



## **OP 91.203: 1976 Copyright Act as Related to Musical Performances**

### **Purpose**

To provide consistent guidelines to ensure that university student organizations comply with the provisions of Public Law 94-553.

### **Policy**

Federal law requires non-profit institutions to pay copyright royalties for musical performances through the performing rights of organizations (BMI, ASCAP, SESAC) that license public performances of musical works on behalf of the copyright owners. The law covers any performance of copyrighted music where an artist(s) is(are) paid. Permission must be secured whether the work is performed by live musicians, on records, tapes, or any other mechanical means. Copyright violators are liable for a minimum fine of \$250 with a maximum of \$10,000 plus profits, court costs, and attorney fees. It is the policy of the university that all student organizations comply with the provisions of Public Law 94-553.

### **Procedure**

To ensure compliance with the provisions of Public Law 94-553, all student organizations must accomplish the following steps:

1. The Mississippi State University Contract Rider, which states wages and agreements, will be signed by the organization officer(s) and the performer's agent. A copy of the completed Rider shall be attached to the Student Activity Coordination Form, prior to approval.
2. The university, in order to be in compliance with this law, cannot approve any functions involving music unless the above step has been accomplished.

### **Review**

The Vice President for Student Affairs is responsible for the review of this operating policy every four years or as needed.

**REVIEWED BY:**

/s/ Regina Hyatt  
Vice President for Student Affairs

04/07/2016  
Date

/s/ Timothy N. Chamblee  
Assistant Vice President & Director  
Institutional Research and Effectiveness

04/08/2016  
Date

/s/ Joan Lucas  
General Counsel

04/12/2016  
Date

**APPROVED BY:**

/s/ Mark Keenum  
President

04/21/2016  
Date

**This policy has been superseded**