

March 6, 2003

**S 315. MINOR'S ENTERTAINMENT CONTRACTS. RELATING TO CONTRACTS OF MINORS FOR ARTISTIC OR CREATIVE SERVICES.** Adds to GS Ch. 48A a new Article 2, "Certain Contracts of Minors," governing contracts between an unemancipated minor and any third party on or after January 1, 2004, when (1) a person is employed or agrees to render artistic or creative services (either directly or through a third party) such as acting, dancing, singing, conducting, composing designing, etc.; (2) a person agrees to purchase, secure, sell, lease, license or otherwise dispose of literary, musical, or dramatic properties, or use of a person's likeness, voice recordings performance, or story of or incidents in his or her life, or any rights therein for use in motion pictures, television, production of sound recordings, the legitimate or living stage, or otherwise in the entertainment field; or (3) a person is employed or agrees to render services as a participant or player in a sport. Provides that where a minor renders services as an extra, background performer, or similar capacity, through an agency or service that provides one or more performers for a fee, the agency or service shall be considered the minor's employer for purposes of the article. Provides that any party to the contract may petition the superior court for approval of the contract and that a contract approved by the court cannot be disaffirmed either during or after the person's minority on the ground that a party was a minor. In any such action, a parent or legal guardian entitled to physical custody and control of the minor shall be considered the minor's guardian ad litem unless the court determines that appointment of a different individual is required in the minor's best interests. Sets out extensive financial safeguards both for cases in which a contract is court approved and for cases in which there is no court order, including the setting aside of at least 15% of the minor's earnings to be placed in trust for the minor's benefit. Provides that a person may not disaffirm a contract entered into during that person's minority with a duly licensed talent agency to secure engagements to render artistic or creative services in motion picture, television, record production, stage, or other entertainment field, when the blank form of the contract has been approved by the Commissioner of Labor and the contract has been approved by the superior court of the county where the minor resides or is employed.

**Intro. by Horton.**

Ref. to Judiciary I	GS 48A
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April 16, 2003

**S 315. MINOR'S ENTERTAINMENT CONTRACTS.** Intro. 3/06/03. Senate committee amendment makes the following changes to 1st edition. Makes technical and clarifying changes. Deletes language in GS 48A-15 that would have excluded activities of procuring, offering, or promising to procure recording contracts from licensing requirements.

May 27, 2003

**S 315. MINOR'S ENTERTAINMENT AND SPORTS CONTRACTS (NEW).** Intro. 3/6/03. House committee substitute makes the following changes to 2nd edition. Amends GS 48A-14(d) and (e)(3)b. to require that trust established outside US must be established at an international banking corporation, as defined in GS 53-232.2 (was, first-class international bank). Makes act applicable to contracts entered into on or after Jan. 1, 2004. Makes technical changes.