

**ESHB 1009** - S AMD 406

By Senator Kohl-Welles

WITHDRAWN 04/17/2003

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that there has been  
4 an increase in studies showing a correlation between exposure to  
5 violent video and computer games and various forms of hostile and  
6 antisocial behavior. The entertainment software industry's ratings and  
7 content descriptors of video and computer games reflect that some video  
8 and computer games are suitable only for adults due to graphic  
9 depictions of sex and/or violence. Furthermore, some video and  
10 computer games focus on violence specifically against public law  
11 enforcement officers such as police and fire fighters. The legislature  
12 encourages retailers and parents to utilize the rating system.

13 In addition, the legislature finds there is a compelling interest  
14 to curb hostile and antisocial behavior in Washington's youth and to  
15 foster respect for public law enforcement officers.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.91 RCW  
17 to read as follows:

18 (1) A person who sells, rents, or permits to be sold or rented, any  
19 video or computer game he or she knows to be a violent video or  
20 computer game to any minor has committed a class 1 civil infraction as  
21 provided in RCW 7.80.120.

22 (2) "Minor" means a person under seventeen years of age.

23 (3) "Person" means a retailer engaged in the business of selling or  
24 renting video or computer games including any individual, partnership,  
25 corporation, or association who is subject to the tax on retailers  
26 under RCW 82.04.250.

27 (4) "Substantial bodily harm" has the same meaning as in RCW  
28 9A.04.110(4).

1 (5) "Violent video or computer game" means a video or computer game  
2 that contains a realistic or photographic-like depiction of conflict in  
3 which:

4 (a) A player intentionally kills or inflicts substantial bodily  
5 harm on a human form in the game; and

6 (b) The form is depicted by dress, statement, conduct, or generally  
7 understood and recognizable symbol as a public law enforcement officer.

8 **Sec. 3.** RCW 7.80.120 and 1997 c 159 s 2 are each amended to read  
9 as follows:

10 (1) A person found to have committed a civil infraction shall be  
11 assessed a monetary penalty.

12 (a) The maximum penalty and the default amount for a class 1 civil  
13 infraction shall be two hundred fifty dollars, not including statutory  
14 assessments, except for an infraction of state law involving tobacco  
15 products as specified in RCW 70.93.060(4) and an infraction of state  
16 law involving violent video or computer games under section 2 of this  
17 act, in which case the maximum penalty and default amount is five  
18 hundred dollars;

19 (b) The maximum penalty and the default amount for a class 2 civil  
20 infraction shall be one hundred twenty-five dollars, not including  
21 statutory assessments;

22 (c) The maximum penalty and the default amount for a class 3 civil  
23 infraction shall be fifty dollars, not including statutory assessments;  
24 and

25 (d) The maximum penalty and the default amount for a class 4 civil  
26 infraction shall be twenty-five dollars, not including statutory  
27 assessments.

28 (2) The supreme court shall prescribe by rule the conditions under  
29 which local courts may exercise discretion in assessing fines for civil  
30 infractions.

31 (3) Whenever a monetary penalty is imposed by a court under this  
32 chapter it is immediately payable. If the person is unable to pay at  
33 that time the court may grant an extension of the period in which the  
34 penalty may be paid. If the penalty is not paid on or before the time  
35 established for payment, the court may proceed to collect the penalty

1 in the same manner as other civil judgments and may notify the  
2 prosecuting authority of the failure to pay.

3 (4) The court may also order a person found to have committed a  
4 civil infraction to make restitution."

**ESHB 1009 - S AMD 406**

By Senator Kohl-Welles

**WITHDRAWN 04/17/2003**

5 On page 1, line 2 of the title, after "officers;" strike the  
6 remainder of the title and insert "amending RCW 7.80.120; adding a new  
7 section to chapter 9.91 RCW; creating a new section; and prescribing  
8 penalties."

**--- END ---**