

SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. 1 Date MAR 10 2015

TO: S.B. No. 1287, S.D. 1

SECTION 1. S.B. No. 1287, S.D. 1, is amended by amending section 2 to read as follows:

"SECTION 2. Chapter 482C, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§482C- Sound recordings fixed prior to February 15, 1972. (a) The author of an original work of authorship consisting of a sound recording initially fixed prior to February 15, 1972, has an exclusive ownership interest in the original work until February 15, 2067, against all persons except a person who independently makes or duplicates another sound recording that does not directly or indirectly recapture the actual sounds fixed in the original work, but consists entirely of an independent fixation of other sounds, even though the sounds imitate or simulate the sounds contained in the original work.

(b) This section shall not limit, annul, or diminish in any respect any rights, exclusive or otherwise, in sound recordings fixed prior to February 15, 1972, existing under Hawaii common law, or civil or criminal statutes. The codification of certain of these rights that give rise to statutory causes of action for violation of such rights shall not be construed to limit other causes of action under either Hawaii common law, or civil or criminal statutes."

SECTION 2. S.B. No. 1287, S.D. 1, is amended by amending section 5 to read as follows:

"SECTION 5. This Act shall take effect upon its approval."

Offered by: J. Kalani Eggen () Carried

() Failed to Carry

() Withdrawn

