

HOUSE BILL 1238

D5

2lr2708

By: ~~Delegate Bhandari~~ Delegates Bhandari, T. Branch, Brooks, Charkoudian, Fennell, Harrison, Jackson, Qi, Queen, Rogers, Turner, Valderrama, Watson, and Wilson

Introduced and read first time: February 11, 2022

Assigned to: Health and Government Operations

Reassigned: Economic Matters, February 17, 2022

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2022

CHAPTER _____

1 AN ACT concerning

2 **Places of Public Accommodation – Motion Picture Houses – Captioning**

3 FOR the purpose of requiring all motion picture houses to offer closed captioning for each
4 screening of a motion picture; requiring that certain motion picture houses provide
5 open captioning for at least certain screenings each week; and generally relating to
6 motion picture houses as places of public accommodation.

7 BY repealing and reenacting, with amendments,

8 Article – State Government

9 Section 20–306

10 Annotated Code of Maryland

11 (2021 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

13 That the Laws of Maryland read as follows:

14 **Article – State Government**

15 20–306.

16 (a) (1) In this section the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2) “Closed captioning” means a transcript or dialog of the audio portion of a television program **OR MOTION PICTURE** that is displayed on a television receiver screen **OR A MOTION PICTURE SCREEN** when the user activates the feature.

(3) “Closed-captioning television receiver” means a receiver of television programming that has the ability to display closed captioning, including a television, digital set top box, and any other technology capable of displaying closed captioning.

(4) **“OPEN CAPTIONING” MEANS A TRANSCRIPT OR DIALOG OF THE AUDIO PORTION OF A MOTION PICTURE THAT IS DISPLAYED ON A MOTION PICTURE SCREEN THAT CANNOT BE TURNED OFF BY A VIEWER.**

~~[(4)]~~ (5) “Public area” means a part of a place of public accommodation that is open to the general public.

~~[(5)]~~ (6) “Regular hours” means the hours of any day in which a place of public accommodation is open to members of the general public.

(b) (1) On request, a place of public accommodation may not fail to keep closed captioning activated on any closed-captioning television receiver that is in use during regular hours in any public area.

~~[(c)]~~ (2) This ~~[section]~~ **SUBSECTION** does not require a place of public accommodation to make closed captioning available in a public area of the place of public accommodation if:

~~[(1)]~~ (I) no television receiver of any kind is available in the public area; or

~~[(2)]~~ (II) the only public television receiver available in the public area is not a closed-captioning television receiver.

(C) (1) **A PLACE OF PUBLIC ACCOMMODATION THAT IS A MOTION PICTURE HOUSE SHALL PROVIDE ACCESS TO FULLY OPERATIONAL AND WELL-MAINTAINED CLOSED-CAPTIONING TECHNOLOGY FOR THE GENERAL PUBLIC FOR EACH SCREENING OF A MOTION PICTURE THAT IS PRODUCED AND OFFERED WITH CLOSED CAPTIONING.**

(2) (I) **THIS PARAGRAPH DOES NOT APPLY DURING THE FIRST 7 DAYS AFTER A MOTION PICTURE PREMIERES IN THE MOTION PICTURE HOUSE.**

(II) **A PLACE OF PUBLIC ACCOMMODATION THAT CONTROLS, OPERATES, OWNS, OR LEASES AT LEAST TWO MOTION PICTURE HOUSES IN THE STATE SHALL PROVIDE OPEN CAPTIONING FOR EACH MOTION PICTURE IT SCREENS**

1 EACH WEEK THAT IS PRODUCED AND OFFERED WITH CLOSED CAPTIONING FOR AT
2 LEAST: TWO SCREENINGS EACH WEEK.

3 ~~(I) ONE SCREENING DURING A WEEKDAY; AND~~

4 ~~(II) ONE SCREENING DURING THE WEEKEND.~~

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.