

1 HOUSE BILL 295

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO DISABILITIES; ENACTING THE ACCESSIBILITY ACT TO
12 REQUIRE EACH STATE AGENCY'S WEBSITE, MOBILE APPLICATION AND
13 PHYSICAL FACILITIES TO COMPLY WITH DIGITAL AND PHYSICAL
14 ACCESSIBILITY STANDARDS; REQUIRING THE DEPARTMENT OF
15 INFORMATION TECHNOLOGY TO ADOPT DIGITAL ACCESSIBILITY
16 STANDARDS; CREATING THE OFFICE OF ACCESSIBILITY TO IMPLEMENT
17 AND ADMINISTER THE ACCESSIBILITY ACT; CREATING REPORTING
18 REQUIREMENTS FOR THE OFFICE OF ACCESSIBILITY.
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20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

21 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
22 cited as the "Accessibility Act".

23 SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
24 Accessibility Act:

25 A. "commission" means the governor's commission on

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1 disability;

2 B. "digital accessibility standards" means the
3 requirements set by the web content accessibility guidelines
4 2.1 level AA, or any successor standards, for web and mobile
5 accessibility adopted by the department of information
6 technology;

7 C. "disability" means a physical or mental
8 impairment that substantially limits one or more of a person's
9 major life activities. A person is also considered to have a
10 disability if the person has a record of a disability or is
11 regarded as having a physical or mental disability;

12 D. "office" means the office of accessibility;

13 E. "physical accessibility standards" means the
14 standards for accessible design adopted by the United States
15 department of justice pursuant to the provisions of the federal
16 Americans with Disabilities Act of 1990, as amended, including
17 requirements for public buildings, pathways, accommodations and
18 facilities; and

19 F. "state agency" means a department, an
20 institution, a board, a bureau, a commission, a district or a
21 committee of government of the state.

22 SECTION 3. [NEW MATERIAL] STATE AGENCY ACCESSIBILITY
23 REQUIREMENTS.--

24 A. By April 1, 2027, each state agency website and
25 mobile application shall comply with the digital accessibility

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1 standards.

2 B. After April 1, 2027, each state agency shall
3 conspicuously post a website accessibility statement, or a link
4 to a website accessibility statement, on the front page of the
5 state agency's website. The statement shall include:

6 (1) a written acknowledgment of the state
7 agency's commitment to accessibility for people with
8 disabilities;

9 (2) contact information that website visitors
10 can use to alert the state agency of accessibility issues on
11 the website;

12 (3) known accessibility limitations on the
13 website;

14 (4) measures taken by the state agency to
15 ensure accessibility;

16 (5) supported web browsers; and

17 (6) any other accessibility information that
18 the state agency determines to be noteworthy.

19 C. The department of information technology shall
20 promulgate rules to establish, adopt and update the digital
21 accessibility standards.

22 D. Each state agency shall comply with the physical
23 accessibility standards to ensure that each service, program or
24 activity conducted by the agency, when viewed in its entirety,
25 is readily accessible to, and usable by, people with

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1 disabilities.

2 E. A state agency shall not be required to take any
3 action if the agency can demonstrate that the action would
4 result in:

5 (1) a fundamental alteration in the nature of
6 the services, programs or activities conducted by the agency;
7 or

8 (2) an undue financial or administrative
9 burden.

10 SECTION 4. [NEW MATERIAL] OFFICE OF ACCESSIBILITY--
11 CREATED.--

12 A. The "office of accessibility" is created within
13 the commission.

14 B. The commission shall appoint a chief
15 accessibility officer who shall oversee the office and
16 supervise its staff. The chief accessibility officer may
17 contract for services to assist the office in conducting the
18 duties of the office and may use the services of volunteers.

19 C. The chief accessibility officer shall:

20 (1) facilitate compliance with digital and
21 physical accessibility standards for each state agency by
22 working with and providing technical assistance to state
23 agencies to ensure that each state agency website, mobile
24 application and physical facility is in compliance with the
25 digital and physical accessibility standards;

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1 (2) create a standard form or process that
2 each state agency can use to determine whether the state
3 agency's website, mobile application and physical facilities
4 are in compliance with the digital and physical accessibility
5 standards;

6 (3) provide information and training to state
7 agencies and employees on the digital and physical
8 accessibility standards, including procurement procedures for
9 information technology, equipment and physical facilities and
10 best practices for implementing and maintaining websites in
11 compliance with the digital accessibility standards;

12 (4) assist state agencies in developing
13 website accessibility statements and plans to achieve physical
14 accessibility;

15 (5) support state agencies in the evaluation
16 of physical accessibility barriers; and

17 (6) promulgate rules necessary to implement
18 and administer the Accessibility Act.

19 SECTION 5. [NEW MATERIAL] REPORTING REQUIREMENTS.--

20 A. By July 1, 2027, and every two years thereafter,
21 the office shall submit a written report to the governor, the
22 legislative health and human services committee and the
23 legislative finance committee that documents the compliance of
24 websites, mobile applications and physical facilities operated
25 by state agencies. The report shall include:

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1 (1) assessments on each state agency website's
2 and mobile application's compliance with the digital
3 accessibility standards;

4 (2) evaluations of the procedures that each
5 state agency has followed when procuring information technology
6 services and equipment;

7 (3) when necessary, recommendations for ways
8 to improve the digital accessibility of each state agency
9 website and mobile application;

10 (4) the actions taken to make physical
11 facilities more physically accessible;

12 (5) the progress of addressing barriers to
13 digital and physical accessibility; and

14 (6) planned corrective action measures.

15 B. The report shall be made available to the public
16 on the websites of the legislature, the commission, the New
17 Mexico technology assistance program and the department of
18 information technology.

19 C. To assist the office in developing the report
20 required by this section, each state agency shall submit to the
21 office an analysis of the agency's compliance with digital and
22 physical accessibility standards at least one hundred twenty
23 days before the office is required to submit the report. The
24 analysis provided by state agencies shall:

25 (1) document the agency's efforts to ensure

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- 1 accessible programs, services, facilities and communication;
- 2 (2) identify barriers to accessibility at the
- 3 agency;
- 4 (3) describe planned and completed
- 5 accessibility initiatives; and
- 6 (4) identify resources needed for future
- 7 accessibility initiatives.

8 SECTION 6. EFFECTIVE DATE.--The effective date of the
9 provisions of this act is July 1, 2026.

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