

SENATE BILL No. 82

February 12, 1991, Introduced by Senator HART and
referred to the Committee on Government Operations.

A bill to require disclosure of certain information relating
to live musical performances; and to prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Person" means an individual, corporation, association,
3 partnership, or any other legal entity.

4 (b) "Place of musical entertainment" means a privately or
5 publicly owned and operated facility within the state where musi-
6 cal performances, shows, or concerts are held and an entry fee is
7 charged.

8 (c) "Promoter" means a person who produces, arranges, or
9 stages a musical performance, show, or concert.

10 (d) "Ticket" means a piece of paper indicating that the
11 bearer has paid for entry to a place of musical entertainment.

1 (e) "Ticket agent" means a person engaged in the business of
2 selling or reselling tickets.

3 Sec. 2. If any portion of a live musical performance, show,
4 or concert consists of a played recording, in whole or in part,
5 and not the actual singing of the lead vocalist or group vocals,
6 or the actual playing of musical instruments, the promoter shall
7 notify in writing the place of musical entertainment where the
8 performance, show, or concert will take place and all ticket
9 agents that a recording will be used in the performance.

10 Sec. 3. If a place of musical entertainment receives a
11 notice required under section 2, it shall do both of the
12 following:

13 (a) Print in a prominent and conspicuous manner on the face
14 of each ticket and in each printed advertisement for the musical
15 performance, show, or concert the following:

16 **PORTIONS OF THIS MUSICAL PERFORMANCE ARE**
17 **PRE-RECORDED.**

18 (b) Verbally disclose in all radio and television advertise-
19 ments that portions of the musical performance are pre-recorded.

20 Sec. 4. A ticket agent receiving the notice required by
21 section 2 or tickets for sale or resale that bear the disclosure
22 required by section 3 shall do both of the following:

23 (a) Prominently and conspicuously display the following
24 notice in a location immediately adjacent to the booth, counter,
25 or window where the tickets are sold:

26 **PORTIONS OF THIS MUSICAL PERFORMANCE ARE**
27 **PRE-RECORDED.**

1 (b) Verbally disclose prior to the completion of any
2 telephone sale involving the tickets that portions of the musical
3 performance are pre-recorded.

4 Sec. 5. (1) A promoter who violates section 2 is guilty of
5 a felony punishable by a fine of not more than \$50,000.00.

6 (2) A person who violates section 3 or 4 is guilty of a mis-
7 demeanor punishable by a fine of not more than \$5,000.00.