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1 **HOUSE BILL NO. 602**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend the Code of Virginia by adding a section numbered 51.5-44.01, relating to motion picture*  
5 *theaters; open captioning.*

6 Patron—Hernandez

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That the Code of Virginia is amended by adding a section numbered 51.5-44.01 as follows:**10 **§ 51.5-44.01. Movie theater open captioning.**11 *A. As used in this section, unless the context requires a different meaning:*12 *"Drive-in theater" means a facility where films are viewed from motor vehicles parked in an outdoor*  
13 *venue.*14 *"Open captioning" means the visible on-screen display of a film's dialogue and non-speech elements, such*  
15 *as music, speaker identity, and sound effects.*16 *"Closed captioning" means the written display of a film's dialogue and non-speech elements including*  
17 *music, speaker identity, and sound effects, delivered via a personal captioning device to individual patrons.*18 *"Motion picture theater company" means any person, partnership, corporation, or entity that owns,*  
19 *operates, controls, or leases one or more motion picture theaters.*20 *B. All motion picture theater companies shall provide access to fully operational and well-maintained*  
21 *closed captioning technology for the general public for each screening of a motion picture that is produced*  
22 *and available with closed captioning as required by Title III of the federal Americans with Disabilities Act,*  
23 *42 U.S.C. § 12131 et seq.*24 *C. All motion picture theater companies, excluding outdoor theaters such as drive-in theaters, that own,*  
25 *operate, control, or lease five or more locations and are open to the general public shall provide open*  
26 *captioning on any film that is regularly shown for a period greater than one week, provided that open*  
27 *captioning is available to the theater for such film as part of the digital cinema package. In the first two*  
28 *weeks following a film's release, open caption viewing shall be provided, at a minimum, during four*  
29 *screenings. At least one of such open captioning viewings shall (i) start after 10:59 a.m. and end by 11:01*  
30 *p.m. on a Saturday or Sunday, (ii) start after 5:59 p.m. and end by 10:01 p.m. on a Monday through*  
31 *Thursday, or (iii) start after 5:59 p.m. and end by 11:01 p.m. on a Friday. Beginning in the third week*  
32 *following a film's release, a theater shall provide at least one open captioning viewing within 72 hours after*  
33 *receiving a request for such a viewing. Motion picture theater companies subject to the provisions of this*  
34 *subsection shall provide notice to the general public regarding the availability of open captioning, including*  
35 *the movies and viewing times at which open captioning will be provided.*36 *D. All motion picture theater companies, excluding outdoor theaters such as drive-in theaters, that own,*  
37 *operate, control, or lease four or fewer locations and are open to the general public shall provide open*  
38 *captioning on any film that is regularly shown for a period greater than one week, provided that open*  
39 *captioning is available to the theater for such film as part of the digital cinema package. Such theater*  
40 *companies shall provide at least one open captioning viewing within eight calendar days after receiving a*  
41 *request for such a viewing or voluntarily comply with the standards set forth in subsection C.*42 *E. If an open captioning screening of a motion picture overlaps with one or more other open captioning*  
43 *screenings of the same motion picture at the same motion picture theater, no more than one such motion*  
44 *picture screening may be counted toward the minimum number of screenings required by this section, except*  
45 *where it is not practicable to avoid such overlap.*46 *F. All motion picture theater companies shall provide contact information on their websites for the*  
47 *purpose of receiving and fulfilling requests for open captioning screenings. All movie theater companies shall*  
48 *advertise the date and time of open captioning screenings in the same manner used to advertise all other*  
49 *motion picture screenings and indicate which screenings shall include open captioning by utilizing the*  
50 *character symbol "OC."*51 *G. The Office of Civil Rights of the Department of Law (the Office) created pursuant to § 2.2-520 shall*  
52 *establish a process for receiving consumer reports of suspected violations of this section. The Office shall*  
53 *have the authority to request show time information by written or verbal inquiry, conference, or any other*  
54 *method or combination of methods. If the Office determines that a violation of this section has occurred,*  
55 *within the next operating week after issuance of a notice of infraction, a motion picture theater found to be in*  
56 *violation of the requirements of this section shall be required to provide one additional open captioning*

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HB602

59      *screening of a motion picture than would otherwise be required.*

60      *H. All motion picture theater companies subject to the provisions of this section shall maintain documents*  
61      *sufficient to demonstrate compliance with the requirements of this section for a period of at least one year.*

62      *I. Nothing in this section shall be construed to prevent a motion picture theater company from offering*  
63      *more open captioning screenings than required by this section.*