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8 A BILL

13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

18 To provide that an entity holding a basic business license with an "Entertainment:
19 Moving picture theater" endorsement shall provide open movie captioning at
20 specified times; to provide that a violation shall be a unlawful discriminatory
21 practice; and to require notice of the requirements of this act.

23 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

24 That this act may be cited as the "Open Movie Captioning Requirement Act of 2018".

25 Sec. 2. Definitions.

26 For purposes of this act, the term:

27 (1) "Movie theater" means an entity holding a basic business license with
28 an "Entertainment: Moving picture theater" endorsement.

29 (2) "Open movie captioning" means the written, on-screen display of a
30 motion picture's dialogue and non-speech information, such as music, the identity of the
31 character who is speaking, and other sounds and sound effects.

32 (3) "Peak movie attendance hours" means the hours after 6:00 p.m. on
33 Friday, or the hours after 12:00 pm on Saturday, and Sunday.

34 Sec. 3. Open Movie Captioning required.

35 (a)(1) A movie theater with more than three screens shall provide open movie
36 captioning during at least four scheduled showings per week of each motion picture that
37 is produced and offered with open movie captioning; provided, that:

38 (A) At least two of the showings required by this paragraph shall
39 be provided during peak movie attendance hours; and

40 (B) At least one of the showings required by this paragraph shall
41 be provided outside of peak movie attendance hours and shall start after 6:00 p.m. but
42 before 11:00 p.m. on Monday, Tuesday, Wednesday, or Thursday.

43 (2) A movie theater with two or three screens shall provide open movie
44 captioning during at least two scheduled showings per week of each motion picture that is
45 produced and offered with open movie captioning; provided, that at least one showing
46 shall be provided during peak movie attendance hours.

47 (3) A movie theater with one screen shall provide a screening of a motion
48 picture produced with open movie captioning as follows:

49 (A) Once per month; or

50 (B) Upon receipt of a request made through a process established
51 by the Mayor pursuant to the requirements of the District of Columbia Administrative
52 Procedure Act, effective October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-501 *et*
53 *seq.*).

54 (b) This section shall not prohibit the showing of a motion picture that is produced
55 and distributed without open movie captioning; provided, that the movie theater shall
56 provide notice to the public of which motion pictures shown by the movie theater are
57 produced and distributed without open movie captioning.

58 (c) A violation of this section shall be an unlawful discriminatory practice,
59 pursuant to section 231 of the Human Rights Act of 1977, effective December 13, 1977
60 (D.C. Law 2-38; D.C. Official Code § 2-1402.31).

61 Sec. 4. Notice required.

62 (a) A movie theater shall advertise the date and time of motion picture showings
63 required by section 3 in the same manner as the movie theater advertises all other motion
64 picture showings.

65 (b) A movie theater shall provide, through radio and television advertisement,
66 social media, and print media, and by posting inside in the movie theater, notice to all
67 customers of the following:

68 (1) The availability of showings of motion pictures with open movie
69 captioning; and

70 (2) The notice required by subsection 3(c).

71 (c)(1) The Mayor shall coordinate with the Office of Disability Rights and other
72 agencies the Mayor deems appropriate to create an awareness campaign publicizing the
73 requirements of this act and explaining the benefits provided by this act, including by
74 requiring movie theaters to provide information about open movie captioning.

75 (2) All outreach information shall comply with the Language Access Act
76 of 2004, effective June 19, 2005 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*).

77 Sec. 5. Fiscal impact statement.

78 The Council adopts the fiscal impact statement in the committee report as the
79 fiscal impact statement required by section 4a of the General Legislative Procedures Act
80 of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

81 Sec. 6. Effective date.

82 This act shall take effect following approval by the Mayor (or in the event of veto
83 by the Mayor, action by the Council to override the veto), a 30-day period of
84 congressional review as provided in section 602(c)(1) of the District of Columbia Home
85 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
86 206.02(c)(1)), and publication in the District of Columbia Register.