STATE OF NEW YORK

8546

IN ASSEMBLY

January 8, 2024

Introduced by M. of A. BURDICK -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state technology law, in relation to requiring state agencies to conform any of their websites to the most current version of the Web Content Accessibility Guidelines adopted by the World Wide Web Consortium for accessibility

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 103-b of the state technology law, as added by a chapter of the laws of 2023 amending the state technology law relating to requiring state agencies to conform any of their websites to the most current version of the Web Content Accessibility Guidelines adopted by the World Wide Web Consortium for accessibility, as proposed in legislative bills numbers S. 3114-A and A. 266-A, is renumbered section 103-d and amended to read as follows:

§ 103-d. Website accessibility; state agencies. [~~1.~~] Each state agency shall [~~be required~~], to the extent practicable, conform any of their websites, created or modified with changes to form or function after the effective date of this section, by January first, two thousand twenty-seven, to the most current version of the Web Content Accessibility Guidelines, specifically level AA, adopted by the World Wide Web Consortium for accessibility, or any successor standards. A state agency that cannot comply with the requirements of this section shall, by January first, two thousand twenty-seven, post publicly on its website a written progress report that describes with specificity the steps the agency has taken to comply with this section, the impediments that prevented compliance, the efforts undertaken by the agency to come into compliance, and an estimated time frame for compliance. The written report shall be updated annually from the date of the original posting. This section shall not require an agency to take any action that would result in a fundamental alteration in the nature of a service, program, or activity.

[~~2. No later than December thirty-first, two thousand twenty-three, and every two years thereafter, the office designee shall submit to the~~

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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~~governor and the legislature a written report that documents the compliance of websites maintained by or on behalf of state agencies or state entities with the protocol adopted pursuant to subdivision one of this section.~~] **For purposes of this section, "changes to form or function" shall mean modifications to the visual presentation, informational organization, website infrastructure, or user utility of the website, including but not limited to: 1. redesigns of site layout, color schemes, graphics, branding elements, or other aesthetic components; and 2. integration of dynamic interfaces. Nothing in this section shall be construed to be inconsistent with any current or future applicable federal laws or regulations.**

§ 2. Subdivision 20 of section 103 of the state technology law, as added by a chapter of the laws of 2023 amending the state technology law relating to requiring state agencies to conform any of their websites to the most current version of the Web Content Accessibility Guidelines adopted by the World Wide Web Consortium for accessibility, as proposed in legislative bills numbers S. 3114-A and A. 266-A, is amended to read as follows:

20. To issue guidance **and training** for state agencies in their compliance with the Web Content Accessibility Guidelines required pursuant to section one hundred [~~three-b~~] **three-d** of the state technology law.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 amending the state technology law relating to requiring state agencies to conform any of their websites to the most current version of the Web Content Accessibility Guidelines adopted by the World Wide Web Consortium for accessibility, as proposed in legislative bills numbers S. 3114-A and A. 266-A, takes effect.