

RICHARD BLUMENTHAL
ATTORNEY GENERAL



Office of The Attorney General
State of Connecticut

***TESTIMONY OF
ATTORNEY GENERAL RICHARD BLUMENTHAL
BEFORE THE JUDICIARY COMMITTEE
MARCH 14, 2006***

I appreciate the opportunity to support House Bill 5801, An Act Concerning Truth in Music Advertising.

This proposal prohibits the advertising or production of a live musical performance that uses false information concerning the affiliation between the performing group and the vocal or instrumental group it is imitating. The legislation authorizes the Attorney General to seek a court order enjoining any violation of this proposal and allows the assessment of a civil penalty between \$5,000 and \$15,000.

There are many musical performances that are tributes to older musical bands or that claim to be the legitimate successor band to the original group. Many ticket sales to these performances are made by consumers wanting to hear the songs of the original band. If the performing band does not have any legal connection to the original band, that information should be disclosed in the advertising for the performance.

Several weeks ago, a number of older performers spoke out against the rising number of concerts and performances that are rip-offs of the original band. Tougher, clearer laws against such concerts and performances must be enacted.

House Bill 5801 establishes a clear prohibition, along with safe harbors where no violation will occur. For example, if a concert advertisement states that it is a tribute or salute, there would be no violation of law.

The committee should consider an amendment making a violation of this law "an unfair and deceptive trade practice pursuant subsection (a) of section 42-110b". A violation of the Connecticut Unfair Trade Practices Act provides civil penalties, restitution damages and the ability of a private right of action.

I urge the committee's favorable consideration of House Bill 5801 with the suggested amendment.