

SENATE No. 53

The Commonwealth of Massachusetts

PRESENTED BY:

Barry R. Finegold

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to internet fairness for local newspapers and musicians.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Barry R. Finegold</i>	<i>Second Essex and Middlesex</i>	
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>2/26/2021</i>

SENATE No. 53

By Mr. Finegold, a petition (accompanied by bill, Senate, No. 53) of Barry R. Finegold and Linda Dean Campbell for legislation relative to internet fairness for local newspapers and musicians. Advanced Information Technology, the Internet and Cybersecurity.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to internet fairness for local newspapers and musicians.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. For the purposes of this act, the following words shall have the following
2 meanings:

3 “Streaming Service”, means an online provider of entertainment that delivers the content
4 via an internet connection to the subscriber’s computer, TV or mobile device.

5 “Department”, means the Department of Telecommunications and Cable.

6 “Digital Platform Providers”, means a business that facilitates commercial interactions
7 between at least two different groups, one of which is typically a supplier and the other a
8 consumer.

9 “local newspaper”, means a newspaper that is based in Massachusetts.

10 “local musicians”, means musicians that are residence of the Commonwealth of
11 Massachusetts.

12 SECTION 2. Digital Platform Providers linking to local newspapers must reimburse the
13 local newspaper for the use of, and reproduction of, their news content. The Digital Platform
14 Providers must pay local newspapers \$10 for every user who clicks the local newspapers story.
15 Additionally, Digital Platform Providers will also be responsible for a base fee, determined by
16 the Commissioner of the Department.

17 SECTION 3. The Commissioner of the Department is to oversee all negotiations with
18 Digital Platform Providers and local newspapers to ensure that the Digital Platform Provider are
19 fairly compensating the local newspapers for their stories. The Commissioner should submit a
20 proposal for the base fee to the Joint Committee on Advanced Information Technology, the
21 Internet, and Cybersecurity no more than six months after this legislation's enactment.

22 SECTION 4. The Commissioner of the Department shall fine any Digital Platform
23 Provider \$10,000 per story if they fail to compensate the Massachusetts local newspaper.

24 SECTION 5. The Commissioner of the Department shall also oversee that all Streaming
25 Services pay musicians who reside in Massachusetts no less than \$0.05 per stream on all
26 streaming services.

27 SECTION 6. The Commissioner of the Department shall fine any Streaming Service
28 \$5,000 per song if they fail to compensate musicians who reside in Massachusetts in accordance
29 with this legislation.