

Americans with Disabilities Act (ADA)  
Website Compliance Statement  
Legislative Council

Adopted [DATE]

**28 CFR 35.204**

Where a public entity can demonstrate that compliance with the requirements of 28 CFR 35.200 would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens, compliance with 28 CFR 35.200 is required to the extent that it does not result in a fundamental alteration or undue financial and administrative burdens. In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance with 28 CFR 35.200 would result in such alteration or burdens. *The decision that compliance would result in such alteration or burdens must be made by the head of a public entity or their designee after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion.* If an action would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity to the maximum extent possible.

**Statement**

Under to 28 CFR 35.204, the Legislative Council has determined that full compliance with the requirements of 28 CFR 35.200, the ADA website compliance regulations by April 24, 2026, would fundamentally alter the nature of services provided by the Legislature and result in undue administrative burdens.

The Legislature and its supporting agencies and divisions have expended exhaustive resources, including utilizing a significant amount of staff time and incurring unbudgeted expenditures for tools, to achieve compliance with ADA website accessibility requirements. These efforts are ongoing, and the Legislature will continue to make improvements as resources allow. Efforts to date include:

- Purchasing tools, implementing new systems, and overhauling processes to enhance website accessibility;
- Providing guidance and training to staff to improve accessibility of digital documents;
- Prioritizing accessibility for newly created and frequently accessed material;
- Ensuring documents are accessible to the maximum extent feasible with existing resources;
- Seeking to improve the accessibility of documents received from external sources.

The primary barrier to full compliance by the deadline relates to the large volume of documents produced by and received from third parties hosted on the Legislature's website. Currently there are no systems or processes in place to ensure that all documents uploaded to the website meet ADA compliance standards before publication.

Requiring all documents uploaded to the Legislature's website to be compliant with ADA web accessibility standards and removing non-compliant documents fundamentally alter the service the Legislature provides to the public. These documents contain crucial information about pending and enacted legislation, including bill text, fiscal notes, committee materials, and supporting documentation provided to the Legislature by members of the public and staff members across all branches of state government. Public access to complete legislative information is essential to transparency and civic participation. While the Legislature will continue to strive to make these important documents accessible, the Legislature does not currently have tools or systems that can automatically review these documents and correct issues with ADA compliance standards. Further, the Legislature currently lacks the resources necessary to manually review each document for compliance, given the large volume of documents and the wide variety of sources for those documents. Restricting access to these materials would substantially diminish the public's ability to engage with and understand the legislative process.

While full compliance cannot be achieved by the regulatory deadline without creating the burdens described above, the Legislature remains committed to improving accessibility and ensuring that individuals with disabilities receive access to legislative information to the maximum extent possible. To that end, the Legislature is undertaking, and will continue to undertake, the following actions to improve website accessibility and, ultimately, achieve compliance with the requirements of 28 CFR 35.200:

- Prioritizing remediation of frequently accessed and newly posted materials;
- Implementing continuing accessibility guidance and training for legislative staff uploading documents;
- Providing documents or other material in accessible or alternative formats upon request;
- Updating procedures for creating documents and processing documents provided to the Legislature by third parties;
- Evaluating tools and systems to improve accessibility compliance going forward.

The Legislature will continue dedicating resources to improving website accessibility and developing processes to comply with ADA accessibility standards.