



## Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

### Senate Judicial Proceedings Committee

April 5, 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.**<sup>1</sup>
- **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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<sup>1</sup> <https://odhh.maryland.gov/press-releases/featured-story/over-1-2-million-deaf-and-hard-of-hearing-marylanders/>