

2017 -- H 5667

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO HUMAN SERVICES -- EQUAL RIGHTS OF BLIND AND DEAF PERSONS  
TO PUBLIC FACILITIES

Introduced By: Representatives Handy, Slater, O'Brien, Nardolillo, and Fogarty

Date Introduced: March 01, 2017

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-9.1-1 of the General Laws in Chapter 40-9.1 entitled "Equal  
2 Rights of Blind and Deaf Persons to Public Facilities" is hereby amended to read as follows:

3 **40-9.1-1. Declaration of policy.**

4 It is the policy of this state that:

5 (a) Persons who are blind, visually impaired, deaf, hard-of-hearing and otherwise  
6 disabled have the same rights as the able-bodied to the full and free use of the streets, highways,  
7 walkways, public buildings, public facilities and other public places.

8 (b) Persons who are blind, visually impaired, deaf, hard-of-hearing and otherwise  
9 disabled are entitled to full and equal accommodations, advantages, facilities and privileges on  
10 any public conveyance operated on land or water or in the air, or any stations and terminals  
11 thereof, not limited to taxis, airplanes, motor vehicles, railroad trains, motor buses, street cars,  
12 boats and in any educational institution, not limited to any kindergarten, primary and secondary  
13 school, trade or business school, high school, academy, college and university, and in places of  
14 public resort, accommodation, assemblage or amusement, not limited to hotels, lodging places,  
15 restaurants, theater and in all other places to which the general public is invited, subject only to  
16 the conditions and limitations established by law and applicable alike to all persons.

17 (c) Persons who are blind, visually impaired, deaf, hard-of-hearing and otherwise  
18 disabled persons shall be entitled to rent, lease or purchase, as other members of the general

1 public, any housing accommodations offered for rent, lease or other compensation in this state,  
2 subject to the conditions and limitations established by law and applicable alike to all persons.

3 (d) Motion picture theater accommodation.

4 (1) A public accommodation that owns, leases, leases to, or operates a motion picture  
5 theater that consists of eight (8) or more screens at one location within the state shall provide  
6 open movie captioning during at least two (2) showings per week of each motion picture that is  
7 produced and offered with open movie captioning.

8 (2) A public accommodation that owns, leases, leases to, or operates a motion picture  
9 theater in the state shall provide, upon request, audio description of any motion picture that is  
10 produced and offered with audio description.

11 (3) A public accommodation that owns, leases, leases to, or operates a motion picture  
12 theater in the state shall be required to obtain the master file from the movie distributors to  
13 include both closed and open captioning capabilities for each movie as part of the standard file.  
14 This would empower the movie theater to decide to choose open or closed captioning for their  
15 theaters at any time, even in a short notice.

16 (4) A public accommodation that owns, leases, leases to, or operates a motion picture  
17 theater in the state shall honor a request to turn open captioning on if the patrons who are deaf  
18 and hard of hearing are the majority of the audience in a screen room or the theater is unable to  
19 provide assistive devices to all patrons who need them.

20 (5) The provisions of this section include motion pictures that are produced and  
21 distributed with the necessary auxiliary aids and services, including captioning and audio  
22 description. This shall not prohibit the showing of a motion picture that is produced and  
23 distributed without captioning and audio description; provided, that a public accommodation that  
24 owns, leases, leases to, or operates a motion picture theater shall provide notice to the public if a  
25 motion picture offered for viewing is produced and distributed without captioning or audio  
26 description.

27 (6) "Motion picture theater" means a movie theater, screening room, or other venue in use  
28 primarily for the exhibition of a first run motion picture."

29 (7) A violation of this section shall be a discriminatory practice.

30 SECTION 2. This act shall take effect on January 1, 2018, and shall be repealed on  
31 January 1, 2020.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would require movie theaters to provide open captioning for persons who are  
2 deaf or hard-of-hearing.

3           This act would take effect on January 1, 2018, and would be repealed on January 1, 2020.

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