

State of Maryland

Commission on Civil Rights

“Our vision is to have a State that is free from any trace of unlawful discrimination.”



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April 5, 2022

House Bill 1238 – Places of Public Accommodation - Motion Picture Houses – Captioning POSITION: Support

Dear Chairperson Smith, Vice Chairperson Waldstreicher, and Members of the Senate Judicial Proceedings Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, health services and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, and source of income.

House Bill 1238 would require motion picture houses to offer closed captioning for each screening of a motion picture and require that certain motion picture houses provide open captioning for at least certain screenings each week. The difference between the two captioning options is that closed captioning can be turned on and off by the viewer, while open captioning cannot be turned off by a viewer. A place of public accommodation that owns, controls, or operates at least two motion picture houses must provide open captioning for each motion picture it screens each week that is produced and offered with closed captioning for at least one screening during a weekday and one screening during the weekend. The bill excludes smaller entities and ensures that the frequency requirement is not too cumbersome.

Watching movies is an American pastime that generates billions of dollars in ticket sales each year and it is important to ensure that all citizens have equal access to public accommodations. Nationally, there are approximately thirty million Americans that are hearing impaired. Hearing impaired citizens often struggle to engage with video media because the current accommodations fall short. For example, special glasses that are provided to display captions are often uncomfortable or malfunctioning. There are over a million Maryland citizens that struggle with hearing loss and would immediately benefit from this legislation. Further, captions can also help emerging readers, visual learners, and nonnative speakers. While there are many alternatives to increasing access to video content, the most effective and inclusive method is captions. Hawaii became the first in the nation in 2015 to require theaters to play open captions for at least two showings a week of each movie, catering to 3,700 Hawaiians on an island of nearly one and a half million people.

MCCR’s Biennial Civil Rights & Fair Housing Gala Celebration: April 30, 2022

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For these reasons, the Maryland Commission on Civil Rights urges a favorable vote on HB 1238. Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.