

SENATE BILL 92

D5
SB 400/23 – JPR

(PRE-FILED)

4r1368
CF HB 426

By: **Senator Brooks**

Requested: October 31, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 4, 2024

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 movie captioning for
4 each screening of a motion picture; requiring that certain motion picture houses
5 provide open movie captioning for at least certain screenings each week; and
6 generally relating to 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 and 2023 Supplement)

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 MOVIE CAPTIONING” MEANS THE WRITTEN DISPLAY OF THE DIALOGUE AND CERTAIN NONSPEECH INFORMATION OF A MOTION PICTURE THAT IS GENERALLY DELIVERED TO INDIVIDUAL PATRONS ON A CAPTIONING DEVICE IN A MOTION PICTURE HOUSE.

~~(3)~~ (4) “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)~~ (5) **“OPEN MOVIE 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)~~ (6) “Public area” means a part of a place of public accommodation that is open to the general public.

[(5)] ~~(6)~~ (7) “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~~ CLOSED MOVIE CAPTIONING TECHNOLOGY FOR THE GENERAL PUBLIC FOR EACH SCREENING OF A MOTION PICTURE THAT IS PRODUCED AND ~~OFFERED~~ AVAILABLE WITH CLOSED MOVIE CAPTIONING AS REQUIRED BY TITLE III OF THE FEDERAL AMERICANS WITH DISABILITIES ACT.

1 (2) (I) ~~THIS PARAGRAPH DOES NOT APPLY DURING THE FIRST 7~~
 2 ~~DAYS AFTER A MOTION PICTURE PREMIERES TO MOTION PICTURES SCREENED~~
 3 ~~FEWER THAN FIVE TIMES FROM FRIDAY THROUGH THURSDAY IN A 7-DAY PERIOD~~
 4 ~~IN THE MOTION PICTURE HOUSE.~~

5 (II) THIS PARAGRAPH APPLIES ONLY TO THE FIRST 3 WEEKS
 6 AFTER A MOTION PICTURE PREMIERES IN THE MOTION PICTURE HOUSE.

7 ~~(H)~~ (III) ~~A~~ IF A MOTION PICTURE IS PRODUCED AND
 8 AVAILABLE TO MOTION PICTURE HOUSES WITH OPEN MOVIE CAPTIONING, A PLACE
 9 OF PUBLIC ACCOMMODATION THAT CONTROLS, OPERATES, OWNS, OR LEASES AT
 10 ~~LEAST TWO~~ A MOTION PICTURE HOUSES HOUSE WITH EIGHT OR MORE SCREENS IN
 11 THE STATE SHALL PROVIDE OPEN MOVIE CAPTIONING FOR AT LEAST TWO
 12 SCREENINGS FOR EACH MOTION PICTURE IT SCREENS EACH WEEK THAT IS
 13 ~~PRODUCED AND OFFERED WITH CLOSED CAPTIONING FOR AT LEAST TWO~~
 14 ~~SCREENINGS EACH WEEK.~~

15 (IV) BEGINNING 3 WEEKS AFTER A MOTION PICTURE
 16 PREMIERES, A PLACE OF ACCOMMODATION THAT CONTROLS, OPERATES, OWNS, OR
 17 LEASES A MOTION PICTURE HOUSE WITH EIGHT OR MORE SCREENS IN THE STATE
 18 MAY PROVIDE OPEN MOVIE CAPTIONING WITH REASONABLE NOTICE.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 20 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.