

UNAUTHORIZED RECORDINGS (EXCERPT)
Act 210 of 1994

752.1052 Prohibited conduct; applicability of subsection (1)(a) and (b).

Sec. 2.

(1) A person shall not directly or indirectly do any of the following:

(a) Transfer a live performance onto a recording without the consent of the owner for commercial advantage or private financial gain.

(b) Transfer the sounds on a recording onto another recording without the consent of the owner for commercial advantage or private financial gain. This subdivision does not apply to either of the following:

(i) A sound recording initially fixed after February 15, 1972.

(ii) A person engaged in radio or television broadcasting or cablecasting who transfers or causes to be transferred sounds intended for, or in connection with, a broadcast or cable transmission or related use.

(c) Sell, rent, distribute, transport, or possess for the purpose of selling, renting, distributing, or transporting, or any combination thereof, a recording with knowledge that the recording was manufactured in violation of subdivision (a) or (b).

(d) Sell, rent, distribute, transport, or possess for the purpose of selling, renting, distributing, or transporting, or any combination thereof, a recording with knowledge that the recording is in violation of section 3.

(2) Subsection (1)(a) and (b) shall not apply to recordings that are transferred solely for the personal use of the person transferring the recording and the person does not derive any compensation from the transfer.

History: 1994, Act 210, Eff. Jan. 1, 1995