

# STATE OF NEW YORK

8032

## IN SENATE

January 5, 2024

Introduced by Sen. MANNION -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

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

8 § 103-d. Website accessibility; state agencies. [~~1.~~] Each state agency  
9 shall [~~be required~~], to the extent practicable, conform any of their  
10 websites, created or modified with changes to form or function after the  
11 effective date of this section, by January first, two thousand twenty-  
12 seven, to the most current version of the Web Content Accessibility  
13 Guidelines, specifically level AA, adopted by the World Wide Web Consor-  
14 tium for accessibility, or any successor standards. A state agency that  
15 cannot comply with the requirements of this section shall, by January  
16 first, two thousand twenty-seven, post publicly on its website a written  
17 progress report that describes with specificity the steps the agency has  
18 taken to comply with this section, the impediments that prevented  
19 compliance, the efforts undertaken by the agency to come into compli-  
20 ance, and an estimated time frame for compliance. The written report  
21 shall be updated annually from the date of the original posting. This  
22 section shall not require an agency to take any action that would result  
23 in a fundamental alteration in the nature of a service, program, or  
24 activity.

25 [~~2. No later than December thirty-first, two thousand twenty-three,~~  
26 ~~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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1 ~~governor and the legislature a written report that documents the compli-~~  
2 ~~ance of websites maintained by or on behalf of state agencies or state~~  
3 ~~entities with the protocol adopted pursuant to subdivision one of this~~  
4 ~~section.] For purposes of this section, "changes to form or function"~~  
5 ~~shall mean modifications to the visual presentation, informational~~  
6 ~~organization, website infrastructure, or user utility of the website,~~  
7 ~~including but not limited to: 1. redesigns of site layout, color~~  
8 ~~schemes, graphics, branding elements, or other aesthetic components; and~~  
9 ~~2. integration of dynamic interfaces. Nothing in this section shall be~~  
10 ~~construed to be inconsistent with any current or future applicable~~  
11 ~~federal laws or regulations.~~

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

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

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