

SENATE BILL REPORT

SB 5486

As of February 3, 2025

Title: An act relating to open motion picture captioning in motion picture theaters.

Brief Description: Concerning open motion picture captioning in motion picture theaters.

Sponsors: Senators Orwall, Dhingra, Nobles and Trudeau.

Brief History:

Committee Activity: Law & Justice: 2/04/25.

Brief Summary of Bill

- Requires movie theaters to provide captioning for movie screenings.
- Sets fines for failures to comply.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Patrick Moore (786-7535)

Background: Closed captioning and open captioning are forms of video subtitling that display dialogue and other information, sometimes used by viewers who are deaf or hard of hearing. Closed captioning can be turned on and off. Open captioning is always in view on the main screen and cannot be turned off. In movie theaters, closed captioning can be delivered to individual viewers through accessory screens or glasses that display the subtitling. Open captioning in movie theaters is displayed on the main screen as part of the screening. There are presently requirements for television closed captioning in places of public accommodation.

The Human Rights Commission receives, investigates, and issues findings on claims of discrimination. When the commission finds an unfair practice has occurred, staff work to eliminate it through dialogue and agreement, if possible. If no agreement is reached, the

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case may be heard and ruled on by an administrative law judge who may award damages, as well as order the alleged discriminating party cease unfair practices and take remedial actions.

Summary of Bill: Movie theaters that are open to the public for a charge are required to provide closed and open captioning. All such theaters are required to provide closed captioning technology for the general public in each screening of movies that have closed captioning available. For movies that have open captioning available, movie theaters with six or more screens must run a certain number of screenings within different periods such as the first two weeks of a movie's release and peak hours of business. Theaters with five or fewer screens may either follow the same criteria on open captioning that apply to larger theaters or provide an open-captioned screening within 72 hours of receiving a request.

Theaters must advertise and list the times of open-caption screenings in the same manner they do for other screenings. Theaters must also keep records of their compliance for one year. First-time violation of any of these requirements results in a \$100 civil fine for each violation, but there is a notice and opportunity to cure. Subsequent violations result in fines of up to \$500. The Washington State Human Rights Commission is required to prepare a pamphlet advising movie theaters about their duty and liability under this bill.

Appropriation: None.

Fiscal Note: Requested on January 30, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on January 1, 2026.