

HB2943



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2943

Introduced 2/19/2021, by Rep. Barbara Hernandez - Jonathan Carroll - Jawaharial Williams, Lakesia Collins and Michael J. Zalewski

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2WWW new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a warning must be displayed when an interactive digital entertainment product utilizes a loot box in its operations. Sets forth the contents of the warning. Provides that a failure to display the required warning is an unlawful practice. Defines terms.

LRB102 02874 JLS 12883 b

A BILL FOR

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by adding Section 2WWW as follows:

6 (815 ILCS 505/2WWW new)

7 Sec. 2WWW. Limitation on publication or distribution of
8 video games that utilize loot boxes.

9 (a) In this Section:

10 "Add-on transaction" means, with respect to an interactive
11 digital entertainment product, a payment to the game publisher
12 of an interactive digital entertainment product, an affiliate
13 of the publisher, or any other person who accepts the payment
14 for the benefit of the publisher, of either money or an in-game
15 proxy for money, such as a virtual currency, that can be
16 purchased with money, that:

17 (1) unlocks a feature of the product; or

18 (2) adds to or enhances the entertainment value of the
19 product.

20 "Digital game distributor" means a person that, for
21 commercial purposes, in interstate or foreign commerce,
22 distributes an interactive digital entertainment product over
23 an online platform to over 1,000 users annually.

1 "Game publisher" means a person that, for commercial
2 purposes, in interstate or foreign commerce, develops or
3 finances the development of an interactive digital
4 entertainment product that is distributed to over 1,000 users
5 annually.

6 "Interactive digital entertainment product" means a
7 program such as a video game that is accessed by a connected
8 device and provides an interactive entertainment experience
9 for the user.

10 "Loot box" means an add-on transaction to an interactive
11 digital entertainment product that:

12 (1) in a randomized or partially randomized fashion:

13 (A) unlocks a feature of the product; or

14 (B) adds to or enhances the entertainment value of
15 the product; or

16 (2) allows the user to make one or more additional
17 add-on transactions:

18 (A) that the user could not have made without
19 making the first add-on transaction; and

20 (B) the content of which is unknown to the user
21 until after the user has made the first add-on
22 transaction.

23 (b) An interactive digital entertainment product that
24 utilizes a loot box must display a warning immediately before
25 a consumer may access the loot box. The warning shall be
26 conspicuously displayed and contain the following:

1 "Attention Parents: A Loot Box System exists in this game
2 that permits an unlimited amount of REAL MONEY to be spent
3 without any age restriction. REAL MONEY is exchanged for
4 random digital items. This process has been linked to REAL
5 LIFE GAMBLING ADDICTIONS in both children and adults. Please
6 regulate your own spending as well as your children's
7 spending.".

8 (c) It is an unlawful practice within the meaning of this
9 Act for a digital game distributor to distribute an
10 interactive digital entertainment product that utilizes a loot
11 box and that does not display the warning required under
12 subsection (b).

13 (d) It is an unlawful practice within the meaning of this
14 Act for a game publisher to publish an interactive digital
15 entertainment product that utilizes a loot box and that does
16 not display the warning required under subsection (b).

17 (e) A digital game distributor that violates this Section
18 commits an unlawful practice within the meaning of this Act
19 and, in addition, is liable in a civil action for damages
20 resulting from the violation.

21 (f) A game publisher that violates this Section commits an
22 unlawful practice within the meaning of this Act and, in
23 addition, is liable in a civil action for damages resulting
24 from the violation.