

STAND. COM. REP. NO.

2103

Honolulu, Hawaii

FEB 08 2018

RE: S.B. No. 3024  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,  
to which was referred S.B. No. 3024 entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the sale of video games that contain a system of further purchasing, including a randomized reward or a virtual item that can be redeemed to directly or indirectly receive a randomized reward, to consumers under twenty-one years of age.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and two individuals. Your Committee received testimony in opposition to this measure from the Entertainment Software Association, TechNet, and Retail Merchants of Hawaii. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the multi-billion-dollar video game industry is extremely popular in America. Video games and gaming content are widely and easily available to consumers and may be purchased at the touch of a button through smart phones, gaming consoles, or personal computers. However, video games that contain randomized rewards or variable reward mechanisms, also known as loot boxes, may introduce children and young adults to the thrills of gambling at an age when their brains are not fully



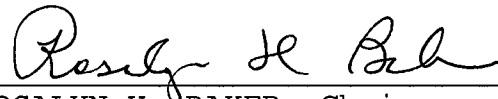
developed. According to testimony received by your Committee, children and youth are vulnerable to developing behavioral addiction to gambling and lack the maturity or knowledge to recognize the risks they encounter. Furthermore, parents and other responsible adults are often unaware of the randomized rewards that are often available in the video games their children are using. Your Committee notes that the ubiquitous reach of video games, which require active, lengthy participation and exposure to the psychological manipulation techniques of loot boxes, may present harmful risks to the financial well-being and mental health of individuals, especially vulnerable youth and young adults. This measure therefore prohibits the sale of video games that contain a system of further purchasing, including a randomized reward or a virtual item, to consumers under twenty-one years of age.

Your Committee has amended this measure by:

- (1) Inserting a definition of "randomized reward"; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3024, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3024, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Health,



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ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

Bill / Resolution No.:* <b>SB 3024</b>	Committee Referral: <b>CPH, JDC</b>	Date: <b>02/02/18</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.				/
RUDERMAN, Russell E.	/			
<b>TOTAL</b>	<b>5</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes