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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1767

02/27/2019 Authored by Carlson, A.; Zerwas and Hansen
The bill was read for the first time and referred to the Committee on Commerce

1.1 A bill for an act
1.2 relating to consumer protection; prohibiting certain video game sales; proposing
1.3 coding for new law in Minnesota Statutes, chapter 325I.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. 325I.07 VIDEO GAMES; PROHIBITIONS.

1.6 Subdivision 1. Definitions. (a) For purposes of this section, the terms in this subdivision
1.7 have the meanings given.

1.8 (b) "Retailer" means a person who offers video games for sale, including resale by the
1.9 purchaser, through any means including but not limited to sales outlets, catalogs, or by
1.10 electronic means.

1.11 (c) "Video game" means an object or device that stores recorded data or instructions,
1.12 receives data or instructions generated by a person who uses it, and, by processing the data
1.13 or instructions, creates an interactive game capable of being played, viewed, or experienced
1.14 on or through a computer, gaming system, console, or other technology.

1.15 Subd. 2. Loot boxes; prohibition; warning required. (a) A retailer is prohibited from
1.16 selling to a person under 18 years of age a video game containing a system that permits the
1.17 in-game purchase of (1) a randomized reward or rewards, or (2) a virtual item that can be
1.18 redeemed to directly or indirectly receive a randomized reward or rewards.

1.19 (b) A video game must not be updated to include a system described in paragraph (a)
1.20 unless the provider of the update verifies, using commercially reasonable technology, that
1.21 the recipient of the update is not under 18 years of age.

2.1 (c) A video game or update subject to the age restriction in paragraph (a) or (b) must
2.2 not be sold or provided unless accompanied by the warning described in this paragraph.
2.3 The word "warning" must be stated clearly in uppercase letters that measure at least one-half
2.4 inch in size, or, in the case of a warning for an electronic purchase, in a 16-point font,
2.5 centered over the body copy of the actual warning. The warning copy must be presented in
2.6 letters that measure at least 3/32 of an inch in size, or, in the case of a warning for an
2.7 electronic purchase, in a 12-point font. The text of the warning must have a color that
2.8 strongly contrasts with the background. The warning must state the following: "Warning:
2.9 This game contains a gambling-like mechanism that may promote the development of a
2.10 gaming disorder that increases the risk of harmful mental or physical health effects, and
2.11 may expose the user to significant financial risk." For games sold through electronic means,
2.12 the warning must be acknowledged by the purchaser.