



Feb. 10, 2023

TO: Members of the Senate Committee on Human Services

FR: Derek Sangston, Oregon Business & Industry

RE: Request for Amendments to SB 569

Oregon Business & Industry (OBI) is a statewide association representing businesses from a wide variety of industries and from each of Oregon's 36 counties. In addition to being the statewide chamber of commerce, OBI is the state affiliate for the National Association of Manufacturers and the National Retail Federation. Our 1,600 member companies, more than 80% of which are small businesses, employ more than 250,000 Oregonians. Oregon's private sector businesses help drive a healthy, prosperous economy for the benefit of everyone.

Thank you for the opportunity to comment on SB 569. OBI and its members are committed to upholding Oregon's public accommodation laws for people with disabilities. After all, OBI represents businesses that work to ensure fair and equal access to their goods and services.

We have concerns, however, about provisions of SB 569 as drafted. OBI respectfully requests that this committee consider amendments to SB 569 to align it more closely with Washington's law on this issue and allow flexibility in situations where a TV is muted.

There are two places in the enforcement provisions of SB 569 that differ from Washington's law. While both SB 569 and Washington's law would impose a \$75 civil penalty for first offenses and a \$150 penalty thereafter, SB 569 also would allow the Bureau of Labor and Industries to impose another civil penalty under ORS 183.745. SB 569 additionally defines a violation of its provisions as an "unlawful practice." To align SB 569 with Washington's law, OBI requests an amendment that removes both the language establishing civil penalties under ORS 183.745 and defining a violation of the bill as an "unlawful practice."

OBI additionally asks the committee to consider an amendment that would exempt TVs from SB 569's closed captioning requirements in two situations where multiple TVs are muted. First, sports bars and restaurants often provide multiple TVs that show different programs. In such instances, establishments often mute them to avoid confusion. As TVs emit no sound in these situations, closed captioning is not needed to ensure equal access.

Second, electronics retailers commonly display muted TVs that show internal programming rather than cable or network programming. Rather than requiring muted display TVs to display closed captioning, we would ask to allow signage indicating a willingness to turn on closed captioning upon request. This would provide flexibility while ensuring equal access.

Thank you for your consideration.

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