

5348

2015-2016 Regular Sessions

I N S E N A T E

May 13, 2015

Introduced by Sen. LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil rights law, in relation to requiring places of public accommodation, resort or amusement that operate televisions during regular hours of operation to provide closed captioning on certain televisions upon request

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The civil rights law is amended by adding a new section
2 79-o to read as follows:

3 S 79-O. CLOSED CAPTIONING IN PLACES OF PUBLIC ACCOMMODATION, RESORT OR
4 AMUSEMENT. 1. A PLACE OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT, AS
5 DEFINED IN SUBDIVISION NINE OF SECTION TWO HUNDRED NINETY-TWO OF THE
6 EXECUTIVE LAW, SHALL UPON REQUEST BE REQUIRED TO HAVE CLOSED CAPTIONING
7 ENABLED ON ALL TELEVISIONS THAT ARE LOCATED IN THE PUBLIC AREA OF SUCH
8 ESTABLISHMENT DURING REGULAR HOURS OF BUSINESS. THE REGULAR HOURS OF
9 BUSINESS OF THE PLACE OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT SHALL
10 BE THE HOURS OF OPERATION AS POSTED IN SUCH ESTABLISHMENT.

11 2. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY IF:

12 (A) NO TELEVISIONS IN THE PUBLIC AREA OF THE PLACE OF PUBLIC ACCOMMO-
13 DATION, RESORT OR AMUSEMENT ARE CAPABLE OF PROVIDING CLOSED CAPTIONING;
14 OR

15 (B) IN THE EVENT THAT TWO TELEVISIONS IN THE PUBLIC AREA OF THE PLACE
16 OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT HAVE THE SAME CHANNEL
17 BEING BROADCAST, ONLY ONE OF THE TELEVISIONS SHALL BE SUBJECT TO THIS
18 SECTION.

19 3. DEFINITIONS. AS USED IN THIS SECTION:

20 (A) "CLOSED CAPTIONING" SHALL MEAN A FEATURE ON A TELEVISION THAT WHEN
21 ACTIVATED WILL VISUALLY DISPLAY A TRANSCRIPTION OF THE AUDIO PORTION OF
22 VIDEO PROGRAMMING; AND

23 (B) "PUBLIC AREA" SHALL MEAN THE SECTION OF A PLACE OF PUBLIC ACCOMMO-
24 DATION, RESORT OR AMUSEMENT THAT IS OPEN TO THE GENERAL PUBLIC.

25 S 2. This act shall take effect July 1, 2016.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD02962-03-5