

BMI

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SOUTH DAKOTA
RETAILERS
HOSPITALITY • RETAIL • TRADES

GET ALL THE BMI MUSIC YOU NEED AND SAVE UP TO **20%**

5%

JUST FOR BEING AN
ASSOCIATION
MEMBER*

5%

5% FOR MEMBERS WHO
LICENSE AND PAY VIA
PHONE OR ONLINE

10%

BMI TIMELY PAYMENT
DISCOUNT FOR PAYING
IN FULL WITHIN 30 DAYS

*Open to SDRA members licensed as Eating & Drinking Establishments

(800) 925-8451

BMI.COM/EMAIL

BMI.COM/EDE

IF MUSICIANS, DJS AND ENTERTAINERS ARE PERFORMING, ARE THEY RESPONSIBLE FOR OBTAINING THE NECESSARY MUSIC LICENSES FOR THEIR PUBLIC PERFORMANCE?

No. Since it's the business or organization that is authorizing the performance of music, BMI offers a license to the owner of the establishment to ensure that the business or organization is properly licensed.

DOES A BUSINESS NEED A BMI LICENSE IF THEY ONLY PLAY ORIGINAL MUSIC?

The term "original music" generally means musical works written by the performing musicians. With over 17 million musical works by over 1.1 million songwriters, composers and music publishers in BMI's repertoire, it is very likely that at least some of the original music that you're using is represented by BMI.

BMI fosters the development of up-and-coming songwriters, many of whom perform in businesses like yours, by ensuring that they are paid when their music is played publicly. Performing songwriters have access to our BMI Live program which allows them to submit their setlists from live performances at BMI-licensed venues to be considered for payment.

In addition, many times these performers are asked to play a song known by the general public that was written by someone else, like a cover song. Those types of performances also require permission.

IF A BUSINESS HAS A LICENSE WITH ANOTHER PERFORMING RIGHTS ORGANIZATION (PRO), DO THEY STILL NEED TO LICENSE WITH BMI?

Yes, if that business wants to play any BMI music. A music license with another performing rights organization only allows you to perform copyrighted music represented by that organization. It will not cover the public performances of the award-winning music licensed by BMI. This is because each songwriter or composer may belong to only one performing right organization at any given time, so each PRO licenses a unique repertoire of music. For a look at 100% BMI works, go to www.bmi.com/songview.

HOW MUCH IS A BMI MUSIC LICENSE AND HOW IS THAT FEE DETERMINED?

A BMI music license can cost as little as \$400 per year - a little more than a dollar per day- depending on the size of the establishment, the type of music being played (recorded, live, DJ, karaoke, etc.), and how often music is performed (once a week, once a month, etc.). A venue's occupancy rate also factors into the cost of a license and is determined by an outside third party, such as occupancy posted by a local fire department.

WHERE DOES THE MONEY GO AFTER I PAY MY LICENSING FEE?

BMI operates on a non-profit-making basis. All fees, except BMI's operating expenses, are paid to our affiliated songwriters, composers, and music publishers in the form of royalties. Currently, nearly 90 cents out of every dollar collected is directed back to our affiliated copyright owners in the form of royalties.

IF I HAVE TV'S OR PLAY RADIO STATIONS IN MY BUSINESS, DO I STILL NEED A BMI LICENSE? AREN'T TV, CABLE, AND RADIO STATIONS ALREADY LICENSED WITH BMI?

Yes, but those agreements do not authorize the performance of TV, cable and radio to the public by businesses and other organizations. However, there are certain exemptions provided by copyright law, including the size of your establishment, how many TVs you have in each room, their screen size, how many speakers you have and if you charge a cover charge. Contact a BMI Representative to learn if these uses need to be licensed for your business.

OUR BUSINESS PLAYS MUSIC FROM A PLAYLIST ON SPOTIFY, PANDORA OR APPLE MUSIC. ISN'T THIS OUR PROPERTY TO PLAY ANYWHERE?

Although your digital music subscription gives you access to an enormous catalog of music, it does not provide the necessary copyright clearance to play those songs in a public setting. Once you decide to play as part of your business any copyrighted music publicly, you need permission from the copyright owners.

WE ONLY PLAY LIVE MUSIC IN THE SUMMER MONTHS OR SEASONALLY. DO WE STILL HAVE TO PAY FOR LIVE MUSIC YEAR-ROUND?

The BMI Eating and Drinking Establishment license is flexible by offering you the ability to change your licensing fee up to three times per calendar year. If your music use has recently changed, please contact a BMI Representative at **(800) 925-8451** to discuss your account.

