



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

House Health and Government Operations Committee

March 9, 2022

HB 1238: Places of Public Accommodation – Motion Picture Houses - Captioning

Position: **Support**

The Maryland Developmental Disabilities Council (Council) is a statewide public policy organization that creates changes to make it possible for people with developmental disabilities to live the lives they want with the support they need. As such, **our vision is that people with and without disabilities in Maryland live, learn, work, and play together.** HB 1238 is another change needed to make that happen.

WHY is this legislation important?

- According to the Governor's Office of the Deaf and Hard of Hearing, **over 20% of Marylanders, age 12 or older, are deaf or hard of hearing in at least one ear. Almost 13% are deaf or hard of hearing in both ears.**¹
- **Title III of the Americans with Disabilities Act (ADA) requires places of public accommodations to provide appropriate auxiliary aids and services to ensure effective communication with people with disabilities.** In 2017, the Department of Justice (DOJ) published a final rule that required movie theaters to provide closed movie captioning and audio description by June 2018.
- **Making recreation accessible to everyone is a fundamental practice of inclusion.** The DOJ did not require open captioning. HB 1238 takes another step to ensure more Marylanders can enjoy movies.

WHAT does this legislation do?

- Requires motion picture houses provide fully operational and well-maintained closed captioning technology for each screening of a movie. The movie has to be produced and offered with closed captioning.
- Requires companies that own at least two motion picture houses to provide open captioning for each movie it screens with certain limitations.

It is critical that people who are deaf and hard of hearing have full access to every mode of communication and recreational option available, including movies. For these reasons, the Maryland Developmental Disabilities Council supports HB 1082.

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¹ <https://odhh.maryland.gov/press-releases/featured-story/over-1-2-million-deaf-and-hard-of-hearing-marylanders/>