

HOUSE BILL No. 1203

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-9-13.

Synopsis: Closed captioning. Requires that an owner or operator of a public accommodation must activate closed captioning on all television receivers that are in use during regular hours. Allows the civil rights commission (commission) to investigate violations and enforce compliance. Provides that the commission may impose a civil penalty of \$75 for each violation. Establishes certain notice requirements. Requires that the commission waive a civil penalty if an owner or operator complies not later than 30 days after a notice is mailed for the first violation.

Effective: July 1, 2022.

Andrade, Morris, Zent, Slager

January 6, 2022, read first time and referred to Committee on Commerce, Small Business and Economic Development.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1203

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 22-9-13 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2022]:
4 **Chapter 13. Closed Captioning in Places of Public**
5 **Accommodation**
6 **Sec. 1. As used in this chapter, "closed captioning" means a**
7 **feature on a television receiver that displays a transcription of the**
8 **audio portion of a video program.**
9 **Sec. 2. As used in this chapter, "commission" refers to the civil**
10 **rights commission.**
11 **Sec. 3. As used in this chapter, "public accommodation" has the**
12 **meaning set forth in IC 22-9-1-3(m).**
13 **Sec. 4. As used in this chapter, "regular hours" means the hours**
14 **of any day during which a public accommodation is open to**
15 **members of the general public.**
16 **Sec. 5. As used in this chapter, "television receiver" means a**



1 receiver or electronic device that:

2 (1) receives television or streamed programming; and

3 (2) has the ability to display closed captioning.

4 The term includes a television, a display screen, and a digital set
5 top box.

6 Sec. 6. (a) This section applies only to a public accommodation
7 that has a television receiver on display in an area accessible to the
8 general public.

9 (b) Except as provided in subsection (c), an owner or operator
10 of a public accommodation must activate closed captioning on all
11 television receivers that are in use during regular hours.

12 (c) If a public accommodation has multiple television receivers
13 on display for sale, the owner or operator must activate closed
14 captioning on at least one (1) television receiver per group of five
15 (5) television receivers on display.

16 Sec. 7. (a) This section applies to any violation of this chapter
17 that occurs after October 1, 2022.

18 (b) A person aggrieved by an action in violation of this chapter
19 may submit a complaint to the commission. The commission shall
20 receive and investigate the complaint.

21 (c) If the commission finds that an owner or operator of a public
22 accommodation has violated this chapter, the commission may
23 impose a civil penalty of seventy-five dollars (\$75) for each
24 violation.

25 (d) The commission must provide written notice to the owner or
26 operator of a public accommodation of any violation and civil
27 penalty imposed under subsection (c).

28 (e) For the first violation of this chapter, a notice under
29 subsection (d) must state that the owner or operator of the public
30 accommodation has an opportunity to cure the violation by
31 complying with this chapter not later than thirty (30) days after the
32 date the notice is mailed. If the owner or operator of the public
33 accommodation complies with this chapter not later than thirty
34 (30) days after the date the notice is mailed, the commission shall
35 waive the civil penalty imposed under subsection (c).

36 Sec. 8. All civil penalties collected under section 7 of this chapter
37 shall be deposited in the state general fund.

38 Sec. 9. The commission shall adopt and enforce rules under
39 IC 4-22-2 that are necessary to carry out this chapter.

