



## **HB 1363 – Places of Accommodation – Captioning for Motion Picture Houses - Alterations**

### **Senate Judicial Proceedings Committee**

**April 1, 2025**

**Opposed**

On behalf of Mid-Atlantic NATO, a regional Association of Theatre Owners, representing movie theatres throughout Maryland, Virginia and DC, we respectfully submit these written comments in opposition to HB 1363.

#### **Unnecessary and Burdensome Requirements**

HB 1363 would add an unnecessary new requirement to Maryland's existing Captioning Law that would be impractical and add an undue burden to movie theatres. Specifically, all covered theatres would be required to report monthly on the number of closed movie captioned showtimes as well as the number of open captioned showtimes in the prior month, and they would be required to report all their showtimes for both open captioned and closed caption shows for the month.

- From a practical standpoint, this would not coincide with the weekly requirements of the law nor fit a theatre operation. Theatres operate on a weekly basis, not monthly, and the law has weekly requirements as well.
- With rare exception, all non-open captioned showtimes have closed captioning available as required by federal guidelines, so there would be no benefit to gather this information. As for the open captioned showtimes, they are available for public review on theatre websites daily.
- Looking back at a previous month would be time-consuming and impractical, as the weekly requirements of the law would overlap into different months. Collecting and reporting all this information would add labor costs to the theatres that can ill afford additional costs as they struggle to stay financially viable.
- From a volume standpoint, the state would be collecting 12 months of reports from the 53 locations covered in the bill. That would equate to almost 650 reports, and there would be upwards of over 850,000 showtimes reported over a year. (551 screens in the state x average of 30 shows per week x 52 weeks = 859,956 showtimes per year.) Having the Commission on Civil Rights and the Attorney General office collect and review these numerous reports would be extremely time consuming and add labor costs to the state and the movie theatres.
- Requiring showtime reporting is both costly and unnecessary for compliance purposes. Under existing Maryland law, a single failure to comply is sufficient for enforcement purposes.



## **Expansion of Open Captioning in Maryland**

Currently there are 39 locations with 8 screens or more covered by Maryland's existing Captioning Law, for a total of 473 screens. HB 1363 would lower the 8 screens threshold to 4, adding an additional 14 locations in the state, with 78 more screens, bringing the total to 53 locations, 551 screens. Maryland has only two locations with less than 4 screens. Both are non-profit and already play open captioned shows voluntarily.

With the passage of HB 1363, we estimate that Maryland's movie theatres would play almost 50,000 Open Caption Showings annually, well in excess of consumer demand.

## **Collaboration and Commitment**

Maryland's movie theaters are committed to access for individuals that are deaf or hard of hearing. For over 25 years, the movie theater industry has collaborated with individuals who are deaf or hard of hearing, advocacy groups, film studios, and technology developers to achieve access to all feature films at all times.

Moviegoers in Maryland seeking captions have the flexibility to view a movie with captions at any showtime, on any day. In 2016, the Department of Justice issued a final rule requiring digital movie theaters to provide closed movie captioning equipment. The DOJ adopted the majority of recommendations set forth in an agreement between the National Association of Theatre Owners and major advocacy groups, including the Hearing Loss Association of America and the National Association of the Deaf. Through these collaborative efforts, today, digital movie theaters in Maryland offer closed movie captioning devices (allowing text to be viewable by an individual moviegoer) that can be used at any show time for any movie that comes with closed movie captions.

Mid-Atlantic NATO had worked with the sponsor of HB 1363 prior to a House Hearing held on March 4, 2025, and together with deaf or hard of hearing advocates, had mutually agreed to remove the section on the reporting requirements. For whatever reason, the prepared amendment never made its way to the committee and was not considered when they gave a favorable report.

## **State of the Industry**

Movie theaters in the state of Maryland continue to face economic challenges due to the lasting impacts of the pandemic and the Hollywood strikes. While the industry is slowly on a path to recovery, theaters are continually working to stabilize their businesses, and any additional regulations at this stage would place further strain on operators as they move forward.



