

HOUSE BILL REPORT

SHB 1366

As Amended by the Senate

Title: An act relating to video games.

Brief Description: Requiring video game retailers to inform consumers about video game rating systems.

Sponsors: By House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Roberts, McDonald, B. Sullivan, Dickerson, Morrell, Skinner, Appleton, Hinkle, Moeller, Hasegawa, McCune, Sells, Walsh, Ormsby, Kenney, Kagi and McDermott).

Brief History:

Committee Activity:

Juvenile Justice & Family Law: 2/1/05, 2/9/05 [DPS].

Floor Activity:

Passed House: 3/8/05, 95-3.

Senate Amended.

Passed Senate: 4/6/05, 46-0.

Brief Summary of Substitute Bill

- Requires video game retailers to post signs notifying consumers of the video game rating system, and provide information explaining the rating system to consumers who request the information.

HOUSE COMMITTEE ON JUVENILE JUSTICE & FAMILY LAW

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Dickerson, Chair; Moeller, Vice Chair; McDonald, Ranking Minority Member; McCune, Assistant Ranking Minority Member; Crouse, Lovick and Roberts.

Staff: Sonja Hallum (786-7092).

Background:

Video games may include store-bought games, computer games downloaded from the internet, and hand-held game players. Since their inception, video games have become increasingly realistic and interactive. The subject matter of the video games varies greatly, ranging from animated and educational games for children to more sophisticated action games. Some video games have been criticized for their use of violence.

Some video games are rated by the Entertainment Software Rating Board (ESRB). The ESRB is an independent, self-regulatory entity supported by the entertainment industry which provides ratings for software titles, websites, and on-line games. The ratings are located on the front of the game packaging. There are 6 ratings: "Early Childhood," "Everyone," "Teen," "Mature," "Adults Only," and "Rating Pending."

Games rated "Early Childhood" and "Everyone" are suitable for younger audiences. "Teen" rated games contain content that may be suitable for persons ages 13 and older. A rating of "Mature" indicates that the content may be suitable for persons age 17 and older. "Mature" rated games may include more intense violence, language, or mature sexual themes than the "Teen" rated games. A title rated "Adults Only" has content suitable only for adults and is not intended for persons under the age of 18. The game may include graphic depictions of sex and/or violence.

Summary of Substitute Bill:

Video game retailers are required to post signs providing information to consumers about the existence of a nationally recognized video game rating system, or notifying the consumers that such a system exists.

The signs must be placed in prominent locations near the video game displays and points of sale. The signs and lettering must be clearly visible to consumers.

The retailer is required to provide information explaining the rating system to any person who requests the information.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment changes the requirements for the posting of the signs. The amendment permits a retailer to not post signs at the point of sale if the retailer has a system in place that prompts the retailer to check the identification of purchasers who appear to be under the age of eighteen who are purchasing games that are intended for adult audiences.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support on original bill) This bill is part of what is really a growing concern about the effect of video games. The industry has responded by creating a rating system, but there is not much notice about the system. The Gamesmart Community is working to educate the public about video games, especially parents. There are concerns about adolescents playing these games. There has not been uniformity with the retailers in

using the rating system. This is a fine bill. It is a common sense approach. What is brought into the home is the responsibility of the parents, but the parents are not always aware of what their teenagers are doing because they are not always with them. This is good for grandparents and parents who might buy these games for grandkids not knowing what is in them.

(With concerns on original bill) There are concerns about the laws in all 50 states being different. We should make it easier for retailers to do the right thing. Do not include the exact size of the sign, require information to be given to every customer, or require the signs to be posted at the points of sale. The industry is trying to train retailers. The rating system is very comprehensive.

Testimony Against: None.

Persons Testifying: (In support on original bill) Representative Roberts, prime sponsor; Ruth Harms, Thurston Community Network/Gamesmart; Howard Winkler and Ann Aubuchon, Gamesmart; and Mary Kenfield, Washington State Parent Teacher Association.

(With concerns on original bill) Mark Johnson, Washington Retail Association; Marie Sylla, Interactive Entertainment Merchants' Association; and Jean Leonard, Entertainment Software Association.

Persons Signed In To Testify But Not Testifying: None.