

HOUSE BILL No. 2295

By Committee on Health and Human Services

2-7

1 AN ACT concerning places of public accommodation; relating to public
2 areas thereof; requiring closed captioning be enabled on certain
3 televisions therein.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) (1) Televisions and television receivers located in
7 public areas of places of public accommodation shall have closed
8 captioning enabled while the place of public accommodation is open and
9 accessible to the public.

10 (2) If the public area of a place of public accommodation has multiple
11 televisions or television receivers located within, then:

12 (A) At least 1/2 of the televisions should have closed captioning
13 enabled;

14 (B) televisions shall be distributed throughout the public area so that
15 patrons of the place of public accommodation are within reasonable
16 eyesight of at least one television with closed captioning enabled; and

17 (C) in cases where multiple televisions display different programming
18 content, then at least 1/2 of the televisions displaying the same content shall
19 have closed captioning enabled.

20 (3) The provisions of this subsection shall not apply to televisions
21 that were manufactured prior to 1993.

22 (b) Nothing in this section shall be construed to require that all
23 programming content be closed captioned.

24 (c) (1) The responsibility for enforcement of this section shall be as
25 follows:

26 (A) For places of public accommodation located within the
27 incorporated limits of a city, the city's police department; and

28 (B) for places of public accommodation located within the
29 unincorporated territory of a county, the county's sheriff department.

30 (2) Violations of this section shall be subject to a civil penalty not to
31 exceed \$100.

32 (3) The Kansas commission for the deaf and hard of hearing shall
33 assist local government with technical consultation and support in the
34 development of policies and procedures, as requested.

35 (d) For purposes of this section:

36 (1) "Closed captioning" means the text display on the television

1 screen of the audio portion of a television program.

2 (2) "Television" or "television receiver" means equipment that is able
3 to display closed captioning, including, but not limited to, a television,
4 digital set top box or other technology that is capable of displaying closed
5 captions for television programming.

6 (3) "Public accommodation" shall have the meaning ascribed to it in
7 42 U.S.C. § 12181, as in effect upon the effective date of this section.

8 (4) "Public area" means any part of a place of public accommodation
9 that is open to the general public.

10 Sec. 2. This act shall take effect and be in force from and after its
11 publication in the statute book.