

STATE OF NEW YORK

4628--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. SEAWRIGHT, ROSENTHAL, WOERNER, SIMONE, HOOKS, REYES, ALVAREZ, SHIMSKY, GALLAGHER, SCHIAVONI, ZINERMAN, FORREST -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to requiring certain motion picture theaters to provide scheduled showings of motion pictures with open motion picture captioning

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general business law is amended by adding a new article
2 44-B to read as follows:

3 ARTICLE 44-B
4 OPEN CAPTIONING

5 Section 1450. Definitions.

6 1451. Open motion picture captioning required.

7 1452. Violations.

8 1453. Preemption.

9 § 1450. Definitions. For the purposes of this article, the following
10 terms shall have the following meanings:

11 1. "Motion picture" means a story or event recorded by a camera as a
12 set of moving images.

13 2. "Motion picture theater" means an entity in the business of provid-
14 ing showings of motion pictures to the general public.

15 3. "Open motion picture captioning" means the written, on-screen
16 display of a motion picture's dialogue and non-speech information,
17 including music, the identity of the character who is speaking, and
18 other sounds and sound effects.

19 4. "Peak motion picture attendance hours" means the hours between five
20 fifty-nine in the evening and one minute past eleven o'clock in the

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

LBD02942-02-5

1 evening on Friday and the hours between eleven twenty-nine in the morn-
2 ing and one minute past eleven o'clock in the evening on Saturday or
3 Sunday.

4 § 1451. Open motion picture captioning required. 1. A motion picture
5 theater that offers more than ten motion picture showings per week shall
6 provide scheduled showings of motion pictures with open motion picture
7 captioning for at least one quarter of all showings of a motion picture
8 with four or more showings during a one-week time period. Provided that
9 no more than four open captioning showings of a single motion picture
10 shall be required in a one-week time period.

11 2. A motion picture that is produced and distributed without open
12 motion picture captioning is not subject to the provisions of subdivi-
13 sion one of this section.

14 3. At least half of the scheduled showings required pursuant to subdivi-
15 vision one of this section shall begin and end within peak motion
16 picture attendance hours, unless fewer than one in eight showings of a
17 motion picture is screened during peak motion picture attendance hours,
18 in which case this requirement is met if all screenings of such motion
19 picture during peak motion picture attendance hours have open motion
20 picture captioning.

21 4. At least half of the scheduled showings required pursuant to subdivi-
22 vision one of this section that are scheduled outside of peak motion
23 picture attendance hours shall start after five fifty-nine in the even-
24 ing and finish before one minute past eleven o'clock in the evening on
25 Mondays, Tuesdays, Wednesdays or Thursdays, unless fewer than one in
26 eight showings of a motion picture is screened after five fifty-nine in
27 the evening on Mondays, Tuesdays, Wednesdays or Thursdays, in which case
28 this requirement is met if all screenings of such motion picture during
29 such times have open motion picture captioning.

30 5. No showing of a motion picture with open motion picture captioning
31 that overlaps with another showing of a motion picture with open motion
32 picture captioning shall be counted toward the minimum number of show-
33 ings required by this section except where it is not practicable to
34 avoid such overlap.

35 6. Nothing in this article shall prevent a motion picture theater from
36 showing more motion pictures with open captioning than required by
37 subdivision one of this section.

38 7. A motion picture theater subject to the provisions of subdivision
39 one of this section shall advertise the date and time of motion picture
40 showings required by subdivision one in the same manner as the motion
41 picture theater advertises all other motion picture showings and shall
42 indicate which showings will include open motion picture captioning.

43 8. Every motion picture theater shall maintain documents sufficient to
44 demonstrate compliance with the requirements of this article for a peri-
45 od of at least three years.

46 § 1452. Violations. Any motion picture theater that violates any of
47 the provisions of this article shall be subject to a civil penalty of up
48 to one hundred dollars for the first violation, and up to five hundred
49 dollars for each subsequent violation.

50 § 1453. Preemption. The provisions of this article are cumulative and
51 supplemental and shall not apply within any municipality that, by ordi-
52 nance or resolution, has adopted provisions requiring scheduled showings
53 of motion pictures with open motion picture captioning that are equal to
54 or more stringent than the provisions of this article.

55 § 2. This act shall take effect on the one hundred twentieth day after
56 it shall have become a law.