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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Video Games Ratings Enforcement Act”.

SEC. 2. RATING LABEL REQUIREMENT FOR VIDEO GAMES.
(a) CONDUCT PROHIBITED.—It shall be unlawful for any person to ship or otherwise distribute in interstate commerce, or to sell or rent, a video game that does not contain a rating label, in a clear and conspicuous location
on the outside packaging of the video game, containing an age-based content rating determined by the Entertainment Software Ratings Board.

(b) REQUIREMENT OF RETAILERS TO POST RATINGS INFORMATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Trade Commission shall promulgate rules requiring all retail establishments engaged in the sale of video games to display, in a clear and conspicuous location, information about the content rating system of the Entertainment Software Ratings Board. Such rules shall prescribe the information required to be displayed concerning the basic age-based content ratings of such Board.

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

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

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

(2) any video game containing a content rating of “Mature” (as determined by such Board) to any person under the age of 17.
SEC. 4. ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.

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

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