

2.1 services, facilities, privileges, advantages, or accommodations being offered and would
2.2 result in an undue burden;

2.3 (4) failure of a health care facility licensed under chapter 114 to provide closed
2.4 captioning at all times in waiting rooms when a television is present that has the closed
2.5 captioning feature;

2.6 (5) failure to remove architectural barriers, and communication barriers that are
2.7 structural in nature, in existing facilities, and transportation barriers in existing vehicles
2.8 used by an establishment for transporting individuals, not including barriers that can only
2.9 be removed through the retrofitting of vehicles by the installation of hydraulic or other
2.10 lifts, if the removal is readily achievable; and

2.11 (5) (6) if an entity can demonstrate that the removal of a barrier under clause (4) (5)
2.12 is not readily achievable or cannot be considered a reasonable accommodation, a failure to
2.13 make the goods, services, facilities, privileges, advantages, or accommodations available
2.14 through alternative means if the means are readily achievable.

2.15 (b) It is not a violation of paragraph (a), clause (4), if the captioning feature is
2.16 deactivated by a member of the general public or an individual using or requesting
2.17 services, so long as the captioning is reactivated as soon as possible by a member of the
2.18 facility staff upon knowledge that the deactivation has occurred.

2.19 Sec. 2. Minnesota Statutes 2014, section 363A.12, is amended by adding a subdivision
2.20 to read:

2.21 Subd. 6. **Closed captioning.** It is an unfair discriminatory practice for a facility
2.22 offering public services to fail to provide closed captioning at all times on televisions
2.23 available for the public when those televisions have the closed captioning feature. It is not
2.24 a violation of this subdivision if the captioning feature is deactivated by a member of the
2.25 general public or an individual using or requesting services, so long as the captioning is
2.26 reactivated as soon as possible by a member of the facility staff upon knowledge that the
2.27 deactivation has occurred.