

ASSEMBLY, No. 520

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman CRECCO

1 AN ACT concerning the labeling of certain recordings and
2 supplementing chapter 3 of Title 56 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. a. No person may sell, or offer to sell, in this State, at retail or
8 wholesale, any phonograph record, magnetic tape or compact disc
9 containing lyrics which explicitly describe, advocate or encourage
10 suicide, incest, bestiality, sadomasochism, rape or involuntary sexual
11 penetration, or which advocate or encourage murder, ethnic, racial or
12 religious intimidation, the use of illegal drugs or the excessive or
13 illegal use of alcohol, unless the cover of the recording contains a
14 parental warning, as set forth in subsection b. of this section, that the
15 lyrics contain these explicit messages.

16 b. The label required by this section shall be affixed on the front
17 cover of the phonograph record, magnetic tape or compact disc by the
18 retailer. The label shall not be readily removable and shall be printed
19 with black letters of 12 point type or more on a yellow fluorescent
20 background, except that the words "Warning" and "Parental Advisory"
21 shall be printed in letters which are 48 point type in the case of a
22 phonograph record cover. In the case of a magnetic tape or compact
23 disc cover, the label shall be printed with black letters of eight point
24 type on a yellow fluorescent background, except that the words
25 "Warning" and "Parental Advisory" shall be printed in ten point type.
26 The warning shall read substantially as follows:

27 "Parental Advisory and Warning: May contain explicit lyrics
28 descriptive of or advocating one or more of the following:

29 Suicide

30 Incest

31 Bestiality

32 Sadomasochism

33 Sexual activity in a violent or involuntary context

34 Murder

35 Morbid violence

1 Ethnic, racial or religious intimidation
2 Illegal use of drugs or alcohol."

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4 2. A person who violates this act is guilty of a petty disorderly
5 persons offense. For any subsequent offense, a person shall be guilty
6 of a disorderly persons offense.

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8 3. This act shall take effect on the first day of the seventh month
9 after enactment.

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STATEMENT

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14 This bill addresses growing parental concern over recordings which
15 contain certain explicit lyrics. Some of these lyrics have been blamed
16 for violent or otherwise criminal acts by youths. Complaints have
17 generally been about the content of rap and heavy metal recordings.

18 The bill would prohibit the sale or offer for sale at wholesale or
19 retail of phonograph records, magnetic tapes or compact discs with
20 explicit lyrics without a parental warning label. These lyrics are said
21 to encourage murder, suicide, use of illegal drugs and alcohol, ethnic,
22 racial or religious intimidation and a variety of socially or legally
23 proscribed acts.

24 A person who violates this act would be charged with a petty
25 disorderly persons offense punishable by a fine of up to \$500 or
26 imprisonment for up to 30 days, or both. A subsequent violation
27 would result in a person being charged with a disorderly persons
28 offense.

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33 Requires warning labels on certain recordings with explicit lyrics.