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## FISCAL IMPACT REPORT

ORIGINAL DATE 03/10/09

SPONSOR HJC LAST UPDATED \_\_\_\_\_ HB 934/HJCS

SHORT TITLE Public Peace, Health, Safety and Welfare SB \_\_\_\_\_

ANALYST Ortiz

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Attorney General's Office (AGO)

Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of Bill

The House Judiciary Committee substitute to House Bill 934 enacts the new "Truth in Music Advertising Act," which defines as false advertising and makes it unlawful for a person to advertise or conduct a live musical performance or production in this state through the use of a false, deceptive or misleading affiliation, connection or association between a performing group and a recording group. It states that "A person who is found by a court to have violated ... the Truth in Music Advertising Act is liable to the state for a civil penalty of not less than five thousand dollars (\$5,000) nor more than fifteen thousand dollars (\$15,000) per violation, which civil penalty shall be in addition to any other relief that may be granted under ... that act."

### SIGNIFICANT ISSUES

Seventeen states have passed a truth in music advertising law - false, deceptive, or misleading advertisement of live musical performances. The law was created to protect artists from identity theft and consumers from being deceived by acts that are not comprised of the legendary artists that initially made the original songs famous. The states that have thus far joined the bandwagon and have passed laws regulating this practice are Pennsylvania, Connecticut, Florida, Illinois, Michigan, Massachusetts, Maine, South Carolina, North Dakota, Virginia, New Jersey, Florida, Wisconsin, Tennessee, Missouri, Texas, Nevada and New York.

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