## **The Status of Maryland Movie Theatres**

Despite slight gains in attendance numbers from when theatres were shuttered due to the pandemic, 2024 box office admissions in Maryland remained at least 27.4% lower for the year than they were pre-pandemic, and even lower than they were in 2023. It will likely take years for Maryland theatres to recover their pandemic related losses and the Hollywood labor strikes only further compounded the issue by limiting new product in 2024.

In the last twenty-four months two large theatre operators closed six significant Maryland locations and since the pandemic numerous other smaller operators left Maryland including ArcLight Cinemas, Bow Tie Cinemas, CMX/CinéBistro, New Vision Theatres, and Northeast/Hoyts Cinema.

Most recently, the AMC Lexington Park closed on March 5, 2025, while the Regal Theatre in Germantown and the Next Act Theatre in Pikesville closed permanently in December of 2024. The start of 2025 has already been the worst for Maryland's movie theatres in recent years, and theatre film supply continues to be affected by direct to streaming and Hollywood's recent labor strikes. Adding showtime and reporting requirements will directly and negatively impact the continuing financial viability of the remaining Maryland theaters.

A full listing of Maryland Movie Theatres covered by the current law, those that would be added by HB 1363, and those that recently closed in the state follows these comments.

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## MARYLAND MOVIE THEATRES - Open Captioning

|                                       | Name   | Location             | Screens    |
|---------------------------------------|--|----------------------|------------|
| 1                                     | Cinemark Egyptian 24 and XD                  | Hanover              | 24         |
| 2                                     | Regal Majestic 20                            | Silver Spring        | 20         |
| 3                                     | AMC Dine-In Rio Cinemas 18                   | Gaithersburg         | 18         |
| 4                                     | AMC Owings Mills 17                          | Owings Mills         | 17         |
| 5                                     | AMC Loews White Marsh 16                     | Baltimore            | 16         |
| 6                                     | AMC Montgomery 16                            | Bethesda             | 16         |
| 7                                     | Regal Salisbury Stadium 16 and RPX           | Salisbury            | 16         |
| 8                                     | Regal Valley Mall Movies 16                  | Hagerstown           | 16         |
| 9                                     | Regal Westview Stadium 16 and IMAX           | Frederick            | 16         |
| 10                                    | Cinemark Towson and XD                       | Towson               | 15         |
| 11                                    | AMC Columbia 14                              | Columbia             | 14         |
| 12                                    | Cinemark Snowden River                       | Columbia             | 14         |
| 13                                    | Regal Hyattsville Royale 14                  | Hyattsville          | 14         |
| 14                                    | Xscape Theaters 14                           | Brandywine           | 14         |
| 15                                    | Regal Rockville Center Stadium 13            | Rockville            | 13         |
| 16                                    | AMC Magic Johnson Capital Centre 12 and IMAX | Largo                | 12         |
| 17                                    | AMC Rivertowne 12                            | Oxon Hill            | 12         |
| 18                                    | R/C Lexington Exchange Movies 12             | California           | 12         |
| 19                                    | Regal Hunt Valley Stadium 12                 | Hunt Valley          | 12         |
| 20                                    | Regal Laurel Towne Centre 12                 | Laurel               | 12         |
| 21                                    | Regal Waugh Chapel Stadium 12 & IMAX         | Gambrills            | 12         |
| 22                                    | AMC Annapolis Mall 11                        | Annapolis            | 11         |
| 23                                    | Flagship East Point 10 Cinemas               | Baltimore            | 10         |
| 24                                    | Warehouse Cinemas Frederick                  | Frederick            | 10         |
| 25                                    | Warehouse Cinemas Leitersburg                | Hagerstown           | 10         |
| 26                                    | AMC St. Charles Town Center 9                | Waldorf              | 9          |
| 27                                    | AMC Wheaton Mall 9                           | Wheaton              | 9          |
| 28                                    | Cinapolis Gaithersburg 9                     | Gaithersburg         | 9          |
| 29                                    | Landmark Annapolis Harbour 9                 | Annapolis            | 9          |
| 30                                    | R/C Westminster 9                            | Westminster          | 9          |
| 31                                    | AMC Academy 8                                | Greenbelt            | 8          |
| 32                                    | AMC Loews Centerpark 8                       | Beltsville           | 8          |
| 33                                    | AMC Security Square 8                        | Baltimore            | 8          |
| 34                                    | Garrett 8 Cinemas                            | Oakland              | 8          |
| 35                                    | Golden Star Country Club Cinemas             | La Vale              | 8          |
| 36                                    | Horizon Aberdeen                             | Aberdeen             | 8          |
| 37                                    | Horizon Marley Station Movies                | Glen Burnie          | 8          |
| 38                                    | IPic Bethesda Pike & Rose                    | Bethesda             | 8          |
| 39                                    | Landmark Bethesda Row Cinema                 | Bethesda             | 8          |
| <b>39 Locations Currently Covered</b> |  | <b>Total Screens</b> | <b>473</b> |



