

**FINAL VERSION- TO BE INTRODUCED**  
**Sponsor: DOUG COLLINS (GA)**

THE SONGWRITER EQUITY ACT OF 2014

SEC. 1. SHORT TITLE.

This Act may be cited as the "Songwriter Equity Act of 2014".

SEC. 2. EFFECT ON ROYALTIES FOR UNDERLYING WORKS

Strike 114(i) of title 17, United States Code, and replace with the following "Section 114(i) it is the intent of Congress that royalties payable to copyright owners of musical works for the public performance of their works shall not be diminished in any respect as a result of the rights granted in Section 106(6)."

Sec. 3. APPLICATION TO SEC. 112(e) AND SEC. 114(f) SOUND RECORDING PROCEEDINGS.

(1) Neither Section 2 of this Act nor the amendments made to Section 114(i) thereby shall be taken into account in any proceeding to set or adjust the rates and fees payable for the use of sound recordings under Section 112(e) or Section 114(f).

(2) Neither Section 2 of this Act nor the amendments made to Section 114(i) thereby shall have any effect upon the decisions, or the precedents established or relied upon, in proceedings to set or adjust the rates and fees payable for the use of sound recordings under Section 112(e) or Section 114(f) prior to the date of this Act.

SEC. 4. FUNCTIONS OF COPYRIGHT ROYALTY JUDGES

Section 801(b)(1) of title 17, United States Code, is amended by striking "The rates applicable under sections 114(f)(1)(B), 115, and 116 shall be calculated to achieve the following objectives" and inserting "The rates applicable under sections 114(f)(1)(B) and 116 shall be calculated to achieve the following objectives".

SEC. 5. ROYALTY PAYABLE UNDER COMPULSORY LICENSE

Section 115(c)(3)(D) of title 17, United States Code, is amended by striking "In addition to the objectives set forth in section 801(b)(1), in establishing such rates and terms, the" and inserting "The Copyright Royalty Judges shall establish rates and terms that most clearly represent the rates and terms that would have been negotiated in the marketplace between a willing buyer and a willing seller. In determining such rates and terms, the Copyright Royalty Judges shall base their decision on marketplace, economic, and use information presented by the participants. In establishing such rates and terms, the Copyright Royalty Judges may consider the rates and terms for comparable uses and comparable circumstances under voluntary license agreements."