

ANALYSIS

This ordinance amends Title 11 – Health and Safety of the Los Angeles County Code by adding Chapter 11.67 – Closed Captioning in Places of Public Accommodation requiring places of public accommodation, as defined, to activate Closed Captioning on televisions operating during business hours unless included exceptions apply.

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Date Received: 3/17/2026

Date Revised: 4/17/2026

ORDINANCE NO. _____

An ordinance amending Title 11 – Health and Safety of the Los Angeles County Code, relating to Closed Captioning in Places of Public Accommodation.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 11.67 is hereby added to read as follows:

CHAPTER 11.67 CLOSED CAPTIONING IN PLACES OF PUBLIC

ACCOMMODATION

11.67.010 Purpose and Applicability.

The purpose of this Chapter is to expand access to closed captioning in places of public accommodation within unincorporated Los Angeles County.

11.67.020 Definitions.

The following definitions shall be applicable to this Chapter:

A. "Closed Captioning" means a transcript or dialog of the audio portion of a television program that is displayed on a portion of a television receiver screen when the user activates the feature.

B. "Closed Captioning Television Receiver" or "CCTR" means a receiver of television programming that has the ability to display Closed Captioning, including, but not limited to, a television, digital set top box, and other technology capable of displaying Closed Captioning for television programming.

C. "Regular Business Hours" means the hours of any day in which a place of public area or public facility is generally open to members of the general public.

D. "Responsible Person" means an owner, manager, employee, or agent with the authority to control a CCTR in a Place of Public Accommodation.

E. "Public Area" means any part of a Place of Public Accommodation that is open to the general public.

F. "Place of Public Accommodation" means any place, licensed or unlicensed, where the public gathers, congregates, or assembles for amusement, recreation or public purposes, or any place, store, or other establishment that supplies goods or services with or without charge to the general public or any medical facility or government office. "Place of Public Accommodation" includes, but is not limited to, the following types of services or facilities: hotels, or other establishments which provide lodging to transient guests; restaurants, cafeterias, lunchrooms, lunch counters, soda fountains, or other facilities principally engaged in selling or offering for sale food for consumption upon or off the premises; public restrooms; public elevators; motion picture houses, theatres, concert halls, sport arenas, stadiums, or other places of exhibition or entertainment; bowling alleys, pool halls, arcades, and amusement parks; retail establishments; transportation carriers; barber shops and beauty shops; bars or taverns or other facilities engaged in selling or offering for sale alcoholic beverages for consumption upon the premises; and public burial facilities.

11.67.030 Activation of Closed Captioning.

A. Beginning January 1, 2027, a Responsible Person at a Place of Public Accommodation in unincorporated Los Angeles County shall ensure Closed Captioning is activated and remains activated at all times during Regular Business Hours on

capable CCTRs in use in Places of Public Accommodation that are open to the general public, consistent with the requirements and exceptions set forth in this ordinance.

Closed Captioning shall be displayed in the same language as the audio.

B. Closed Captioning must be activated on televisions in use in Public Areas unless doing so would conflict with the primary function of the program or the viewer experience.

11.67.040 Exceptions.

There is no requirement to activate Closed Captioning on more than one of every five CCTRs displaying the identical channel or program.

If two or more CCTRs under this rule have Closed Captioning activated, they shall not be adjacent to each other.

Further, the requirements of Section 11.67.030 are not applicable if either of the following applies:

A. There is no receiver of television programming of any kind available in a Public Area of the Place of Public Accommodations.

B. The receiver of television programming is incapable of displaying Closed Captioning.

11.67.050 Public Education Campaign.

A. The Department of Aging and Disabilities, in coordination with the Commission on Disabilities, Office of Immigrant Affairs, the Department of Economic Opportunity, other relevant County Departments, and interested stakeholders, shall develop and implement a countywide public education and outreach campaign aimed at

increasing visibility and understanding of Closed Captioning accessibility requirements in the unincorporated Los Angeles County.

B. The campaign shall include, but not be limited to, public dissemination of educational materials through stakeholder partnerships, including business associations, chambers of commerce, service organizations, community based organizations and county communication channels; and development and dissemination of multilingual educational materials. Stakeholder input from the Deaf/Hard of Hearing community should be obtained during development of the public education campaign.

C. Outreach under this Section shall be conducted through a coordinated public education and awareness campaign and shall not be interpreted to require individualized direct contact with each Place of Public Accommodation.

D. The campaign shall be conducted in a linguistically and culturally appropriate manner.

F. The education campaign shall commence prior to January 1, 2027 and inform Places of Public Accommodation of the requirements of this ordinance.

11.67.060 Data Collection.

A. An individual may allege a violation of Section 11.67.030 by filing a complaint with the Department of Aging and Disabilities. The Department of Aging and Disabilities shall collect data on the number of complaints received and the nature of the complaints during the first thirty-six (36) months after the start date of the education campaign. The Department of Aging and Disabilities shall evaluate and analyze the data. Additional education campaigns may be conducted should the Department of

Aging and Disabilities determine that overall compliance is under eighty (80) percent within the unincorporated areas of Los Angeles County during the first thirty-six (36) months after the start of the education campaign.

11.67.070 Other Applicable Laws.

A. Nothing in this ordinance shall be construed to imply an exemption from state or federal requirements, such as those for effective communication and reasonable accommodations required under the Americans with Disabilities Act.

B. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

11.67.080 Sunset.

A. This Chapter shall sunset if the Department of Aging and Disabilities, through its analysis described in Section 11.67.060.A, shows eighty (80) percent or more compliance and notifies the Executive Officer for the Board of Supervisors or on December 31, 2031, whichever is earlier.

[CH1167AWCC]