



# HOUSE BILL No. 5229

December 2, 1993, Introduced by Reps. Stallworth, Profit, Dobronski, Joe Young, Jr., Kilpatrick, Points, Gubow, Rivers, Hood, DeMars, Varga, Byrum, Saunders, Bennane, Hammerstrom, Willard, Bullard, Schroer, Gire, Berman, Griffin, Owen, Baade, Leland and Llewellyn and referred to the Committee on Consumers.

A bill to amend Act No. 328 of the Public Acts of 1931,  
entitled as amended

"The Michigan penal code,"

as amended, being sections 750.1 to 750.568 of the Michigan  
Compiled Laws, by adding section 145d.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 328 of the Public Acts of 1931, as  
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled  
3 Laws, is amended by adding section 145d to read as follows:

4 SEC. 145D. (1) A PERSON SHALL NOT SELL OR DISTRIBUTE A  
5 VIDEO GAME THAT HE OR SHE KNOWS OR HAS REASON TO KNOW DEPICTS  
6 GRAPHIC VIOLENCE TO AN INDIVIDUAL HE OR SHE KNOWS OR HAS REASON  
7 TO KNOW IS A MINOR.

8 (2) A PERSON SHALL NOT ALLOW AN INDIVIDUAL HE OR SHE KNOWS  
9 OR HAS REASON TO KNOW IS A MINOR TO VIEW THE IMAGE CONTENTS OF A

1 VIDEO GAME THAT HE OR SHE KNOWS OR HAS REASON TO KNOW DEPICTS  
2 GRAPHIC VIOLENCE, IF ANY OF THE FOLLOWING CIRCUMSTANCES EXIST:

3 (A) THE PERSON IS THE MINOR'S PARENT, GUARDIAN, OR  
4 CUSTODIAN.

5 (B) THE PERSON IS CHARGED WITH THE CARE OR CUSTODY OF THE  
6 MINOR.

7 (C) THE PERSON HAS AUTHORITY OVER CONDUCT IN THE PREMISES IN  
8 WHICH THE MINOR IS LOCATED.

9 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDE-  
10 MEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR A  
11 FINE OF NOT MORE THAN \$500.00, OR BOTH.

12 (4) AS USED IN THIS SECTION:

13 (A) "GRAPHIC VIOLENCE" MEANS ANY REPRESENTATION OF PHYSICAL  
14 VIOLENCE THAT DEPICTS 1 OR MORE OF THE FOLLOWING:

15 (i) BLOODSHED.

16 (ii) DISMEMBERMENT.

17 (iii) PAIN OR SUFFERING.

18 (B) "MINOR" MEANS AN INDIVIDUAL LESS THAN 18 YEARS OF AGE  
19 WHO IS NOT EMANCIPATED BY LAW.

20 (C) "VIDEO GAME" MEANS PROGRAMMED INSTRUCTIONS THAT ARE  
21 DESIGNED OR INTENDED TO PRODUCE A VISUAL IMAGE IN AN ELECTRONIC  
22 DEVICE AND THAT REQUIRE THE INTERACTION OF A PARTICIPANT, AND ANY  
23 DEVICE THAT CONTAINS THOSE PROGRAMMED INSTRUCTIONS.