



**DEPARTMENT OF BUSINESS,
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Statement of
Luis P. Salaveria
Director
Department of Business, Economic Development, and Tourism
before the

COMMITTEE ON JUDICIARY AND LABOR

Tuesday February 21, 2017

9:15 AM

State Capitol, Conference Room 016

In consideration of
SB 1156
RELATING TO MOVIE THEATERS

Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Senate
Committee on Judiciary and Labor.

The Department of Business, Economic Development and Tourism (DBEDT) **supports** SB 1156, which would make permanent the requirements that a public accommodation that owns, leases, leases to or operates a motion picture theatre in more than two locations in the State must under certain conditions provide open movie captioning and audio description upon request of any motion picture that is produced and offered with audio description.

Through open captioning, members of this community have been able to follow both audio and visual aspects of the films exhibited with the general public.

Act 39, SLH 2015, went into effect January 1, 2016, and has been successfully implemented by Hawaii movie theatres. Section 3 of Act 39 includes a sunset provision that provides for the repeal of the Act on January 1, 2018. SB 1156 would delete the sunset date and make permanent the requirements.

We thank you for the opportunity to testify on this measure.



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
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February 21, 2017

TESTIMONY TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR

Senate Bill 1156 – Relating to Movie Theaters

The Disability and Communication Access Board (DCAB) supports Senate Bill 1156. The purpose of Senate Bill 1156 is to remove 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.

The proposed amendment to the current law would address the discriminatory effects of communication barriers at movie theaters encountered by individuals who are deaf or hard of hearing by making the requirement to offer open captioned movies in Hawaii permanent. This law would afford individuals who are deaf or hard of hearing an equal opportunity to attend open captioned movies and follow both the audio and visual aspects of movies exhibited in motion pictures similar to members of the general public. After a year of offering open captioned movies, local motion picture theaters should realize that providing people the opportunity to view movies with their family and friends improves access to their services for everyone.

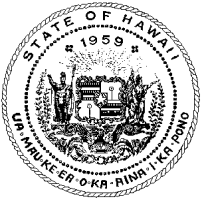
We ask that you pass this bill out of Committee.

Thank you for the opportunity to testify.

Respectfully submitted,

BARBARA FISCHLOWITZ-LEONG
Chairperson
Legislative Committee

FRANCINE WAI
Executive Director



HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 21, 2017
Rm. 016, 9:15 a.m.

To: The Honorable Gilbert Keith-Agaran, Chair
Members of the Senate Committee on Judiciary and Labor

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 1156

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in public accommodations, HRS chapter 489, including § 489-9, which requires movie theaters to provide open captioning during at least two showings per week of each motion picture that is produced and offered with open captioning, and also requires movie theaters to provide audio description upon request of any motion picture that is produced and offered with audio description.

HRS §489-9 was added to chapter 489 by the enactment of Act 39, L. 2015, effective January 1, 2016, and has been successfully implemented by Hawai‘i movie theaters.

Section 3 of Act 39 includes a “drop dead” or “sunset” provision that provides for the repeal of the Act on January 1, 2018.

S.B. No. 1156 would delete the “sunset” provision of Act 39. This makes sense, because the state law accessibility requirements go beyond those provided in the U.S. Department of Justice final rules, effective January 17, 2017. The federal rules provide only for closed captioning, without requiring any showings with open captioning. For this reason, HRS § 489-9 continues to provide meaningful accessibility, even after the federal rules have gone into effect.

The HCRC supports S.B. No. 1156.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for SB1156 on Feb 21, 2017 09:15AM*
Date: Monday, February 20, 2017 9:50:00 AM

SB1156

Submitted on: 2/20/2017

Testimony for JDL on Feb 21, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Darlene Ewan	Individual	Support	No

Comments:

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SB1156

Submitted on: 2/18/2017

Testimony for JDL on Feb 21, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Hanae Otani	Individual	Comments Only	No

Comments: First time going to a hearing

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SB1156

Submitted on: 2/17/2017

Testimony for JDL on Feb 21, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Murakami-Akatsuka	Individual	Support	No

Comments: I strongly support the passage of SB 1156. Thank you for the opportunity to testify.

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SB1156

Submitted on: 2/18/2017

Testimony for JDL on Feb 21, 2017 09:15AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Manuel	Individual	Comments Only	No

Comments: First time going to a testimony.

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