

2005 ASSEMBLY BILL 469

June 9, 2005 – Introduced by Representative SCHNEIDER. Referred to Committee on Judiciary.

1 **AN ACT** *to create* 100.176 of the statutes; **relating to:** notices required on the
2 packages of compact discs and digital video discs.

Analysis by the Legislative Reference Bureau

This bill prohibits any person from selling a prerecorded compact disc (CD) or digital video disc (DVD) unless the front of the package in which the CD or DVD is sold states whether the recording on the CD or DVD is capable of being copied onto a different CD or DVD or onto an audiotape or videotape. If a CD package states that the CD is capable of being copied onto a different CD, it must also state whether the copy is capable of being played on a CD player or a computer CD drive. If the package states that the CD is capable of being copied onto an audiotape, it must also state whether the copy is capable of being played on an audiotape player.

Similarly, the bill provides that, if the package of a DVD states that the DVD is capable of being copied onto a different DVD, it must also state whether the copy is capable of being played on a DVD player or a computer DVD drive. If the package states that the DVD is capable of being copied onto a videotape, it must also state whether the copy is capable of being played on a videotape player.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 100.176 of the statutes is created to read:

2 **100.176 Notices required on certain recordings. (1)** In this section:

3 (a) “Compact disc” means an optical disk containing, or capable of containing,
4 recorded sound.

5 (b) “Digital video disc” means an optical disk containing, or capable of
6 containing, a visual recording.

7 **(2)** No person may sell, or offer to sell, a prerecorded compact disc unless the
8 package in which the compact disc is sold or offered for sale states, in a conspicuous
9 manner as determined by the department, all of the following:

10 (a) Whether the prerecorded compact disc is capable of being copied onto a
11 different compact disc.

12 (b) Whether the prerecorded compact disc is capable of being copied onto an
13 audiotape.

14 (c) If the prerecorded compact disc is capable of being copied onto a different
15 compact disc, whether the copy is capable of being played on a compact disc player
16 or a computer compact disc drive.

17 (d) If the prerecorded compact disc is capable of being copied onto an audiotape,
18 whether the copy is capable of being played on a audiotape player.

19 **(3)** No person may sell, or offer to sell, a prerecorded digital video disc unless
20 the package in which the digital video disc is sold or offered for sale states, in a
21 conspicuous manner as determined by the department, all of the following:

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1 (a) Whether the prerecorded digital video disc is capable of being copied onto
2 a different digital video disc.

3 (b) Whether the prerecorded digital video disc is capable of being copied onto
4 a videotape.

5 (c) If the prerecorded digital video disc is capable of being copied onto a different
6 digital video disc, whether the copy is capable of being played on a digital video disc
7 player or computer digital video disc drive.

8 (d) If the prerecorded digital video disc is capable of being copied onto a
9 videotape, whether the copy is capable of being played on a videotape player.

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(END)