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# A BILL FOR AN ACT

RELATING TO MOVIE THEATRES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 489-9, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "~~[+]~~ §489-9 ~~[+]~~ Motion picture theater accommodation. (a)  
4 A public accommodation that owns, leases, leases to, or operates  
5 a motion picture theater in more than two locations in the State  
6 shall provide open movie captioning during at least two showings  
7 per week of each motion picture that is produced and offered  
8 with open movie captioning.  
9           (b) A public accommodation that owns, leases, leases to,  
10 or operates a motion picture theater in the State may provide a  
11 personal closed captioning system by means of lightweight  
12 eyewear for a motion picture that is produced and offered with  
13 closed captioning content.  
14           ~~[+]~~ (c) A public accommodation that owns, leases, leases  
15 to, or operates a motion picture theater in the State shall  
16 provide, upon request, audio description of any motion picture  
17 that is produced and offered with audio description.



1            ~~[(e)]~~ (d) A violation of this section shall be a  
2 discriminatory practice.

3            ~~[(d)]~~ (e) This section shall apply to motion pictures that  
4 are produced and distributed with the necessary auxiliary aids  
5 and services, including captioning and audio description. This  
6 section shall not prohibit the showing of a motion picture that  
7 is produced and distributed without captioning and audio  
8 description; provided that a public accommodation that owns,  
9 leases, leases to, or operates a motion picture theater shall  
10 provide notice to the public if a motion picture offered for  
11 viewing is produced and distributed without captioning or audio  
12 description.

13            ~~[(e)]~~ (f) For the purposes of this section, "motion  
14 picture theater" means a movie theater, screening room, or other  
15 venue in use primarily for the exhibition of a motion picture."

16            SECTION 2. Act 39, Session Laws of Hawaii 2015, is amended  
17 by amending section 3 to read as follows:

18            "SECTION 3. This Act shall take effect on January 1,  
19 2016 [~~, and shall be repealed on January 1, 2018~~]."

20            SECTION 3. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Motion Picture Theater Accommodation; Closed Captioning; Open Movie Captioning; Audio Description

**Description:**

Permits a public accommodation that owns, leases, leases to, or operates a motion picture theater in the State to provide a personal closed captioning system for a motion picture that is produced and offered with closed captioning content. Removes the sunset date of Act 39, Session Laws of Hawaii 2015, thereby making permanent the requirements for a public accommodation that owns, leases, leases to, or operates a motion picture theater in more than two locations in the State to provide open movie captioning during at least two showings per week of each motion picture that is produced and offered with open movie captioning and audio descriptions upon request for all motion pictures for which such accommodations are available and provide public notice if such accommodations are not available for certain movies. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

