

SECOND REGULAR SESSION

HOUSE BILL NO. 1036

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SANDER (Sponsor), MEADOWS, PAGE, DUSENBERG,
CHINN AND MOORE (Co-sponsors).

Pre-filed December 1, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3444L.01I

AN ACT

To amend chapter 170, RSMo, by adding thereto one new section relating to captioning of electronic video instructional materials.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 170, RSMo, is amended by adding thereto one new section, to be
2 known as section 170.135, to read as follows:

170.135. 1. As used in this section, the following terms mean:

2 **(1) "Closed-captioning", when the audio portion of programming is displayed as**
3 **text superimposed over the video;**

4 **(2) "Electronic video instructional materials", materials designed and marketed**
5 **for use in schools, including but not limited to materials on videotape, CD ROM, digital**
6 **video disc (DVD), television, computers, film, the Internet, teleconference, and the World**
7 **Wide Web.**

8 **2. Beginning January 1, 2009, every publisher or manufacturer of electronic video**
9 **instructional materials offered for adoption or sale in the state shall comply with the**
10 **following requirement: Electronic video instructional materials designed for pupils in**
11 **kindergarten through grade twelve shall be closed-captioned, except for the following:**

12 **(1) Video products or portions of video products for which the publisher does not**
13 **have the rights to close-caption; and**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 **(2) Video products or portions of video products that are open-captioned, captions**
15 **where the audio portion is displayed as text superimposed over the video but cannot be**
16 **turned off.**

17 **3. If the publisher or manufacturer knowingly fails to comply with the**
18 **requirements of this section, the publisher or manufacturer shall be liable to the entity that**
19 **purchased the electronic video instructional materials in the amount of ten times the**
20 **amount paid by the purchasing entity to have captions placed on the materials.**

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