

Bill No. SB 646

Amendment No. 1 Barcode 834888

CHAMBER ACTION

Senate

House

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The Committee on Criminal Justice recommended the following amendment:

Senate Amendment (with title amendment)

On page 1, lines 13-29, delete those lines

and insert:

Section 1. Prohibition on sale or rental of adult video games to persons under 18 years of age; penalty.--

(1) Notwithstanding section 847.012, Florida Statutes, a person may not sell or rent an adult video game to any person younger than 18 years of age. Any person who sells or rents adult video games must require that a person buying or renting an adult video game present proof of age.

(2) As used in this section:

(a) "Adult video game" means any electronic or computerized game which contains representations or images of excessive violence, nudity, or sexual conduct, which is harmful to minors.

(b) "Excessive violence" is the visual depiction or representation of realistic serious injury to a human or a

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1 human-like being resulting from, or in response to, actions
2 controlled by the player.

3 (c) "Serious injury" includes amputation,
4 decapitation, dismemberment, bloodshed, mutilation, maiming,
5 or disfigurement.

6 (d) "Harmful to minors" means that the material:

7 1. Predominately appeals to the prurient, shameful, or
8 morbid interest of minors;

9 2. Is patently offensive to prevailing standards in
10 the adult community as a whole with respect to what is
11 suitable material for minors; and

12 3. Taken as a whole, is without serious literary,
13 artistic, political, or scientific value for minors.

14 (3) A person may not knowingly sell or rent an adult
15 video game to any minor. Any person who violates this
16 subsection commits a misdemeanor of the first degree,
17 punishable as provided in s. 775.082, s. 775.083, or s.
18 775.084.

19 (4) It shall constitute a defense to the offense in
20 subsection (3) if the person selling or renting the video game
21 required that a person buying or renting an adult video game
22 present proof of age and that proof of age indicated that the
23 person buying or renting the video game was not a minor.

24 (5) A minor may not knowingly buy or rent an adult
25 video game. A minor violating this subsection commits a
26 misdemeanor of the second degree, punishable as provided in s.
27 775.082 or s. 775.083.

30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

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1 On page 1, line 8, after the first semicolon

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3 insert:

4 prohibiting the purchase of rental of adult

5 video games by minors;

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