

CERTIFICATION OF ENROLLMENT

SENATE BILL 5027

Chapter 229, Laws of 2021

67th Legislature
2021 Regular Session

TELEVISION CLOSED CAPTIONING—PLACES OF PUBLIC ACCOMMODATION

EFFECTIVE DATE: July 25, 2021

Passed by the Senate April 14, 2021
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Passed by the House April 5, 2021
Yeas 97 Nays 0

Laurie Jinkins

**Speaker of the House of
Representatives**

Approved May 10, 2021 3:25 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5027** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

May 10, 2021

**Secretary of State
State of Washington**

SENATE BILL 5027

AS AMENDED BY THE HOUSE

Passed Legislature - 2021 Regular Session

State of Washington **67th Legislature** **2021 Regular Session**

By Senators Padden, Salomon, Hunt, Lovelett, Stanford, and Wilson, C.

Prefiled 12/21/20. Read first time 01/11/21. Referred to Committee on Law & Justice.

1 AN ACT Relating to closed captioning on televisions in places of
2 public accommodation; adding a new section to chapter 49.60 RCW; and
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.60
6 RCW to read as follows:

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

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

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

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

1 (c) A place of public accommodation may deactivate closed
2 captioning on a television receiver actively displaying text at the
3 request of a vision impaired person. The deactivation of closed
4 captioning is for the length of time the requestor is at the place of
5 public accommodation.

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

9 (3) If after 90 days from the effective date of this section a
10 person that owns or manages a place of public accommodation fails to
11 comply with the requirements of this section, that person shall be
12 subject to a civil fine of up to \$75 for each violation. Written
13 notice of the violation must be provided to the person and must state
14 that the fine will be assessed. The notice must also state that the
15 person has an opportunity to cure the violation by complying with the
16 requirement within 30 days after delivery of the notice. If the
17 person demonstrates compliance within the 30-day period, the fine
18 will not be assessed, and the violation must be dismissed. Any
19 subsequent violation shall result in a civil fine of up to \$150.

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

21 (a) "Closed-captioned television receiver" means a receiver of
22 television programming that has the ability to display closed
23 captioning including, but not limited to, a television, digital set-
24 top box, and other technology capable of displaying closed captioning
25 for television programming.

26 (b) "Closed captioning" means a transcript or dialog of the audio
27 portion of a television program that is displayed on either the
28 bottom or top portion of a television receiver screen when the user
29 activates the feature. There is no requirement for the closed-
30 captioned transcript or dialog to be in any language other than the
31 language of the audio programming, or a default language where a
32 television receiver only displays one language.

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

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

36 (6) The human rights commission must prepare an educational
37 pamphlet advising employers and employees of their duty and liability
38 under this section. The pamphlet should be made available online.
39 Employers must provide employees with training on this section using
40 the pamphlet.

Passed by the Senate April 14, 2021.
Passed by the House April 5, 2021.
Approved by the Governor May 10, 2021.
Filed in Office of Secretary of State May 10, 2021.

--- **END** ---