

110TH CONGRESS
2D SESSION

H. R. 5990

To require ratings label on video games and to prohibit the sales and rentals of adult-rated video games to minors.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2008

Mr. MATHESON (for himself and Mr. TERRY) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To require ratings label on video games and to prohibit the sales and rentals of adult-rated video games to minors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Video Games Ratings
5 Enforcement Act”.

6 **SEC. 2. RATING LABEL REQUIREMENT FOR VIDEO GAMES.**

7 (a) CONDUCT PROHIBITED.—It shall be unlawful for
8 any person to ship or otherwise distribute in interstate
9 commerce, or to sell or rent, a video game that does not
10 contain a rating label, in a clear and conspicuous location

1 on the outside packaging of the video game, containing
2 an age-based content rating determined by the Entertain-
3 ment Software Ratings Board.

4 (b) REQUIREMENT OF RETAILERS TO POST RATINGS
5 INFORMATION.—Not later than 180 days after the date
6 of the enactment of this Act, the Federal Trade Commis-
7 sion shall promulgate rules requiring all retail establish-
8 ments engaged in the sale of video games to display, in
9 a clear and conspicuous location, information about the
10 content rating system of the Entertainment Software Rat-
11 ings Board. Such rules shall prescribe the information re-
12 quired to be displayed concerning the basic age-based con-
13 tent ratings of such Board.

14 **SEC. 3. PROHIBITION ON SALES AND RENTALS OF ADULT-**
15 **RATED VIDEO GAMES TO MINORS.**

16 It shall be unlawful for any person to sell or rent,
17 or attempt to sell or rent—

18 (1) any video game containing a content rating
19 of “Adults Only” (as determined by the Entertain-
20 ment Software Ratings Board) to any person under
21 the age of 18; or

22 (2) any video game containing a content rating
23 of “Mature” (as determined by such Board) to any
24 person under the age of 17.

1 **SEC. 4. ENFORCEMENT BY THE FEDERAL TRADE COMMIS-**
2 **SION.**

3 (a) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A
4 violation of sections 2 or 3 shall be treated as a violation
5 of a rule defining an unfair or deceptive act or practice
6 prescribed under section 18(a)(1)(B) of the Federal Trade
7 Commission Act (15 U.S.C. 57a(a)(1)(B)). The Federal
8 Trade Commission shall enforce this Act in the same man-
9 ner, by the same means, and with the same jurisdiction
10 as though all applicable terms and provisions of the Fed-
11 eral Trade Commission Act were incorporated into and
12 made a part of this Act.

13 (b) PENALTY.—Notwithstanding section 5(m) of the
14 Federal Trade Commission Act (15 U.S.C. 45(m)), any
15 person who violates section 2 or 3 of this Act shall be
16 subject to a civil penalty of not more than \$5,000 per vio-
17 lation.

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