

# STATE OF NEW YORK

3114

2023-2024 Regular Sessions

## IN SENATE

January 27, 2023

Introduced by Sens. MANNION, CLEARE -- read twice and ordered printed,  
and when printed to be committed to the Committee on Internet and  
Technology

AN ACT to amend the state technology law, in relation to requiring state  
agencies and entities to ensure their websites are accessible to  
persons with disabilities

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

1 Section 1. The state technology law is amended by adding a new section  
2 103-b to read as follows:

3 § 103-b. Website accessibility. 1. The office shall adopt a protocol  
4 for websites maintained by or on behalf of a state agency or state enti-  
5 ty relating to website accessibility for persons with disabilities. Such  
6 protocol shall provide for agency websites to adopt either of the  
7 following standards: (a) section 1194.22 of title thirty-six of the code  
8 of federal regulations or (b) the web content accessibility guidelines  
9 2.1 level AA, developed by the worldwide web consortium, or any succes-  
10 sor standards. The adopted protocol required by this section may differ  
11 from such standards in specific instances when the office's designee  
12 determines, after consulting with experts in website design and reason-  
13 able accommodations for people with disabilities and the holding of a  
14 public hearing, that such differences will provide effective communi-  
15 cation for people with disabilities, and that such differences are docu-  
16 mented in such protocol. Such protocol shall be made available to the  
17 public online. This section shall not require an agency to take any  
18 action that would result in a fundamental alteration in the nature of a  
19 service, program, or activity.

20 2. No later than December thirty-first, two thousand twenty-three, and  
21 every two years thereafter, the office designee shall submit to the  
22 governor and the legislature a written report that documents the compli-  
23 ance of websites maintained by or on behalf of state agencies or state

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

LBD01135-01-3

1 entities with the protocol adopted pursuant to subdivision one of this  
2 section.  
3 § 2. This act shall take effect on the one hundred eightieth day after  
4 it shall have become a law.