



Rocky Mountain District
BMI/SESAC INFORMATION FOR CHAPTERS
Last Revised – December 2016

BMI/SESAC

The BMI/SESAC filing is essentially what we call a “show license” whenever a chapter is involved in a public performance. It is a requirement before BHS and Rocky Mountain District considers your show to be “legal”, and the show license must be in place **BEFORE** you do a show. The BMI/SESAC form is show specific, and must be done for each show. For instance, if you do a spring show and a Christmas show, you must do BMI/SESAC for each of those shows, **BEFORE those shows are performed.**

BMI/SESAC stands for the **Broadcast Music, Incorporated** and the **Society of European Stage Authors and Composers**. The fee and the show license are for royalties, so you don't have to personally track down and pay each composer, arranger, lyricist and publishing house. By paying this fee, you are paying everyone who is a member of BMI or SESAC and are due a royalty for that song. You are paying for the right to use it for that show. It makes paying for royalties and permission to use a song much easier!

BMI/SESAC fees are show and performance specific. You pay \$28.00 per performance. This means if your spring show is going to be two performances, your fee is \$56.00. If your Christmas show is three performances, you pay \$84.00. (If only one performance, then only \$28.00 is due, etc.). The check is payable to “Barbershop Harmony Society” and is **sent to the District Secretary for his signature.**

Once this form and the check are sent to the District Secretary, he checks to see if your required filings are up to-date, in accordance with his duties per the RMD Operations and Procedures Manual. These “required filings” are your Secretary of State filing (for the state you are incorporated in), your Annual Financial Review, and your IRS filing 990-N. (For a more detailed explanation, please read the “**RMD Required Financial Filings Information**” on this Web site. Remember, in your chapter charter, you promised to follow all rules, regulations, policies and procedures of both Barbershop Harmony Society and Rocky Mountain District. You can see that there is a bit of a process, so it is best NOT to wait until the last minute!

The District Secretary also puts your show on the Rocky Mountain District calendar, so everyone around the District will know about your show.

The ramifications of non-compliance with filing your BMI/SESAC prior to doing a show can be serious. Your officers/board members are personally liable for copyright infringement. They can be personally liable for horrendous fines. In addition, failure to do this can result in revocation or suspension of your chapter's charter under both District Policies and Procedures, and BHS Rules and Regulations.

Failure to keep your Required Financial Filings current makes any insurance coverage you have null and void; making your officers and board personally liable for any insurance-related issues. It could also result in the loss of your tax-free (non-profit) status, your organization could be dissolved by your Secretary of State, your chapter's charter could be suspended or revoked by BHS, you could be in trouble with the IRS, and your officers/members could be personally liable for any other claims brought against your chapter. It is NOT worth the negative consequences!

Once your BMI/SESAC form and check are filed, and your Required Financial Filings are verified, you will receive a signed copy of the form which constitutes your "show license".

If your chapter does a public performance, then BMI/SESAC is due. If your chapter is hired to appear in someone else's show, then it is the responsibility of the producer to file for a BMI/SESAC license. If your chapter is the producer of show and are singing for donations, or your performance is to benefit a worthy cause, then BMI/SESAC is still due. The exceptions to the need to file for a BMI/SESAC license are street singing, holiday caroling and singing valentines. Churches that do music during a worship service are exempt, as are non-profit educational institutions. However, the fact that you do not need the show license **does not give your chapter the liberty of NOT doing your Required Financial Filings**. Those are due every year, whether or not you need a show license, and whether or not you pay royalties, according to BHS and RMD rules.

If you want to know where your chapter stands with Required Financial Filings, please contact the District Secretary at tonychiro@juno.com.

Please send your properly completed BMI/SESAC forms and the check in the proper amount to the District Secretary. Please make sure you sign your BMI/SESAC form. Send it to:

Tony Pranaitis, Secretary
Rocky Mountain District
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Golden, CO 80401-4646