

FIRST REGULAR SESSION

HOUSE BILL NO. 893

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANKLIN.

1089H.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 144, RSMo, by adding thereto one new section relating to violent video games, with a referendum clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 144, RSMo, is amended by adding thereto one new section, to be known as section 144.023, to read as follows:

144.023. 1. As used in this section, the term “violent video game” means a video or computer game that has received a rating from the Entertainment Software Rating Board of Teen, Mature, or Adults Only.

2. An excise tax is hereby levied on violent video games at the rate of one dollar per such game. All such games sold, stored, used, or otherwise consumed in this state must have an issued stamp affixed. All revenue collected under this section shall be deposited in the violent video game excise tax fund created in this section, and shall constitute new and additional funding to be used by the following state entities in the following percentages:

(a) The department of revenue, two percent for the cost of collection;

(b) The department of mental health, forty-eight percent for community outreach, identification and prevention of mental health conditions associated with exposure to violent video games, including related research and training for families, school officials, teachers, and staff;

(c) The department of public safety, fifty percent to fund training of school officials, teachers, and staff and law enforcement efforts to combat violent crimes.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **3. The director of the department of revenue shall issue stamps to affix to such**
18 **games to indicate payment of the tax required by this section. Sellers shall report the taxes**
19 **payable at the time and on the form prescribed by the director. Upon payment of the tax,**
20 **the director shall issue stamps in an amount equal to the amount of the tax paid. Taxes**
21 **shall be paid and stamps shall be issued either by mail or in person.**

22 **4. There is hereby created in the state treasury the “Violent Video Game Excise Tax**
23 **Fund”, which shall consist of money collected under this section. The state treasurer shall**
24 **be custodian of the fund. In accordance with sections 30.170 and 30.180, the state**
25 **treasurer may approve disbursements. Upon appropriation, money in the fund shall be**
26 **used solely for the administration of this section. Notwithstanding the provisions of section**
27 **33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall**
28 **not revert to the credit of the general revenue fund. The state treasurer shall invest**
29 **moneys in the fund in the same manner as other funds are invested. Any interest and**
30 **moneys earned on such investments shall be credited to the fund.**

31 **5. The director of the department of revenue may promulgate rules to implement**
32 **the provisions of this section.**

Section B. Section A of this act is hereby submitted to the qualified voters of this state
2 for approval or rejection at an election which is hereby ordered and which shall be held and
3 conducted on the Tuesday immediately following the first Monday in November, 2014, or at a
4 special election to be called by the governor for that purpose, pursuant to the laws and
5 constitutional provisions of this state applicable to general elections and the submission of
6 referendum measures by initiative petition, and it shall become effective when approved by a
7 majority of the votes cast thereon at such election and not otherwise.

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