

Honolulu, Hawaii

MAR 02 2018

RE: S.B. No. 2650  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.  
No. 2650, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOVIE THEATERS,"

begs leave to report as follows:

The purpose and intent of this measure is to ensure that Hawaii continues to support full access for persons with disabilities through meaningful accessibility requirements for movie theaters by:

- (1) Permanently requiring motion picture theaters to offer open movie captioning showings at least two times per week;
- (2) Requiring one of those showings to have a scheduled start time no earlier than 4:30 p.m.; and
- (3) Eliminating the requirement that public accommodations provide an option of personal closed captioning screenings by means of lightweight eyewear.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Disability and Communication Access Board, State Council on Developmental Disabilities, Office of Language Access, Special Education Advisory Council, Hawaii Disability Rights Center, Aloha State



Association of the Deaf, Hawaii Self Advocacy Advisory Council, and nineteen individuals.

Your Committee finds that open movie captioning has enabled deaf and hard-of-hearing consumers to enjoy movies in a similar fashion as those who do not require open movie captioning. Your Committee further finds that the deaf and hard-of-hearing community strongly prefers open captioning to any type of eyewear, even if lightweight.

Your Committee also finds that federal requirements permit movie theaters to use any option to view closed captions, while Act 211, Session Laws of Hawaii 2017, specified one particular type of closed captioning device, in the form of lightweight eyewear. Your Committee further finds that given the rapid technological advances common in today's society, referencing a specific type of technology, such as lightweight eyewear, in statute is problematic, as it is likely that such technology could soon be rendered obsolete.

Your Committee notes that open movie captioning also provides a critical benefit to Limited English Proficient individuals and English-Language Learners. According to the Office of Language Access, open movie captioning can be a great tool for Limited English Proficient individuals and English-Language Learners to enjoy movies and learn the correspondence between spoken and written language.

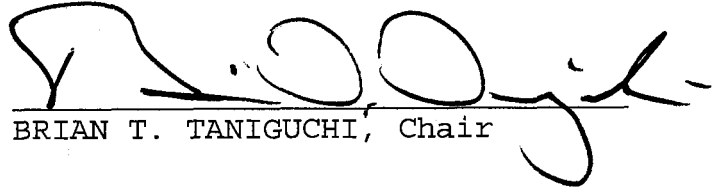
Your Committee finds that this measure will help ensure that members of the deaf and hard-of-hearing community will have full, equal, and non-discriminatory access to and enjoyment of motion pictures with open captioning.

Your Committee has amended this measure by inserting an effective date of July 1, 2035, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2650, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2650, S.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

  
BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SB 2650, SD1</b>	Committee Referral: <b>CPH, JDC</b>	Date: <b>2/27/2018</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	5	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted           <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <span style="font-family: cursive; font-size: 1.2em; margin-left: 100px;">Karl Rhoads</span>				
<b>Distribution:</b> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

\*Only one measure per Record of Votes