

By: Duncan

S.B. No. 575

A BILL TO BE ENTITLED

AN ACT

relating to the offense of the unauthorized duplication of certain recordings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 641.051, Business & Commerce Code, is amended by adding Subsection (e) to read as follows:

(e) This section does not apply to:

(1) a person engaged in Internet, radio, or television broadcasting who transfers, or causes to be transferred, a recording:

(A) intended for or in connection with an Internet, radio, or television broadcast; or

(B) for archival purposes; or

(2) an Internet service provider that is only providing a conduit for access to the Internet that is used for the transfer of a recording by another person.

SECTION 2. The change in law made by this Act to Section 641.051, Business & Commerce Code, does not apply to an offense committed under that section before the effective date of this Act. An offense committed before the effective date of this Act is governed by that section as it existed on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense

1 occurred before that date.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2013.