



COMMISSION OF DEAF, DEAFBLIND & HARD OF HEARING MINNESOTANS

Captioning Helps You Reach a Wider Audience... And It's the Law!

If you do not provide captioning and transcripts, you signal that this audience is not important to you.

20% of Americans are Hard of Hearing or Deaf

They use closed captioning to understand what's being said when watching video on TV and online. Transcripts of radio ads posted on your site similarly allow this part of the population to access your message.

Most state candidates are required to caption their ads

Candidates who sign public subsidy agreements are required by Minnesota Statutes, section 10.38, to caption or provide transcripts of most video or audio products that are broadcast or posted on the candidate's website. (So it does not apply to candidates for judicial or local government office.)

Which ads need to be captioned?

This requirement applies to video and audio that is:

- intended to influence the election or nomination of the candidate
- professionally produced
 - for a fee; or
 - in-kind by a professional
- up to two minutes in length

What is required?

For broadcast materials, before it airs (for online materials, when the materials are posted):

- A transcript of radio ads must be posted on a candidate's website
- Video on a candidate's website must either have closed captions or have a transcript posted
- Video broadcast on regular or cable TV must have closed captions

Where can I get help with captioning?

The Commission has resources to help --- both a list of and links to Approved Captioning Service Vendors and an online course that will teach you what you need to know. Find it all at

<http://mn.gov/deaf-commission/get-involved/voting/candidate-campaign-ad-captioning/>.

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444 Lafayette Rd. N., St. Paul, MN 55155-3814
651-431-5961
mncdhh.info@state.mn.us
www.mn.gov/deaf-commission/

Advocating for communication access and equal opportunity with the 20% of Minnesotans who are deaf, deafblind and hard of hearing.

What if a candidate does not have a website or does not want to provide captions?

Before the audio or visual materials air or are posted online, the candidate must submit a letter to the Campaign Finance and Public Disclosure Board explaining why the candidate will not or cannot provide captioning and/or a transcript.

What is the penalty for failure to comply?

A complaint could be filed and the Campaign Finance Board will do a formal investigation. The Board would issue public findings of whether a violation is found. Failure to comply may also be a petty misdemeanor under *Minnesota Statutes*, section 645.241.

Questions?

Contact the Commission at mncdhh.info@state.mn.us or 651-431-5961.

We're here to help!