

1074

Sponsor(s): Representatives Sheahan, Costa, Hatfield and Constantine

Brief Title: Protecting personality rights.

HB 1074 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Declares that every individual residing in this state has a property right in the use of his or her name, voice, signature, photograph, or likeness in any medium in any manner, and such right shall be freely transferable, assignable, and licensable, and shall not expire upon the death of the individual so protected but shall be descendible to the heirs or devisees of the individual.

Provides that the superior courts of this state may grant injunctions on reasonable terms to prevent or restrain the unauthorized use of the rights in a living or deceased individual's or personality's name, voice, signature, photograph, or likeness.

Provides that any person who infringes the rights under this act shall be liable for the greater of one thousand five hundred dollars or the actual damages sustained as a result of the infringement.

Designates situations when consent to the use of personality features is not required.