| MARYLAND MOVIE THEATRES - Open Captioning<br>to be added by HB 1363 |                                   |                         |            |
|---|-----------------------------------|-------------------------|------------|
| 1   | Flagship Churchville 7            | Churchville             | 7          |
| 2   | Flagship Harbor East Cinema       | Baltimore               | 7          |
| 3   | Flagship Ocean City               | Ocean City              | 7          |
| 4   | Horizon Fallston                  | Fallston                | 7          |
| 5   | Warehouse Cinemas Rotunda         | Baltimore               | 7          |
| 6   | Phoenix Big Cinemas Marlow 6      | Temple Hills            | 6          |
| 7   | Triton Easton Premier Cinemas     | Easton                  | 6          |
| 8   | Flagship Calvert Village Movies   | Prince Frederick        | 5          |
| 9   | Flagship Chester 5 Cinemas        | Chestertown             | 5          |
| 10  | The Charles Theatre               | Baltimore               | 5          |
| 11  | Gold Coast Theatre                | Ocean City              | 4          |
| 12  | R/C Hollywood Cinema 4            | Arbutus                 | 4          |
| 13  | The Senator Theatre               | Baltimore               | 4          |
| 14  | Triton Cambridge Premier Cinema 4 | Cambridge               | 4          |
| <b>14 Locations to be added by HB 1363</b>                          |                                   | <b>Total Additional</b> | <b>78</b>  |
| <b>53 Total Locations with Open Captioning</b>                      |                                   | <b>Total Screens</b>    | <b>557</b> |

| CLOSED |                                  |                       |    |                          |
|--------|----------------------------------|-----------------------|----|--------------------------|
| 1      | Fox Theatres Sun & Surf 8        | Ocean City, MD        | 8  | Closed September 5, 2022 |
| 2      | Hoyts West Nursery Cinemas 14    | Linthicum Heights, MD | 14 | Closed January 2023      |
| 3      | Parkway Theatre                  | Baltimore             | 3  | Closed early 2023        |
| 4      | Horizon Cinemas Beltway Movies 8 | Fullerton, MD         | 8  | Closed February 2023     |
| 5      | Regal Cinemas Bowie 14           | Bowie, MD             | 14 | Closed April 2023        |
| 6      | Regal Cinemas Bel Air Stadium 14 | Bel Air, MD           | 14 | Closed July 2023         |
| 7      | Horizon Cinemas Sun Valley 6     | Glen Burnie, MD       | 6  | Closed September 2024    |
| 8      | Regal Cinemas Germantown 14      | Germantown, MD        | 14 | Closed December 2024     |
| 9      | Next Act Cinemas                 | Pikesville, MD        | 2  | Closed December 2024     |
| 10     | AMC Loews Lexington Park 6       | Lexington Park        | 6  | Closed March 5, 2025     |