



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

Senate Judicial Proceedings Committee

SB 92: Places of Public Accommodation - Motion Picture Houses – Captioning

February 8, 2024

Position: Support

The Maryland Developmental Disabilities Council (Council) is an independent public policy organization that creates change to make it possible for people with developmental disabilities to live the lives they want with the support they need. Our vision is that people with and without disabilities in Maryland live, learn, work, and play together. SB 92 is needed to make that happen. It benefits everyone and takes another important step to ensure more Marylanders can access and enjoy movies.

- Maryland already requires captions for television. SB 92 expands those requirements to movie theaters

WHAT does this legislation do?

- It requires movie theaters (a place of public accommodation) to provide closed caption technology for each screening of a movie for the public. Closed captions provide individual viewers a transcript of the audio portion of a movie if they choose to access it on a device provided by the theater.
- It also requires companies that own at least two movie theaters in Maryland to provide open captions for each movie it screens that include closed captions. Open captions provide all viewers access to captions.

WHY is this legislation important?

- **Video captions benefit everyone.** Multiple studies have found that captioned videos increase comprehension, attention, and memory for everyone: children, youth, and adults. Research also finds benefits for people with disabilities, people for whom English is not their first language, and children and adults learning to read.
- **A state-wide mandate supports making recreation accessible to everyone, regardless of where they live.** The Americans with Disabilities Act and subsequent DOJ rulings have required access to captions in most workplaces and education settings without using an auxiliary device (i.e., a handheld transmitter for captions). This bill expands access to make recreation inclusive for all Marylanders regardless of where they live in the state and which movie theaters are in their communities.
- **The current practice of relying on auxiliary devices for closed captions or to arrange for open captions ahead of time in movie theaters creates undue hardship on audience members.** A reasonable accommodation is defined as making a place of public accommodation suitable for access, use, and patronage by an individual with a disability without danger to the individual's

health or safety and undue hardship or expense to the person making the accommodation. Testimony on this bill for the last several years offers repeated examples of the burden on people seeking captions at movie theaters under current practices. This bill will increase accessibility and reduce the burden on patrons.

It is critical that people with disabilities have full access to every mode of communication and recreational option available, including movies. For these reasons, the Council supports SB 92.

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