

House Bill 1378

By: Representatives Hugley of the 133rd, Taylor of the 134th, Seay of the 93rd and James of the 140th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 3 of Chapter 12 of Title 16 of the Official Code of Georgia
2 Annotated, relating to the sale or distribution of harmful materials to minors, so as to enact
3 the "Violent Video Game Protection Act"; to provide for legislative findings; to provide for
4 definitions; to provide that it shall be a criminal offense to sell or furnish violent interactive
5 video games to minors; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 style="text-align:center">**SECTION 1.**

9 Part 3 of Article 3 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,
10 relating to the sale or distribution of harmful materials to minors, is amended by inserting at
11 the end thereof a new Code Section 16-12-106 to read as follows:

12 "16-12-106.

13 (a) This Code section shall be known and may be cited as the 'Violent Video Game
14 Protection Act.'

15 (b) The General Assembly finds and declares as follows:

16 (1) Within the last ten years the video game market, particularly the use of home video
17 game systems, has exploded throughout this state and the nation;

18 (2) Video games are available to children not only at traditional places of business
19 specializing in amusement but also through a variety of retail outlets and magazine sales
20 for home use and by communication on the Internet;

21 (3) Improvements to the picture, speed, and resolution of the new age of video games
22 have made the depiction of characters, places, and events contained in the games
23 amazingly realistic;

24 (4) Some, but not all, video games contain graphic and repeated scenes of violence,
25 which include decapitation, bloodshed, dismemberment, killing, and death by the use of
26 lethal weapons or hand-to-hand combat;

- 1 (5) Violent crime is a serious and persistent problem in our society, especially among our
2 youth;
- 3 (6) As confirmed by current scientific data, the repeated exposure to graphic violence
4 and participation in violent interactive games may contribute to violent behavior by our
5 youth and desensitizes them to acts of violence; and
- 6 (7) Information regarding the content of graphic violence contained in movies and
7 television programs as well as information regarding the lyrics of music is provided to
8 consumers and parents so that they may make choices concerning the depiction of
9 violence and whether they elect to have their children exposed to such content.
- 10 (c) As used in this Code section, the term:
- 11 (1) 'Entertainment Software Rating Board' means the independent rating system
12 established by the Interactive Digital Software Association developed to provide
13 consumer information regarding the content of video and computer software games and
14 which may be found on the Internet at the Entertainment Software Rating Board World
15 Wide Website.
- 16 (2) 'Graphic violence' includes, but is not limited to, depictions of:
- 17 (A) Decapitation;
- 18 (B) Bloodshedding;
- 19 (C) Dismemberment; and
- 20 (D) Grotesque cruelty.
- 21 (3) 'Minor' means any person 18 years of age or younger.
- 22 (d) A person commits an offense if the person sells, rents, or otherwise provides for use
23 for a charge any video game to a minor which contains scenes or depictions of graphic
24 violence as determined by the Entertainment Software Rating Board.
- 25 (e) Any person or business offering any video game or computer game for sale, loan, or
26 use shall make available the most recent listings of the Entertainment Software Rating
27 Board for the inspection and review by any potential purchaser, user, or transferee of such
28 video or computer game.
- 29 (f) Any person who violates any provision of this Code section shall be guilty of a
30 misdemeanor."

31 **SECTION 2.**

32 All laws and parts of laws in conflict with this Act are repealed.