

HOUSE No. 3167

The Commonwealth of Massachusetts

PRESENTED BY:

Denise C. Garlick

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to closed captioning on public-facing televisions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	<i>1/18/2023</i>

HOUSE No. 3167

By Representative Garlick of Needham, a petition (accompanied by bill, House, No. 3167) of Denise C. Garlick relative to closed captioning on public-facing televisions. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to closed captioning on public-facing televisions.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 25C of the General Laws, as appearing in the 2020 Official
2 Edition, is hereby amended by adding the following section:-

3 Section 10. (a) For the purposes of this section, the following words shall have the
4 following meanings unless the context clearly requires otherwise:

5 “Closed captioning”, a transcript or dialog of the audio portion of a television program
6 that is displayed on the bottom portion of a television receiver screen when the user activates the
7 feature.

8 “Closed captioning television receiver”, a receiver of television programming that has the
9 ability to display closed captioning, including but not limited to a television, digital set top box,
10 and other technology capable of displaying closed captioning for television programming.

11 “Public area”, any part of a public facility that is open to the general public.

12 “Public facility”, any place, business, facility or other establishment of whatever kind, or
13 agency, whether owned privately or by a public agency which caters or offers services, facilities
14 or goods to or is intended for the use or convenience of the general public whether for a charge
15 or fee or not, provided that nothing contained herein shall be construed to include or apply to any
16 place, business, facility or other establishment which is by its nature distinctly private, except
17 that when such establishment caters or offers services to the general public, it shall be deemed a
18 public accommodation during such period.

19 “Public entertainment venue”, a place that is open to the public for mass gathering for
20 entertainment, regardless of whether or not a ticket or payment of any type is required for
21 admission, including but not limited to cinemas, theaters, concert halls, sports centers and
22 festivals.

23 “Regular hours”, the hours of any day in which a public facility is generally open to
24 members of the general public.

25 (b) A public facility in the commonwealth shall activate closed captioning on closed
26 captioned television receivers in use in any public area during regular hours.

27 (c) Subsection (b) shall not apply to public entertainment venues or if:

28 (i) No television receiver of any kind is available in the public area; or

29 (ii) The only public television receiver available in the public area is not a closed-
30 captioning television receiver.

31 (d) Nothing in this section shall be construed to imply an exemption from state or federal
32 requirements, including but not limited to those for effective communication and reasonable
33 accommodations required under the Americans with Disabilities Act.

34 (e) An individual may file a complaint with the Massachusetts commission against
35 discrimination pursuant to section of chapter 151B.