

SB 5027 - H COMM AMD

By Committee on Civil Rights & Judiciary

ADOPTED AND ENGROSSED 4/5/2021

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 (c) A place of public accommodation may deactivate closed
20 captioning on a television receiver actively displaying text at the
21 request of a vision impaired person. The deactivation of closed
22 captioning is for the length of time the requestor is at the place of
23 public accommodation.

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

27 (3) If after 90 days from the effective date of this section a
28 person that owns or manages a place of public accommodation fails to
29 comply with the requirements of this section, that person shall be
30 subject to a civil fine of up to \$75 for each violation. Written
31 notice of the violation must be provided to the person and must state
32 that the fine will be assessed. The notice must also state that the

1 person has an opportunity to cure the violation by complying with the
2 requirement within 30 days after delivery of the notice. If the
3 person demonstrates compliance within the 30-day period, the fine
4 will not be assessed, and the violation must be dismissed. Any
5 subsequent violation shall result in a civil fine of up to \$150.

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

7 (a) "Closed-captioned television receiver" means a receiver of
8 television programming that has the ability to display closed
9 captioning including, but not limited to, a television, digital set-
10 top box, and other technology capable of displaying closed captioning
11 for television programming.

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

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

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

22 (6) The human rights commission must prepare an educational
23 pamphlet advising employers and employees of their duty and liability
24 under this section. The pamphlet should be made available online.
25 Employers must provide employees with training on this section using
26 the pamphlet."

27 Correct the title.

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