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Auditor of State Advisory Memo

To: All Auditor of State Clients

From: Keith L. Faber, Auditor of State

Date: March 31, 2026

Subject: New Federal Accessibility Standard for State and Local Government Websites

On April 24, 2024, the Department of Justice (“DOJ”) issued an update to the [regulations](#) for Title II of the Americans with Disabilities Act (“ADA”). Title II of the ADA requires state and local governments to make sure that their services, programs, and activities are accessible to people with disabilities. The DOJ has long held that the ADA’s requirements apply to all the services, programs, or activities of state and local governments, including those offered on the web. The DOJ’s April 24th rule update creates clear accessibility [requirements](#) to ensure people with disabilities have access to state and local governments’ services, programs, and activities available on websites and mobile apps.

28 C.F.R. Section 35.200(a) requires state’s and political subdivision’s web content and mobile apps are readily accessible to and usable by individuals with disabilities. This includes web content or mobile apps provided through contractual, licensing, or other arrangements, such as a third-party application used by a state or political subdivision for the payment of tickets or fees. The remainder of Section 35.200 sets forth the specific standards that entities are required to meet to make their web content and mobile apps accessible and the timelines for compliance.

Public entities must ensure their web content and mobile apps meet the accessibility requirements in accordance with the timeline prescribed in the table below. The DOL set the compliance deadline based on an entity’s population, this is a number you can find in the 2020 data from the U.S. Census Bureau. Public entities that do not have a population listed by the U.S. Census Bureau should use the population of the larger government they are part of, for example a county sheriff or court of common pleas should use the population of the county to determine the compliance date.

A special district is an entity, other than a county, municipality, township, or independent school district, authorized by State law to provide one function or a limited number of designated functions with sufficient administrative and fiscal autonomy to qualify as a separate government and whose population is not calculated by the United States Census Bureau, for example, a regional water and sewer district or park district.

Total Population	Compliance date
Population of 0 to 49,999	April 26, 2027
Special district governments	April 26, 2027
Population of 50,000 or more	April 24, 2026

If you are unsure of your entity's population size or applicable deadline, contact the ADA Information Line provided below for assistance.

Consultation with Legal Counsel

AOS recommends all state and local governments consult with their statutory legal counsel for advice on complying with these new federal ADA standards and that action is taken to limit possible liability for websites and applications that do not meet these standards.

Resources

U.S. DOJ, [Small Entity Compliance Guide](https://www.ada.gov/resources/small-entity-compliance-guide/) (https://www.ada.gov/resources/small-entity-compliance-guide/)

U.S. DOJ, [Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments](https://www.ada.gov/resources/2024-03-08-web-rule/) (https://www.ada.gov/resources/2024-03-08-web-rule/)

World Wide Web Consortium, [WCAG 2 Overview](https://www.w3.org/WAI/standards-guidelines/wcag/) (https://www.w3.org/WAI/standards-guidelines/wcag/) and [Digital Accessibility Foundations](https://perma.cc/KU9L-NU4H) (https://perma.cc/KU9L-NU4H)

National Archives, [Part 35, Title 28](https://www.ecfr.gov/current/title-28/chapter-I/part-35/subpart-H) (https://www.ecfr.gov/current/title-28/chapter-I/part-35/subpart-H) and [Appendix D to Part 35](https://www.ecfr.gov/current/title-28/part-35/appendix-Appendix%20D%20to%20Part%2035) (https://www.ecfr.gov/current/title-28/part-35/appendix-Appendix%20D%20to%20Part%2035)

U.S. Census Bureau, [2020 data](https://www.census.gov/programs-surveys/decennial-census/decade/2020/2020-census-main.html), (https://www.census.gov/programs-surveys/decennial-census/decade/2020/2020-census-main.html)

U.S. Department of Justice ADA Information Line at 800-514-0301 (voice) and 1-833-610-1264 (TTY).