



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

House Economic Matters Committee

HB 1363: Places of Public Accommodation - Captioning for Motion Picture Houses - Alterations

March 4, 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. We support HB 1363 as another important step to ensure more Marylanders can live a life they want with meaningful access to movies in their communities.

Background

- The federal Americans with Disabilities Act requires places of public accommodation, like movie theaters, to be accessible to people with disabilities. Most movie theaters have closed movie captions systems for people who are Deaf and Hard of Hearing. Closed movie captions provide individual viewers access to captions on a device provided by a movie theater.
- Last year the General Assembly passed HB 426/SB92 which requires movie theaters with eight or more screens to provide open movie captions at least twice a week for each movie in the theater. This is required for **the three weeks following a movie's release**. Open movie captions provide all viewers access to captions on the movie screen.

WHAT does this legislation do?

- Changes the open movie captions requirement from movie theaters with eight screens to movie theaters with four screens.
- Also requires movie theaters to send a monthly report to the Commission on Civil Rights and Attorney General on the dates and number of times a movies had closed movie captions and open movie captions in the preceding month.

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 like those required in close movie 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 recreational option available, without barriers to access or inclusion, including movies. For these reasons, the Council supports HB 1363.

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