

MOTION PICTURE LICENSING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian E. Shiozawa

House Sponsor: Sophia M. DiCaro

LONG TITLE

General Description:

This bill amends the Motion Picture Fair Bidding Act.

Highlighted Provisions:

This bill:

- ▶ addresses requirements and prohibitions for blind bidding; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

13-13-1, as enacted by Laws of Utah 1979, Chapter 147

13-13-2, as enacted by Laws of Utah 1979, Chapter 147

13-13-6, as enacted by Laws of Utah 1979, Chapter 147

REPEALS:

13-13-3, as enacted by Laws of Utah 1979, Chapter 147

13-13-5, as enacted by Laws of Utah 1979, Chapter 147

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **13-13-1** is amended to read:

CHAPTER 13. MOTION PICTURE FAIR LICENSING ACT

30 **13-13-1. Title.**

31 This ~~[act shall be known and may be cited]~~ chapter is known as the "Motion Picture
32 Fair ~~[Bidding]~~ Licensing Act."

33 Section 2. Section **13-13-2** is amended to read:

34 **13-13-2. Definitions.**

35 As used in this ~~[act]~~ chapter:

36 ~~[(1) "Blind bidding" means bidding, negotiating, offering terms, making an invitation
37 to bid, or agreeing to terms for the purpose of entering into a license agreement prior to a trade
38 screening of the motion picture that is the subject of the agreement.]~~

39 ~~[(2)]~~ (1) "Distributor" means any person engaged in the business of renting, selling or
40 licensing motion pictures to exhibitors.

41 ~~[(3)]~~ (2) "Exhibitor" means any person engaged in the business of operating a theatre in
42 this state.

43 ~~[(4)]~~ (3) "License agreement" means any contract between a distributor and an
44 exhibitor for the exhibition of a motion picture by the exhibitor in this state.

45 ~~[(5)]~~ (4) "Theatre" means any establishment in which motion pictures are exhibited
46 regularly to the public for a charge.

47 ~~[(6) "Trade screening" means the showing of a motion picture by a distributor in one of
48 the three largest cities within this state having the largest population, which showing shall be
49 open to any exhibitor interested in exhibiting the motion picture.]~~

50 Section 3. Section **13-13-6** is amended to read:

51 **13-13-6. Provisions waiving or violating act void.**

52 Any provision of ~~[an invitation to bid or]~~ a license agreement that ~~[waives any of the
53 prohibitions of or]~~ fails to comply with this act is void and unenforceable.

54 Section 4. **Repealer.**

55 This bill repeals:

56 Section **13-13-3, Blind bidding prohibited.**

57 Section **13-13-5, Bids -- Contents.**

