

## SB 569 A STAFF MEASURE SUMMARY

### House Committee On Early Childhood and Human Services

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**Prepared By:** Matthew Perreault, LPRO Analyst

**Meeting Dates:** 4/26, 5/8

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#### WHAT THE MEASURE DOES:

Requires every place of public accommodation that provides a closed-captioned enabled televisions in a public area to activate closed captioning that satisfies certain specifications. Requires places of public accommodation with multiple televisions to activate closed captioning on at least 50 percent of the televisions within the area and those that sell televisions to activate closed captioning on at least one of the receivers on display. Exempts judicial department, places of public accommodations that have television screens smaller than 12 inches, hospital rooms, and rooms to rent. Requires staff be trained on closed captioning requirements. Directs Bureau of Labor and Industries (BOLI) to develop training guidance and adopt rules to administer closed captioning requirements. Establishes procedures for violation complaints to be enforced through BOLI. Retains other remedies, rights, and procedures under the law that provide equal or greater protection of rights of people with disabilities. Takes effect on 91st day following adjournment sine die.

*REVENUE: No revenue impact*

*FISCAL: Has minimal fiscal impact*

*SENATE VOTE: Ayes, 21; Nays, 8; Excused, 1*

#### ISSUES DISCUSSED:

- Public accommodations available for people who are deaf and hard of hearing
- Availability of closed captioning
- Implications of enforcement mechanism
- Responsibility for communicating responsibility

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

The federal Americans with Disabilities Act of 1990 (ADA) governs how public and private entities that are open to the public must provide reasonable accommodations for people with disabilities. For individuals with communication disabilities, such as a disability affecting speech, vision, or hearing, the ADA requires both public and private entities to provide accommodations that enable effective communication. This may include provision of real-time captioning, sign language interpretation, assistive listening devices, qualified readers, and speech-to-speech transliterators ([U.S. Department of Justice, 2020](#)). Public entities, including state and local governments, are required to consider a person's preference for the type of accommodation, while private entities are merely encouraged to do so. The law limits the provision of these accommodations to those that would not impose an "undue burden" on the entity.

Oregon law also prohibits discrimination against people with disabilities in places of public accommodation (ORS 659A.103 to 659A.145; ORS 659A.400 to 659A.409). The law defines such places as those that are open to the public and owned or maintained by a public body; places or services offering to the public accommodations, advantages, facilities, or privileges of goods, services, lodgings, amusements, transportation; and services to the public that are provided by a public body. In 2015, the City of Portland enacted requirements for every public

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facility with a visible television to activate closed captioning in order to enable people with hearing disabilities to understand the audible content being displayed ([City Code 23.01.075](#)). Similar requirements exist in other cities and states, including Washington ([RCW 49.60.525](#)).

Senate Bill 569 A requires every place of public accommodation with a television in a public area to activate closed captioning on the television and creates enforcement procedures of violations through the Bureau of Labor and Industries.