

SENATE No. 79

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Barrett

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 to require closed captioning in telecommunications in public areas.

PETITION OF:

NAME:

Michael J. Barrett

DISTRICT/ADDRESS:

Third Middlesex

SENATE No. 79

By Mr. Barrett, a petition (accompanied by bill, Senate, No. 79) of Michael J. Barrett for legislation to require closed captioning in telecommunications in public areas. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to require closed captioning in telecommunications in public areas.

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

1 Chapter 25C is hereby amended by inserting after section 8 the following section:-

2 Section 9.

3 (a) As used in this chapter, the following words shall, unless the context clearly requires
4 otherwise, have the following meaning:-

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

7 "Closed-captioning television receiver", a receiver of television programming that has the
8 capacity to display closed captioning, including but not limited to a television, digital set top box,
9 or other technology.

10 "Public area", a part of a place of public accommodation that is open to the general
11 public.

12 "Regular hours", the hours of any day in which a place of public accommodation is open
13 to members of the general public.

14 (b) Upon request, a place of public accommodation shall not fail to keep closed
15 captioning activated on any closed-captioning television receiver that is in use during regular
16 hours in any public area.

17 (c) Notwithstanding the above, a place of public accommodation shall not be required to
18 make closed captioning available in a public area of said place if: (i) no television receiver of any
19 kind is available in the public area; or (ii) the only public television receiver available in the
20 public area is not a closed-captioning television receiver.

21 (d) Violations of subsection (b) shall constitute discrimination as defined in section 98 of
22 chapter 272. The authority of the Massachusetts Commission on Discrimination shall extend to
23 matters involving alleged or actual violations of this subsection.