

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1283
102ND GENERAL ASSEMBLY

2609H.03C

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

**15 4. Any material published by a state department, political subdivision, or special
16 district of this state that contains content described in subsection 2 of this section shall,
17 wherever practicable, be accompanied by the following notice: "Public Domain
18 Content, No Rights Reserved". If the material also includes content not subject to the**

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.

19 provisions of subsection 2, the notice shall specify which parts of the material are
20 considered public domain content.

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

30 **6. Any existing work covered by subsection 2 on which federal copyright or**
31 **patent protection has been asserted by the state or any of its political subdivisions before**
32 **August 28, 2023, shall be made available at no cost under a perpetual, transferable,**
33 **worldwide license, the provisions of which stipulate that no enforcement of such**
34 **copyright or patent protection shall be exercised, and the work shall be considered**
35 **within the public domain.**

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

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