

# HOUSE BILL No. 4770

June 10, 1999, Introduced by Reps. Tabor, Sanborn, Julian, Pappageorge, Allen, Rick Johnson, Voorhees, Ehardt, DeHart, Hart, Garcia, Bradstreet, Vear, Patterson, Mans, Gosselin, DeWeese and Cassis and referred to the Committee on Family and Civil Law.

A bill to prohibit the dissemination of certain labeled sound recordings to minors; to prohibit acts including the purchase or attempted purchase of labeled sound recordings by minors; and to prescribe penalties.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. As used in this act:

2       (a) "Disseminate" means to sell, or to give away or provide  
3 at nominal consideration as part of a promotional or advertising  
4 activity.

5       (b) "Labeled recording" means a recording labeled or other-  
6 wise marked with parental advisory language concerning the con-  
7 tent of the recording, including, but not limited to, a recording  
8 marked or labeled with the parental advisory logo adopted by the  
9 recording industry association of America to identify a recording  
10 that contains strong language or expressions of violence, sex, or

1 substance abuse or a recording marked with a similar statement,  
2 logo, label, or warning.

3 (c) "Minor" means a person who is less than 18 years of age  
4 and is not emancipated by operation of law as provided in section  
5 4 of 1968 PA 293, MCL 722.4.

6 (d) "Recording" means an audiocassette, tape, phonograph  
7 record, compact disc, or similar device or sound recording upon  
8 which is recorded a musical work.

9 Sec. 2. A person who disseminates a labeled recording to a  
10 minor is guilty of a misdemeanor punishable by imprisonment for  
11 not more than 90 days or a fine of not more than \$5,000.00, or  
12 both.

13 Sec. 3. A minor who buys or attempts to buy a labeled  
14 recording, or who falsely represents his or her age for the pur-  
15 pose of buying or attempting to buy a labeled recording, is  
16 responsible for a state civil infraction and is liable for the  
17 payment of a civil fine of \$50.00 for each violation.

18 Enacting section 1. This amendatory act takes effect upon  
19 the expiration of 60 days after the date of its enactment.