

House Bill 504

By: Representative Sims of the 169th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated,
2 relating to criminal reproduction and sale of recorded material, so as to revise provisions
3 relating to the display of an official rating on video movies and require the display of
4 identification for the purchase of video movies under certain circumstances; to provide for
5 penalties; to provide for related matters; to provide an effective date; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to
10 criminal reproduction and sale of recorded material, is amended by revising Code Section
11 16-8-61, relating to the display of an official rating on video movies as follows:

12 "16-8-61.

13 (a) As used in this Code section, the term:

14 (1) 'Official rating' means the official rating of a motion picture by the Classification and
15 Rating Administration of the Motion Picture Association of America.

16 (2) 'Video movie' means a videotape, video cassette, video disc, digital versatile disc,
17 digital video disc, any prerecorded video display or visual depiction, any prerecorded
18 device that can be converted to a visual depiction, or other reproduction or reconstruction
19 of a motion picture.

20 (b) No person may sell, rent, loan, or otherwise disseminate or distribute for monetary
21 consideration a video movie unless the official rating of the motion picture from which the
22 video movie is copied is clearly and prominently displayed in boldface type on the outside
23 of the cassette, case, jacket, or other covering containing the video movie. Such video
24 movie shall be clearly and prominently marked as 'not rated' if:

25 (1) The motion picture from which the video movie is copied has no official rating;

26 (2) The official rating of the motion picture from which the video movie is copied is not
27 readily available to such person; or

28 (3) The video movie has been altered so that its content materially differs from the
29 motion picture.

30 (c) No person shall sell, rent, loan, or otherwise disseminate or distribute for cash
31 monetary consideration a video movie that has an official rating of Restricted (R), No One
32 17 and Under (NC-17), or Not Rated (NR), unless the person purchasing, renting, or
33 accepting such video movie displays a driver's license or identification card indicating that
34 such person is 18 years of age or older. This subsection shall not apply when a person is
35 paying for a video movie with the use of a credit card.

36 (d) Any person who violates subsection (b) or (c) of this Code section shall; be guilty of
37 a misdemeanor and, upon conviction thereof, be punished by a fine of not more than
38 \$100.00. Each purchase or rental of a video movie shall be considered a separate violation
39 of this Code section."

40 **SECTION 2.**

41 This Act shall become effective on July 1, 2011.

42 **SECTION 3.**

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