



**HB 1238 – Places of Public Accommodation - Motion Picture Houses – Captioning
Before the Senate Judicial Proceedings Committee
April 5, 2022**

Position: Oppose

On behalf of Cinemark Theatres, we respectfully request that you oppose HB 1238. Cinemark Theatres is already providing open caption showtimes voluntarily at our two theatres in Maryland and we are also compliant with federal law on accessibility, we believe that this legislation is unnecessary.

Cinemark has been an industry-leader when it comes to offering our deaf and hard of hearing guest's options to see a movie. Years before it was a federal requirement, Cinemark proactively equipped all of our theaters with Closed Caption and Assisted Listening devices that allowed on-demand viewing of all caption-capable features at our guests' convenience. These devices are in regular use every week and we continue to receive positive feedback on both convenience and ease of use. When we were able to reopen in mid-2020, we made a commitment to expand open caption options through both our Private Watch Party and Group Events programs. And although these open caption options are not frequently taken advantage of, they have been well received.

Starting in the middle of 2021, Cinemark Theatres once again evolved and has undertaken a voluntary open caption program in several states, including Maryland, where we recently began offering open captioning showtimes. Each of our two theatres offers showtimes on every feature with a full schedule twice a week: once on the weekend and once during the week. To be more specific, our theatre in Towson offers showtimes on Saturdays and Mondays while our theatre in Arundel Mills Mall in Hanover offers open captioning showtimes on Sundays and Wednesdays. As a result, Cinemark Theatres is offering open captioning four days every week. For your reference, here is a picture of our messaging that appears on each theatre's website landing page on cinemark.com. This screen shot is for our theatre in Towson.

On-Screen Captions Available

This theatre offers on-screen captions for select showtimes. On-screen open captions display dialog and sound descriptions in text throughout a film. Look for the on-screen caption designation next to applicable showtimes every Saturday & Monday.

As you can see, we are communicating clearly and with detail. Furthermore, and as noted above, we offer open captioning showtimes on all films that have a full schedule for the day, thus, we are pleased to offer our guests a wide range of choice when coming to our theatres.

Senators, we are working hard to understand and react to the needs of our deaf and hard of hearing communities. We have never waited for legislation to dictate our programming and, because of what we have been happily willing to do, we do not feel legislation is necessary now.

Additionally, I have a grave concern regarding a provision in HB 1238 that could have unintended consequences for our audiences in Maryland. The bill as written requires that ALL features be offered with open captioning two times a week. The theatre exhibition industry's show scheduling is fluid and evolves from week to week. Quite often we feature special one day only events that are unique and special or we may just decide to offer just one showtime a day of an older movie that is at the end of its engagement. As currently written, I am concerned we would no longer be able to exhibit these special events because we would be in technical violation of the law.

By allowing Cinemark Theatres to offer open caption showings on a voluntary basis, rather than a mandated basis, it allows us to react to actual demand and adjust the number of screenings and the showtimes as appropriate. As you may know, our movie theaters were closed for approximately fifty weeks due to the pandemic. As we economically recover from a period of time in which we had zero income, flexibility in scheduling is paramount.

In conclusion, we believe that our voluntary open caption program meets consumer demand as opposed to a rigid mandate that would be economically damaging and unnecessary. Therefore, we respectfully request that you give HB 1238 an unfavorable report.

Sincerely,

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