

SB 5027 - H COMM AMD

By Committee on Civil Rights & Judiciary

ADOPTED AS AMENDED 04/05/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 49.60
4 RCW to read as follows:

5 (1)(a) Any person that owns or manages a place of public
6 accommodation that offers a closed-captioned television receiver for
7 use in any public area must activate closed captioning with black
8 background, white text color, and a style and size of font that is
9 readable to people with low vision, unless:

10 (i) The only receiver of television programming available in a
11 public area is technically incapable of displaying closed captioning;
12 or

13 (ii) The place of public accommodation is otherwise exempt from
14 the closed captioning requirement under state or federal law.

15 (b) In a public area with multiple televisions, up to 50 percent
16 of on-premises televisions may be exempt from displaying closed
17 captioning. The exempted televisions must clearly display that they
18 do not have volume or are on mute.

19 (2) If multiple television models are displayed together for sale
20 in a public area, at least one closed-captioned television must be
21 available for viewing.

22 (3) If after 90 days from the effective date of this section a
23 person that owns or manages a place of public accommodation fails to
24 comply with the requirements of this section, that person shall be
25 subject to a civil fine of up to \$75 for each violation. Written
26 notice of the violation must be provided to the person and must state
27 that the fine will be assessed. The notice must also state that the
28 person has an opportunity to cure the violation by complying with the
29 requirement within 30 days after delivery of the notice. If the
30 person demonstrates compliance within the 30-day period, the fine
31 will not be assessed, and the violation must be dismissed. Any
32 subsequent violation shall result in a civil fine of up to \$150.

1 (4) For purposes of this section the following definitions apply:

2 (a) "Closed-captioned television receiver" means a receiver of
3 television programming that has the ability to display closed
4 captioning including, but not limited to, a television, digital set-
5 top box, and other technology capable of displaying closed captioning
6 for television programming.

7 (b) "Closed captioning" means a transcript or dialog of the audio
8 portion of a television program that is displayed on either the
9 bottom or top portion of a television receiver screen when the user
10 activates the feature. There is no requirement for the closed-
11 captioned transcript or dialog to be in any language other than the
12 language of the audio programming, or a default language where a
13 television receiver only displays one language.

14 (c) "Public area" means any part of a place of public
15 accommodation that is open to the general public.

16 (5) A violation of this section is a violation of this chapter.

17 (6) The human rights commission must prepare an educational
18 pamphlet advising employers and employees of their duty and liability
19 under this section. The pamphlet should be made available online.
20 Employers must provide employees with training on this section using
21 the pamphlet."

22 Correct the title.

EFFECT: Requires closed captioning to be in white text color with
a black background and in a style and size that is readable to people
with low vision.

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