

HOUSE BILL 2187  
By Bunch

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17 and Title 40, relative to the offense of selling or furnishing violent interactive video games to minors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, is amended by adding the following as a new part to be appropriately designated:

SECTION 39-17-\_\_01. The general assembly hereby finds and declares as follows:

(1) Within the last ten (10) years the video game market, particularly the use of home video game systems, has exploded throughout this state and the nation.

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

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

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

(5) The general assembly recognizes that violent crime is a serious and persistent problem in our society, especially among our youth.

(6) The general assembly further recognizes that, as confirmed by current scientific data, the repeated exposure to graphic violence and participation in violent interactive games may contribute to violent behavior by our youth and desensitizes them to acts of violence.

(7) Information regarding the content of graphic violence contained in movies and television programs as well as information regarding the lyrics of music is provided to consumers and parents so that they may make choices concerning the depiction of violence and whether they elect to have their children exposed to such content.

SECTION 39-17-\_\_02. Selling or furnishing interactive violent video games to minors.

(a) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

(1) "Entertainment Software Rating Board" means the independent rating system established by the Interactive Digital Software Association developed to provide consumer information regarding the content of video and computer software games and which may be found on the Internet at the Entertainment Software Rating Board World Wide Web site.

(2) "Graphic violence" includes, but is not limited to, depictions of:

(A) Decapitation.

(B) Bloodshedding.

(C) Dismemberment.

(D) Grotesque cruelty.

(3) "Minor" means any person eighteen (18) years of age or younger.

(b)(1) A person commits an offense if the person sells, rents or otherwise provides for use for a charge any video game to a minor which contains scenes or depictions of graphic violence as determined by the Entertainment Software Rating Board. The first violation of this subsection shall be a Class B misdemeanor.

(b)(2) A person commits a Class A misdemeanor for a second or subsequent violation of this subsection.

(c) Any person or business offering any video game or computer game for sale, loan or use must make available the most recent listings of the Entertainment Software Rating Board for the inspection and review by any potential purchaser, user or transferee of such video or computer game. Failure to make such information available shall constitute a Class B misdemeanor for a first offense and a Class A misdemeanor for a second or subsequent violation of this subsection.

SECTION 3. This act shall take effect July 1, 2000, the public welfare requiring it.