIC MUSICAL WORKS ON BEHALF OF COPYRIGHT OWNERS, SUCH AS THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS (ASCAP), BROADCAST MUSIC, INC. (BMI), AND SESAC, INC.

(E) "PROPRIETOR" MEANS THE OWNER OF A RETAIL ESTABLISHMENT, RESTAURANT, INN, BAR, TAVERN, SPORTS OR ENTERTAINMENT FACILITY, OR ANY OTHER SIMILAR PLACE OF BUSINESS OR PROFESSIONAL OFFICE LOCATED IN THIS STATE, IN WHICH THE PUBLIC MAY ASSEMBLE AND IN WHICH NONDRAMATIC MUSICAL WORKS OR SIMILAR COPYRIGHTED WORKS MAY BE PERFORMED, BROADCAST, OR OTHERWISE TRANSMITTED FOR THE ENJOYMENT OF THE MEMBERS OF THE PUBLIC THERE ASSEMBLED.

(F) "ROYALTY" OR "ROYALTIES" MEANS THE FEES PAYABLE BY A PROPRIETOR TO A ~~COPYRIGHT OWNER~~ OR PERFORMING RIGHTS SOCIETY FOR THE PUBLIC PERFORMANCE OF NONDRAMATIC MUSICAL OR OTHER SIMILAR ~~WORK~~ WORKS.

11-1402.

(A) (1) ~~A COPYRIGHT OWNER OR PERFORMING RIGHTS SOCIETY MAY NOT ENTER INTO, OR OFFER TO ENTER INTO, OR EXECUTE~~ A CONTRACT FOR THE PAYMENT OF ROYALTIES BY A PROPRIETOR UNLESS, NO LATER THAN 72 HOURS PRIOR TO THE EXECUTION OF THE CONTRACT, THE ~~COPYRIGHT OWNER OR PERFORMING RIGHTS SOCIETY~~ PROVIDES TO THE PROPRIETOR, IN WRITING, THE FOLLOWING:

(I) A SCHEDULE OF THE RATES AND TERMS OF ROYALTIES UNDER THE CONTRACT;

(II) A SCHEDULE OF THE RATES AND TERMS OF ROYALTIES UNDER AGREEMENTS EXECUTED BY THE ~~COPYRIGHT OWNER OR PERFORMING RIGHTS SOCIETY~~ AND PROPRIETORS OF COMPARABLE BUSINESSES IN THE AREA;

(III) ~~IN THE CASE OF A PERFORMING RIGHTS SOCIETY, THE COPYRIGHT OWNERS REPRESENTED BY THAT SOCIETY AND THE WORKS LICENSED UNDER THE CONTRACT~~ THE MOST CURRENT AVAILABLE LISTING OF THE COPYRIGHTED MUSICAL WORKS IN THE PERFORMING RIGHTS SOCIETY'S REPERTORY THE TOLL FREE TELEPHONE NUMBER REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION;

(IV) ~~IN THE CASE OF A PERFORMING RIGHTS SOCIETY, IF AGENTS OR EMPLOYEES RESPONSIBLE FOR ENFORCING THE RIGHTS OF COPYRIGHT OWNERS REPRESENTED ARE PAID IN WHOLE OR IN PART ON A COMMISSION BASIS, THE RATES OF COMMISSION IN EFFECT FOR THAT PERFORMING RIGHTS SOCIETY IN THAT AREA;~~

(V) (IV) IN THE CASE OF A PERFORMING RIGHTS SOCIETY WHICH OFFERS DISCOUNTS TO PROPRIETORS IN THE AREA ON ANY BASIS, THE AMOUNTS AND TERMS OF THOSE DISCOUNTS; AND