

SECOND REGULAR SESSION

HOUSE BILL NO. 2283

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LOVASCO.

4894H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to the public domain preservation act.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 1, RSMo, is amended by adding thereto one new section, to be
2 known as section 1.1010, to read as follows:

**1.1010. 1. This section shall be known and may be cited as the "Public Domain
2 Preservation Act".**

**3 2. If produced as part of a person's official duties, federal copyright or patent
4 protection shall not be asserted for judicial opinions, administrative rulings, legislative
5 enactments, public ordinances, or any other material produced by an officer, employee,
6 director, board member, or agent of the state of Missouri, any state department, political
7 subdivision, or special district of this state. This subsection shall not apply to material
8 produced by independent contractors or third-party entities unless such content is
9 commissioned specifically for public use.**

**10 3. The provisions of subsection 2 of this section shall not apply to any research,
11 discovery, or invention that was discovered, documented, or published by an employee
12 of any public school, as that term is defined in section 160.011, or state institution of
13 higher education, as named in section 174.020, during his or her term of employment
14 and on premises owned or controlled by the state of Missouri or any of its political
15 subdivisions.**

**16 4. Any material published by a state department, political subdivision, or special
17 district of this state that contains content described in subsection 2 of this section shall,**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **wherever practicable, be accompanied by the following notice: "Public Domain**
19 **Content. No Rights Reserved.".** If the material also includes content not subject to the
20 **provisions of subsection 2 of this section, the notice shall specify which parts of the**
21 **material are considered public domain content.**

22 **5. Notwithstanding the nature of the content, any material published or**
23 **distributed by a state department, political subdivision, or special district of this state**
24 **shall, wherever practicable, in a clear and conspicuous manner, contain the words "Paid**
25 **for by" followed by the department, political subdivision, or special district that paid for**
26 **the material as well as the name of the director, principal officer, or other lead**
27 **administrator. The provisions of this subsection shall not apply to any content**
28 **published or distributed by a third party without charge to the department, political**
29 **subdivision, or special district, or to any content used internally or distributed to**
30 **another government entity or public body.**

31 **6. Any existing work covered by subsection 2 of this section on which federal**
32 **copyright or patent protection has been asserted by the state or any of its political**
33 **subdivisions before August 28, 2024, shall be made available at no cost under a**
34 **perpetual, transferable, worldwide license, the provisions of which stipulate that no**
35 **enforcement of such copyright or patent protection shall be exercised, and the work**
36 **shall be considered within the public domain.**

37 **7. The provisions of this section shall not preclude this state or any political**
38 **subdivision thereof from receiving and holding copyrights or patents transferred by**
39 **assignment, bequest, or otherwise.**

✓