

13-10a-2 Definitions.

As used in this chapter:

- (1) "Copyright laws of the United States" means those laws specified pursuant to Title 17, United States Code.
- (2) "Copyright owner" does not include the owner of a copyright in a motion picture or audio-visual work or a part of a motion picture or audio-visual work.
- (3) "Division" means the Division of Consumer Protection.
- (4) "Performing rights society or organization" means an association, corporation, or other entity that licenses the nondramatic public performance of 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.
- (5) "Proprietor" means the owner of a retail establishment, restaurant, inn, bar, tavern, sports or entertainment facility, not for profit organization, or any other place of business or professional office located in this state in which:
 - (a) the public may assemble; and
 - (b) musical works may be performed, broadcast, or otherwise transmitted for the enjoyment of the members of the public there assembled.
- (6) "Royalty" or "royalties" means the fees payable by a proprietor to a performing rights society for the nondramatic public performance of musical or other similar works.

Enacted by Chapter 324, 1998 General Session