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H.312

Introduced by Representatives Yantachka of Charlotte, Cordes of Lincoln,  
Gardner of Richmond, Killacky of South Burlington,  
McCormack of Burlington, McCullough of Williston, Patt of  
Worcester, Potter of Clarendon, Rosenquist of Georgia, Smith  
of New Haven, Sullivan of Burlington, and Walz of Barre City

Referred to Committee on

Date:

Subject: Human services; public accommodations; deaf and hard of hearing;  
movie theaters

Statement of purpose of bill as introduced: This bill proposes to require movie  
theaters to provide showings of motion pictures with open movie captioning.

An act relating to open movie captioning in movie theaters

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 9 V.S.A. § 4509 is added to read:

§ 4509. MOVIE THEATERS; OPEN CAPTIONING

(a) As used in this section:

(1) "Movie theater" means an entity in the business of providing  
showings of motion pictures to the general public.

1           (2) “Open movie captioning” means the written, on-screen display of a  
2           motion picture’s dialogue and nonspeech information, such as music, the  
3           identity of the character who is speaking, and other sounds and sound effects.

4           (3) “Peak movie attendance hours” means the hours after 6:00 p.m. on  
5           Friday, or the hours after 12:00 noon on Saturday and Sunday.

6           (b)(1) A movie theater with four or more screens shall provide open movie  
7           captioning during at least four scheduled showings per week of each motion  
8           picture that is produced and offered with open movie captioning, provided that:

9                   (A) at least two of the showings required by this subdivision shall be  
10           provided during peak movie attendance hours; and

11                   (B) at least one of the showings required by this subdivision shall be  
12           provided outside of peak movie attendance hours and shall start after 6:00 p.m.  
13           but before 11:00 p.m. on Monday, Tuesday, Wednesday, or Thursday.

14           (2) A movie theater with two or three screens shall provide open movie  
15           captioning during at least two scheduled showings per week of each motion  
16           picture that is produced and offered with open movie captioning. At least one  
17           showing with open movie captioning shall be provided during peak movie  
18           attendance hours.

19           (3) A movie theater with one screen shall provide a screening of a  
20           motion picture produced with open movie captioning at least once per month.

1       (c) A violation of subsection (b) of this section shall be an unlawful  
2       discriminatory practice pursuant to section 4506 of this chapter.

3       (d)(1) A movie theater shall advertise the date and time of motion picture  
4       showings required pursuant to subsection (b) of this section in the same  
5       manner as the movie theater advertises all other motion picture showings.

6       (2) A movie theater shall provide, through radio, television, social  
7       media, or print media advertising, and by posting inside the movie theater,  
8       notice to all customers of the following:

9               (A) the availability of showings of motion pictures with open movie  
10       captioning; and

11               (B) whether each motion picture shown by the movie theater is  
12       available with or without open movie captioning.

13       (e) Nothing in this section shall prohibit the showing of a motion picture  
14       that is produced and distributed without open movie captioning, provided that  
15       the movie theater shall issue notice to the public of which motion pictures  
16       offered by the movie theater are produced and distributed without open movie  
17       captioning.

18       Sec. 2. EFFECTIVE DATE

19       This act shall take effect on July 1, 2019.