

Church Music Licensing - A Primer

by David Brumbaugh

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This is intended as a brief introduction to the topic of church copyright licensing, in particular, music licensing, and resources to help churches be in compliance with the law. (Be aware that copyright licensing also applies to the use of video and text. That's a separate discussion, although resources are also available to cover those uses.) This discussion focuses on the use and performance of music. I've approached the topic in a series of answers to some expected FAQs, and also by attempting to correct some misconceptions around the topic.

Why do I need a license?

When you use someone's music, you are using a product that took (in most cases) many hours to create. The song is protected under US copyright law, and the person or persons that wrote the song you are using, and their publisher, are entitled to a royalty. For many songwriters, royalties form some or all of their income, much the same way an author, or a playwright, or a screenwriter receives income for their work. To use their work without paying a royalty for that usage, is equivalent to stealing - taking money out of the pocket of the songwriter and publisher. Furthermore, using copyrighted works without proper licensing exposes you and your church to legal liability. However, take heart, paying royalties is neither difficult nor expensive, as aided by organizations out there ready to help. Please read on.

I've been flying under the radar for years. Aren't churches exempt?

Well, in a word, no. It is true that there is an exemption for the performance of copyrighted music during a church service. However, you are probably using some form of printed music or chord sheets and lyrics for that performance, and you are also either projecting the lyrics for the congregation, or printing the music and/or lyrics in the service bulletin. That reproduction is not exempt under the law. A copyright license is needed in order to comply with the law, and it's the mechanism used to collect royalties for songwriters and publishers.

Also, if you use music during a retreat, VBS, or any other activity outside of a service, then the performance exemption does not apply, and a performance rights license is also required.

It's too complicated to navigate the process

It can seem a bit overwhelming at first, but it's actually not that complicated or difficult to understand the requirements and to obtain the licensing that you need. Please read on.

It's too expensive

It's not really that expensive, in fact, pricing is pretty reasonable, and is scaled in most cases to the size of your church. I've reproduced the current pricing scales of several licensing services in the back of this primer.

Ok, I wasn't aware of this. Which licenses do I need?

The approach I recommend is to familiarize yourself with what each of the licensing services cover. Here are some guidelines for some common reproduction licenses, and which ones may apply to your situation. Be advised, your church may need multiple licenses to cover everything that your church offers.

If you are reproducing hymns and other music found in some of the common publications such as the Hymnal, Lift Every Voice and Sing, Gather, etc., then a **RiteSeries (RiteSong)** license will probably cover what you need.

For most contemporary music that you may hear on Christian radio, or at a Christian concert, you probably would be well served to obtain a **CCLI (Christian Copyright Licensing International)** license. Much of the Christian folk and popular music dating back to the 1960s to the present day is covered by CCLI. CCLI covers over 300,000 songs from more than 3000 publishers.

Most of the contemporary music that is not covered by CCLI is covered by **OneLicense**, which licenses the music published by OCP and many others, covering over 75,000 songs.

The process that I would recommend if you don't know who covers the copyright, is to look up your song first on CCLI SongSearch to see if the song is there. It helps to know the name of the songwriter, because often there are many songs under the same name. If you determine that the song is not covered by CCLI, then check OneLicense. You can search for songs on both services without a license or an account.

Ok, so I have a license, am I good to go?

You need to be familiar with the stipulations of each license, the most important of which is reporting (more on that below), and properly annotating and crediting any works that are reproduced, in accordance with the license. These vary among the services, and usually requires credit to the songwriters, the publishing company, and listing the user license. It may also require other items - such as for CCLI, the CCLI song number; OneLicense requires an "All rights reserved" annotation.

Ok, so how do I report my usage?

Usage reporting: reporting under CCLI for each user is conducted on a rotating basis every 2-1/2 years, during which the user reports all usage over a six month period. CCLI reporting is pretty easy to do online, and just takes a few minutes per week. I'm less familiar with the reporting process of other licensors, but I do know that OneLicense requires 100% reporting, so one can expect to need to be in the habit of reporting each week that songs are used under that license.

What reporting is required under performance rights?

For music performed during a service, there is no reporting required. The sampling done by performance rights organizations (ASCAP, BMI, SESAC) to determine royalties appears to be carried out with other types of users. However, if you broadcast, stream or podcast your service, reporting is required, and can be done through CCS. You'll also need separate copyright coverage. See below.

Our church likes to broadcast, stream or podcast our services - am I covered?

You'll need an additional copyright license in order to stream or podcast, usually available from the same licensors discussed above. In addition, you will definitely need a performance rights license, as this medium is not covered under the performance exemption discussed previously. You can obtain a license that covers all the songs covered by the three performance rights organizations in the US through CCS (Christian Copyright Solutions). Note, this is separate from your RiteSeries, OneLicense or CCLI license. Reporting is also required, and done through CCS.

