

SSB 6182 - H COMM AMD

By Committee on Civil Rights & Judiciary

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, unless:

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

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

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

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

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

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

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

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

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

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

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

21 Correct the title.

EFFECT: Requires that written notice of the violation be provided
and a first-time violator be given an opportunity to cure the
violation prior to being subject to a fine. Requires dismissal of an
initial violation if the person demonstrates compliance with the
requirement within 30 days of delivery of the notice.

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