



CHAPTER 14
ARTICLE 58 - RECORDS, TAPES AND OTHER RECORDED DEVICES

N.C.G.S. § 14-433.

Recording of live performances or
recorded sounds and distribution, etc.,
of such recordings unlawful in certain
circumstances.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2025-25, s. 29(3) — fourth act in the lineage	RETRIEVED 21 September 2026, 02:04 UTC	SOURCE FINGERPRINT 6a0f6d746147166c1d7923de - a609a1bd3ca4d99a351a0877 - a808294b2dff31d0
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- § 14-433(a)It shall be unlawful for any person to:
- (1)

Knowingly transfer or cause to be transferred, directly or indirectly by any means, any sounds recorded on a phonograph record, disc, wire, tape, film or other article on which sounds are recorded, with the intent to sell or cause to be sold, or to use or cause to be used for profit through public performance, such article on which sounds are so transferred, without consent of the, owner.
- (2)

Manufacture, distribute, wholesale or transport any article for profit, or possess for these purposes with the knowledge that the sounds recorded on the article were transferred in violation of subdivision (a)(1) of this section.
- (3)

Recodified as G.S. 14-433(a1)(1) by Session Laws 2003-159, s. 2.
- (4)

Recodified as G.S. 14-433(a1)(2) by Session Laws 2003-159, s. 2.

- § 14-433(a1)It shall be unlawful for any person to:
- (1)

Knowingly transfer or cause to be transferred, directly or indirectly by any means, any sounds at a live performance, with the intent to sell or cause to be sold, or to use or cause to be used for profit through public performance, the article on which sounds are so transferred, without consent of the owner.

- (2) Manufacture, distribute, transport or wholesale any article for profit, or possess for those purposes with the knowledge that the sounds recorded on the article were transferred in violation of subdivision (a1)(1) of this section.

§ 14-433(b)

Subdivisions (a)(1) and (a)(2) of this section shall apply only to sound recordings that were initially fixed prior to February 15, 1972. Federal copyright law, 17 U.S.C. §101 et seq., preempts State prosecution of the acts described in subdivisions (a)(1) and (a)(2) with respect to sound recordings initially fixed on or after February 15, 1972.

§ 14-433(c)

This section shall not apply to any person engaged in webcasting or radio or television broadcasting who transfers, or causes to be transferred, any such sounds other than from the sound track of a motion picture intended for, or in connection with webcast, broadcast or telecast transmission or related uses, or for archival purposes. An internet service provider who is solely providing a conduit for access to the internet, shall not be deemed to be using, or causing to be used, recordings that may be transferred over the internet by third parties in violation of this Article.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I

4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1973

1999

2025

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1973	c. 1279, s. 1	ENACTED
02	1989	c. 589, s. 1	AMENDED
03	2003	S.L. 2003-159, s. 2	AMENDED
04	2025	S.L. 2025-25, s. 29(3)	AMENDED

APPARATUS II

2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 14-433(a1)(1)	(a)(3)	"Recodified as"
G.S. 14-433(a1)(2)	(a)(4)	"Recodified as"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 14-433 (2025).

PINPOINT
N.C. Gen. Stat. § 14-433(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1973, c. 1279, s. 1; 1989, c. 589, s. 1; 2003-159, s. 2; 2025-25, s. 29(3).)

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