

# STATE OF NEW YORK

4628--B

2025-2026 Regular Sessions

## IN ASSEMBLY

February 4, 2025

Introduced by M. of A. SEAWRIGHT, ROSENTHAL, WOERNER, SIMONE, REYES, ALVAREZ, SHIMSKY, GALLAGHER, SCHIAVONI, ZINERMAN, FORREST, HEVESI, TAPIA, LUPARDO, SIMON, LEVENBERG, McMAHON, RAGA, HOOKS -- 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 -- reported and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- 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-C to read as follows:

3 ARTICLE 44-C  
4 OPEN CAPTIONING

5 Section 1450. Definitions.

6 1451. Open motion picture captioning required.

7 1452. Violations.

8 1453. Preemption.

9 1454. Exemptions.

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

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

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

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

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

5 4. "Peak motion picture attendance hours" means the hours between five  
6 fifty-nine in the evening and one minute past eleven o'clock in the  
7 evening on Friday and the hours between eleven twenty-nine in the morn-  
8 ing and one minute past eleven o'clock in the evening on Saturday or  
9 Sunday.

10 § 1451. Open motion picture captioning required. 1. A motion picture  
11 theater that offers more than ten motion picture showings per week shall  
12 provide scheduled showings of motion pictures with open motion picture  
13 captioning for at least one quarter of all showings of a motion picture  
14 with four or more showings during a one-week time period. Provided that  
15 no more than four open captioning showings of a single motion picture  
16 shall be required in a one-week time period.

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

20 3. At least half of the scheduled showings required pursuant to subdivi-  
21 sion one of this section shall begin and end within peak motion  
22 picture attendance hours, unless fewer than one in eight showings of a  
23 motion picture is screened during peak motion picture attendance hours,  
24 in which case this requirement is met if all screenings of such motion  
25 picture during peak motion picture attendance hours have open motion  
26 picture captioning.

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

36 5. No showing of a motion picture with open motion picture captioning  
37 that overlaps with another showing of a motion picture with open motion  
38 picture captioning shall be counted toward the minimum number of show-  
39 ings required by this section except where it is not practicable to  
40 avoid such overlap.

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

44 7. A motion picture theater subject to the provisions of subdivision  
45 one of this section shall advertise the date and time of motion picture  
46 showings required by subdivision one in the same manner as the motion  
47 picture theater advertises all other motion picture showings and shall  
48 indicate which showings will include open motion picture captioning.

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

52 § 1452. Violations. Any motion picture theater that violates any of  
53 the provisions of this article shall be subject to a civil penalty of up  
54 to one hundred dollars for the first violation, and up to five hundred  
55 dollars for each subsequent violation.

1 § 1453. Preemption. The provisions of this article are cumulative and  
2 supplemental and shall not apply within any municipality that, by ordi-  
3 nance or resolution, has adopted provisions requiring scheduled showings  
4 of motion pictures with open motion picture captioning that are equal to  
5 or more stringent than the provisions of this article.

6 § 1454. Exemptions. Independent cinemas not affiliated with a cinema  
7 chain, not-for-profit cinemas, or any motion picture theater with one  
8 location and one screen showing movies four times or less per week are  
9 not required to show movies with open captions.

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