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 Assembly, do enact as follows:

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

§ 103-b. Website accessibility. 1. The office shall adopt a protocol for websites maintained by or on behalf of a state agency or state entity relating to website accessibility for persons with disabilities. Such protocol shall provide for agency websites to adopt either of the following standards: (a) section 1194.22 of title thirty-six of the code of federal regulations or (b) the web content accessibility guidelines 2.1 level AA, developed by the worldwide web consortium, or any successor standards. The adopted protocol required by this section may differ from such standards in specific instances when the office's designee determines, after consulting with experts in website design and reasonable accommodations for people with disabilities and the holding of a public hearing, that such differences will provide effective communication for people with disabilities, and that such differences are documented in such protocol. Such protocol shall be made available to the public online. 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 governor and the legislature a written report that documents the compliance 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.

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entities with the protocol adopted pursuant to subdivision one of this section.

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