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

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

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

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

(A) At least $\frac{1}{2}$ of the televisions should have closed captioning enabled;

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

(C) in cases where multiple televisions display different programming content, then at least $\frac{1}{2}$ of the televisions displaying the same content shall have closed captioning enabled.

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

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

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

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

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

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

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

(d) For purposes of this section:

(1) "Closed captioning" means the text display on the television
screen of the audio portion of a television program.

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

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

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

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