

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

Senate Bill 493

By Senator Deeds

[Reported January 30, 2026, from the Committee on

Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §47-11D-5, relating to motion pictures; and requiring exhibitors of motion
3 pictures who operate eight or more screens in more than one location in this state to
4 provide open captioning during at least two showings per week of each motion picture that
5 is produced and offered with open captioning; requiring, when requested, audio
6 description be provided for any motion picture that is produced and offered with audio
7 description; and providing exceptions to open-caption requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 11D. THE MOTION PICTURE FAIR COMPETITION ACT.

§47-11D-5. Open Captioning for Motion Pictures.

1 (a) Exhibitors of motion pictures who operate eight or more screens in more than one
2 location in this state shall provide open captioning during at least two showings per week of each
3 motion picture that is produced and offered with open captioning.

4 (b) Upon request, audio description shall be provided for any motion picture that is
5 produced and offered with audio description.

6 (c) Notwithstanding any section of this code to the contrary, no exhibitor may be required to
7 purchase new equipment in order to comply with the requirements set forth in this section where
8 doing so would result in an undue burden to the exhibitor or a fundamental alteration of the theater.

9 (d) The requirements set forth in this section do not apply to the following:

10 (1) A drive-in movie theater;

11 (2) A theater with fewer than eight screens;

12 (3) A theater that is not equipped with a digital projection system or a theater with a digital
13 projection system that does not support open-caption files;

14 (4) A motion picture that is shown in a theater fewer than eight times from Friday through
15 Thursday in a seven-day period;

16 (5) Any motion picture shown by a theater after 20 days have passed since the day the

17 movie premiered at that theater.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.