

# STATE OF NEW YORK

4844

2025-2026 Regular Sessions

## IN SENATE

February 13, 2025

Introduced by Sen. FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the civil rights law, in relation to requiring agencies to develop a five-year accessibility plan providing full and equal access to the physical facilities, services, programs, and activities of any state agency or department for persons with disabilities

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

1 Section 1. The civil rights law is amended by adding a new section  
2 40-h to read as follows:

3 § 40-h. Right of equal access; five-year accessibility plan. All  
4 persons within the jurisdiction of this state shall be entitled to the  
5 full and equal access to the physical facilities, services, programs,  
6 and activities of any state agency or department, subject only to the  
7 conditions and limitations established by law and applicable alike to  
8 all persons.

9 1. Definitions. As used in this section:

10 (a) "five-year accessibility plan" means an accessibility plan  
11 required by subdivision two of this section, utilizing a template to be  
12 created by the chief disability officer; and

13 (b) "officer" means the chief disability officer described in section  
14 four-b of the executive law.

15 2. Requirements of five-year accessibility plan. Each state agency, in  
16 consultation with the officer, shall develop and implement a five-year  
17 accessibility plan ensuring that the agency's physical facilities,  
18 services, programs, and activities are accessible to and accommodating  
19 and inclusive of persons with disabilities. Such plan shall include, at  
20 a minimum:

21 (a) the steps the agency is currently taking and will be taking over  
22 the next five years to ensure that the agency's facilities, services,

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

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1 programs, and activities are accessible to and accommodating and inclu-  
2 sive of persons with disabilities; and

3 (b) information regarding ongoing projects and projects planned over  
4 the next five years that are related to improving physical, digital, and  
5 programmatic access, and effective communications for persons with disa-  
6 bilities, including, but not limited to: any alterations or structural  
7 changes to facilities or premises that are owned and operated by the  
8 agency or contracted for use by the agency or otherwise under the agen-  
9 cy's jurisdiction; any planned upgrades or investments in technology or  
10 tools that will improve accessibility within the agency or access to  
11 such agency's services and programs; and any other steps the agency is  
12 taking or plans to take to make its programs and services more accessi-  
13 ble to and inclusive of persons with disabilities. Budgetary information  
14 and timelines relating to such projects shall be included where practi-  
15 cable.

16 3. Posting of five-year accessibility plan. (a) No later than Decem-  
17 ber thirty-first, two thousand twenty-six, each agency shall post a  
18 proposed five-year accessibility plan on its website and circulate such  
19 proposed plan for public comment. In circulating the proposed plan for  
20 public comment, each agency, in consultation with the officer, shall  
21 ensure that stakeholders, community-based organizations, providers, and  
22 all other appropriate individuals or entities have an adequate opportu-  
23 nity to provide input on the content of the plan.

24 (b) No later than March fifteenth, two thousand twenty-seven, each  
25 agency shall post its five-year accessibility plan on its website and  
26 provide a copy of such plan to the officer.

27 (c) No later than March thirtieth, two thousand twenty-seven, the  
28 officer shall post online and submit all received five-year accessibil-  
29 ity plans to the governor, the temporary president of the senate and the  
30 speaker of the assembly.

31 4. Posting of additional information. (a) No later than March  
32 fifteenth, two thousand twenty-six, each agency shall post on its  
33 website a statement regarding web accessibility and a mechanism for  
34 receiving complaints about web accessibility.

35 (b) No later than May first, two thousand twenty-six, each agency  
36 shall submit to the officer the name of the office within each agency  
37 that shall be responsible for ensuring that the agency's five-year  
38 accessibility plan is completed by the deadline, and such office name  
39 shall also appear on each agency's respective website.

40 5. Outreach to the metropolitan transportation authority. The office  
41 shall invite the metropolitan transportation authority to develop and  
42 submit a five-year accessibility plan.

43 6. Agency non-completion of five-year accessibility plans. (a) If any  
44 agency or entity, including, but not limited to the metropolitan trans-  
45 portation authority does not develop a five-year accessibility plan, the  
46 officer shall conduct outreach with such agency or entity to share best  
47 practices and recommendations regarding accessibility with such agency  
48 or entity.

49 (b) No later than ninety days after the outreach required by paragraph  
50 (a) of this subdivision, if an agency or entity does not develop a five-  
51 year accessibility plan, the officer shall post on the officer's website  
52 a statement that such agency or entity did not develop such plan and a  
53 summary of the best practices and recommendations that the officer  
54 shared with such agency or entity pursuant to paragraph (a) of this  
55 subdivision.

1 7. Annual reporting. Beginning May first, two thousand twenty-seven,  
2 and annually thereafter, each agency shall post on its website a report  
3 of the progress such agency has made in the previous fiscal year towards  
4 achieving the goals of the agency's five-year accessibility plan. Such  
5 reports shall also be submitted to the officer, who shall submit such  
6 reports to the governor, the temporary president of the senate and the  
7 speaker of the assembly on or before June thirtieth, two thousand twen-  
8 ty-seven and annually thereafter.

9 8. Triennial reporting. Beginning May first, two thousand twenty-nine,  
10 and triennially thereafter, each agency shall post on its website an  
11 updated five-year accessibility plan. Such updated plans shall also be  
12 submitted to the officer, who shall submit such updates to the governor,  
13 the temporary president of the senate and the speaker of the assembly on  
14 or before May fifteenth, two thousand twenty-nine and triennially there-  
15 after.

16 § 2. This act shall take effect immediately.