

110TH CONGRESS
2D SESSION

S. 2591

To amend chapter 1 of title 17, United States Code, to provide an exemption from exclusive rights in copyright for certain nonprofit organizations to display live football games, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 2008

Mr. SPECTER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend chapter 1 of title 17, United States Code, to provide an exemption from exclusive rights in copyright for certain nonprofit organizations to display live football games, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. COPYRIGHT EXEMPTION FOR CERTAIN DIS-**
4 **PLAYS BY CERTAIN NONPROFIT ORGANIZA-**
5 **TIONS.**

6 Section 110(5) of title 17, United States Code, is
7 amended—

1 (1) in subparagraph (A), by inserting “or (C)”
2 after “(B)”;

3 (2) in subparagraph (B)(v), by adding “or”
4 after the semicolon; and

5 (3) by adding at the end the following:

6 “(C) communication by an entity defined
7 under section 3121(w)(3)(A) or (B) of the In-
8 ternal Revenue Code of 1986 of a transmission
9 or retransmission embodying a performance of
10 a professional football contest intended to be re-
11 ceived by the general public, originated by a
12 radio or television broadcast station licensed as
13 such by the Federal Communications Commis-
14 sion, or if an audiovisual transmission, by a
15 cable system or satellite radio, if—

16 “(i) no direct charge is made to see or
17 hear the transmission or retransmission;

18 “(ii) during the communication no
19 money is accepted or received by the orga-
20 nization; and

21 “(iii) the transmission or retrans-
22 mission is not further retransmitted by the
23 establishment where the transmission or
24 retransmission is received.”.