

More Time for ADA Updates to Public Agencies Websites

By Julia W. Cohene, Esq.

Public agencies have one more year to make web content and mobile apps accessible to individuals with disabilities under the Americans with Disabilities Act (ADA), thanks to a new Interim Final Rule published by the Department of Justice and already in effect, with comments accepted until June 22, 2026.

Covered entities serving 50,000 or more people now have until April 26, 2027 to make their web content and mobile apps accessible. Smaller agencies have until April 26, 2028.

In 2024, the U.S. Department of Justice published an ambitious new rule requiring public entities, including special districts, to ensure the web content and mobile apps they “provide[] or make[] available, directly or through contractual, licensing, or other arrangements” are accessible to and usable by individuals with disabilities.

This rule is both broad and technically complex. Covered web “content” goes beyond its common meaning of text, images, videos, or electronic documents like PDFs; it also includes the code that defines web content’s structure, presentation, and interactions, communicated to a user through a web browser or other software like media players or assistive technologies. In addition, the rule applies not only to a public agency’s own website and published apps, but also to those it makes

available through contractual, licensing, or other arrangements, such as when a public university

contracts with third parties to post educational content on its behalf. Compliance can be achieved by using the detailed technical guidelines in the Web Content Accessibility Guidelines 2.1 (“WCAG 2.1”), Levels A and AA. Limited exceptions to ease the burden are available.

Criticizing the initial compliance dates, advocates for affected governments insisted the rule’s prior two- and three-year timelines for accessibility were unachievable, especially for smaller entities with limited revenue and technical staff.

Compliance will require several steps. Public agencies must understand the complex rule; identify noncompliant content and platforms; and then remediate inaccessible content. Agencies that do not comply with the rule face litigation given the private right of action under title II of the ADA, which risks can be elevated in the age of AI.

Public agencies still have a marathon ahead to make web content and apps accessible. It is best to work steadily toward compliance. But the extra year should help make the work more achievable.

For more information on this subject, please contact Julia at JCohene@chwlaw.us or 213.542.5736.

Colantuono, Highsmith & Whatley is a law firm with five offices around California that represents public agencies throughout the state. Its municipal law practice includes public revenues, land use, housing, CEQA, LAFCO matters, public safety liability defense, and associated appeals and trial court litigation. We are committed to providing advice that is helpful, understandable, and fairly priced.

<https://chwlaw.us>