I have other questions, where can I learn more?

Website links for all of the organizations discussed above are listed below. In addition, I'd be happy to answer any questions, or help find the answers if I don't know. I can be reached via email at e3dave@yahoo.com.

I do hope that this brief primer has been helpful, and I welcome any comments or additional questions.

About the Author

David Brumbaugh is a lifelong musician, having worked professionally in various bands since the 1970s. He is also a worship music leader, residing in the Episcopal Diocese of Olympia. He has led music teams for over ten years during numerous youth conferences and retreats, for Cursillo and Kairos, during weekly and monthly music teams at St James - Kent, and has also

been invited to provide music as a guest band leader at many churches around the Diocese of Olympia.

Resources

Reproduction and streaming licensing

RiteSong - <https://www.riteseries.org/song/>

OneLicence - <https://www.onelicense.net>

CCLI (Christian Copyright Licensing International) - <https://us.ccli.com>

Performance licensing

ASCAP - <https://www.ascap.com>

BMI - <https://www.bmi.com>

SESAC - <https://www.sesac.com>

CCS (Christian Copyright Solutions) - <https://www.christiancopyrightsolutions.com>

Other resources and relevant articles

Debunking 5 Common Myths for Churches Using Copyrighted Material

<https://www.plagiarismtoday.com/2016/03/29/guest-post-debunking-5-common-myths-churches-using-copyrighted-material/>

Short URL: bit.ly/2SLFEic

Church Guilty in Copyright Case

<https://www.nytimes.com/1984/04/20/us/church-is-guilty-in-copyright-case.html>

Short URL: <https://nyti.ms/2SahVmE>

6 Things Your Church May Be Doing Illegally

<https://factsandrends.net/2018/09/13/6-things-your-church-may-be-doing-illegally/>

Short URL: bit.ly/2trB0H2

License Rates - size equates to average Sunday attendance or average weekly attendance. These rates are as listed online by the corresponding service as of February 2019.

CCLI

Copyright License ?		Optional license add-ons		Event License ?
		Streaming ?	Rehearsal ?	
Size ?	Base Cost (Annually)	Additional (Annually)	Additional (Annually)	One-time Cost
AH: 1-24	\$61	\$62	\$87	\$34
A: 25-99	\$129	\$62	\$112	\$54
B: 100-199	\$216	\$62	\$138	\$87
C: 200-499	\$290	\$89	\$163	\$117
D: 500-999	\$407	\$116	\$214	\$164
E: 1,000-1,499	\$496	\$168	\$265	\$198
F: 1,500-2,999	\$602	\$223	\$316	\$242
G: 3,000-4,999	\$681	\$276	\$418	\$272
H: 5,000-9,999	\$859	\$329	\$520	\$343
I: 10,000-19,999	\$1,030	\$435	\$520	\$413
J: 20,000-49,999	\$1,370	\$541	\$520	\$548
K: 50,000-99,999	\$2,054	\$806	\$520	\$823
L: 100,000-199,999	\$3,466	\$1,071	\$520	\$1,388
M: 200,000+	\$5,582	\$1,601	\$520	\$2,233

RiteSeries (RiteSong)

Average Sunday Worship Attendance	Price
Less than 50	\$119
50-99	\$169
100-149	\$219
150-199	\$249
200-299	\$319
300-499	\$359
500+	\$409

OneLicense

Category	Average Weekly Attendance	Cost	with Podcast / Streaming
A	1 to 25	115.00 USD	+ 65.00 USD
B	26 to 100	195.00 USD	+ 75.00 USD
C	101 to 200	290.00 USD	+ 100.00 USD
D	201 to 400	370.00 USD	+ 120.00 USD
E	401 to 700	510.00 USD	+ 145.00 USD
F	701 to 1,100	575.00 USD	+ 170.00 USD
G	1,101 to 2,200	660.00 USD	+ 235.00 USD
H	2,201 to 5,000	860.00 USD	+ 295.00 USD
I	5,001 to 10,000	1,070.00 USD	+ 395.00 USD
J	10,001 to 20,000	1,295.00 USD	+ 510.00 USD
K	20,001 or more	1,695.00 USD	+ 635.00 USD

CCS (for performance rights licensing with ASCAP, BMI and SESAC)

Average weekly attendance	Annual Fee
1-199	\$229.00
200-499	\$329.00
500-1999	\$599.00
2000-5999	\$929.00
6000-14999	\$2189.00
15000+	\$2419.00