

# STATE OF NEW YORK

266

2023-2024 Regular Sessions

## IN ASSEMBLY

January 4, 2023

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 and entities to ensure their websites are accessible to persons with disabilities

The People of the State of New York, represented in Senate and Assembly, 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  
24 entities with the protocol adopted pursuant to subdivision one of this  
25 section.

26 § 2. This act shall take effect on the one hundred eightieth day after  
27 it shall have become a law.

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

LBD01135-01-3