

3031

2009-2010 Regular Sessions

I N   S E N A T E

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Introduced by Sens. LAVALLE, LARKIN -- read twice and ordered printed,  
and when printed to be committed to the Committee on Consumer  
Protection

AN ACT to amend the general business law, in relation to requiring  
epilepsy warnings on video games

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The general business law is amended by adding a new section  
2     399-ff to read as follows:  
3     S 399-FF. VIDEO GAME; EPILEPSY WARNING. 1. FOR PURPOSES OF THIS  
4     SECTION, THE TERM "VIDEO GAME" SHALL MEAN AND INCLUDE ANY VIDEO GAME  
5     SYSTEM, VIDEO GAME CARTRIDGE, VIDEO GAME COMPACT DISC, VIDEO GAME  
6     DIGITAL VERSATILE DISC OR DIGITAL VIDEO DISC, VIDEO GAME COMPONENT,  
7     VIDEO GAME ACCESSORY, OR VIDEO GAME CONTROLLER OF ANY VARIETY.  
8     2. ANY PERSON WHO SELLS, OFFERS FOR SALE, RENTS OR OFFERS TO RENT  
9     VIDEO GAMES TO THE PUBLIC SHALL DISPLAY A SIGN OR POSTER IN A PROMINENT  
10    OR CONSPICUOUS LOCATION WITHIN THE AREA WHERE SUCH VIDEO GAMES ARE SOLD  
11    OR RENTED WHICH HAS PRINTED THEREON AN EPILEPSY WARNING. SUCH WARNING  
12    SHALL BE IN LETTERS OF NOT LESS THAN THIRTY POINT TYPE AND SHALL CONTAIN  
13    THE FOLLOWING STATEMENT:  
14                                 "EPILEPSY WARNING  
15                                 READ BEFORE USING YOUR VIDEO GAME SYSTEM  
16    MEDICAL RESEARCH INDICATES A SMALL PERCENTAGE OF THE POPULATION MAY  
17    EXPERIENCE EPILEPTIC SEIZURES OR SEIZURE-LIKE SYMPTOMS WHEN EXPOSED TO  
18    CERTAIN STIMULI, INCLUDING, WITHOUT LIMITATION, LIGHT PATTERNS, FLASHING  
19    LIGHTS OR CERTAIN PATTERNS OF BACKGROUNDS ON A TELEVISION SCREEN OR  
20    VIDEO MONITOR. EXPOSURE TO THESE STIMULI WHILE PLAYING VIDEO GAMES MAY  
21    INDUCE AN EPILEPTIC SEIZURE OR SEIZURE-LIKE SYMPTOMS IN THESE INDIVID-  
22    UALS. CERTAIN CONDITIONS MAY INDUCE UNDETECTED EPILEPTIC SYMPTOMS EVEN  
23    IN PERSONS WHO HAVE NO PRIOR HISTORY OF SEIZURES OR EPILEPSY. IF YOU  
24    EXPERIENCE ANY OF THE FOLLOWING SYMPTOMS WHILE PLAYING A VIDEO GAME --

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 DIZZINESS, ALTERED VISION, EYE OR MUSCLE TWITCHES, LOSS OF AWARENESS,  
2 DISORIENTATION, AND INVOLUNTARY MOVEMENT OR CONVULSIONS -- IMMEDIATELY  
3 DISCONTINUE USE AND CONSULT YOUR PHYSICIAN BEFORE PLAY."

4 3. ANY PERSON WHO SELLS OR RENTS A VIDEO GAME IN VIOLATION OF THIS  
5 SECTION SHALL BE SUBJECT TO A CIVIL PENALTY OF FIFTY DOLLARS FOR EACH  
6 OCCURRENCE.

7 S 2. This act shall take effect one year after it shall have become a  
8 law.