

**NACo UPDATE:
OVERVIEW OF NEW INTERIM FINAL RULE
FOR WEB-BASED ACCESSIBILITY**

April 2026

Overview of Webinar

1. Introductions
2. Overview of the new Interim Final Rule and Next Steps
3. Implementation Guidance and Resources for Counties
4. Q&A and Close

Key Highlights of the New Guidance

1. On April 20th, the U.S. Department of Justice (DOJ) issued a new [Interim Final Rule \(2026 IFR\)](#) that extends the compliance deadlines for the DOJ's 2024 Final Rule by one year for each respective compliance deadline.
2. **The 2024 Final Rule**, which details web-based accessibility technical standards that counties are required to comply with under Title II of the ADA, **remains otherwise in effect.**
3. **The 2026 IFR takes immediate effect**, and is subject to a 60 day post-implementation comment period, with comments due on June 22 2026.
4. In the 2026 IFR, the DOJ commits to exploring future rulemaking proceedings on the substance of the 2024 Final Rule. Additional rulemaking is not guaranteed.

Counties have an ongoing obligation to ensure their web-based content is accessible.

Old Compliance Deadlines

Timeline for compliance based on entity size under 2024 Final Rule:

Greater than 50,000 (pop.)

- For counties with a population greater than 50,000, there will be a two-year requirements for complying with the new standards
- **Old Deadline: April 24 2026**

Less than 50,000 (pop.)

- For counties with a population less than 50,000 and for all special district governments, there will be a three-year requirement for complying with the new standards
- **Old Deadline: April 26 2027**

New Compliance Deadlines

Timeline for compliance based on entity size under 2026 IFR:

Equal or Greater than 50,000 (pop.)

- For counties with a population equal to or greater than 50,000, there is now an additional to comply with the 2024 Final Rule's technical standards
- **New Deadline: April 26 2027**

Less than 50,000 (pop.)

- For counties with a population less than 50,000, there is now an additional to comply with the 2024 Final Rule's technical standards
- **New Deadline: April 26 2028**

What was the DOJ's reasoning for issuing the 2026 IFR?

The DOJ highlighted several reasons for issuing the 2026 IFR:

- **The pace of technology** has not kept up with the need for remediation, and the original determination of the 2024 Final Rule was that available technologies would make remediation feasible within the given timeframe
- **Lack of adequate resources** to meet previous compliance deadlines, wherein the pace of technology to meet remediation determines the level of staff hours that need to be devoted to remediation
- **Litigation risks for counties** due to the ADA's private right of action stood to present considerable challenges for state and local governments not deemed to be in compliance by the 2-024 Final Rule's original compliance deadlines
 - Liability without fair notice
 - Risk of litigation from international actors
 - Newly generated content categories that have lagged in compliance

Background on the 2024 Final Rule

- On April 8 2024, the U.S. Department of Justice (DOJ) released a Final Rule (2024 Final Rule) on *Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities*
 - The 2024 Final Rule revises the regulation implementing Title II of the Americans with Disabilities Act (ADA) to establish specific requirements, including the adoption of specific technical standards, for making accessible the services, programs, and activities offered by State and local government entities to the public through the web and mobile applications (apps)

The DOJ is the sole agency charged with implementing Title II of the Americans with Disabilities Act (ADA), which requires state and local governments to ensure services are accessible.

What is covered under the Final Rule, and what are the technical standards?

- Definition of web content includes content provided or made available, directly or through contractual, licensing, or other arrangements, that is readily accessible to and usable by individual with disabilities
 - This includes text, images, sounds, videos, controls, animations, and conventional electronic documents
- Covered content includes county information on a website and mobile applications; services offered on both mediums; social media posts on third party platforms; third party tools and resources hosted on a county's website, or county services offered through a third party platform
- Compliance will be based on the [Web Content Accessibility Guidelines \(WCAG\) 2.1](#), published in June 2018. Compliance will be required for the WCAG 2.1 Level AA success criteria and conformance requirements.



What are exceptions under the 2024 Final Rule?

1. **Archived web content**
2. **Pre-existing conventional electronic documents**, unless the documents are used to apply for, gain access to, or participate in the public entity's services, programs, or activities
3. **Content posted by a third party**, unless the third party is posting due to contractual, licensing, or other arrangements with the public entity.
4. **Individualized, password-protected or otherwise secure conventional electronic documents**, which can include documents that are about a specific individual, their property, or their account; or a password-protected or otherwise secured portal.
5. **Pre-existing social media posts** that were posted before the date the public entity is required to comply with this rule

What are additional relevant provisions under the 2024 Final Rule?

- **Conforming alternate versions:** A separate version of web content that is accessible, up to date, contains the same information and functionality as the inaccessible web content, and can be reached in particular ways, such as through a conforming page or an accessibility-supported mechanism **is only permitted when it is not possible to make web content directly accessible due to technical or legal limitations.**
- **Alternative methods that equal or exceed WCAG 2.1 Level AA Standard:** The 2024 Final Rule allows a public entity flexibility to show that its use of other designs, methods, or techniques as alternatives to WCAG 2.1 Level AA *provides substantially equivalent or greater accessibility and usability of the web content or mobile app.*
- **Accessibility creating program burden must be proved:** If following the guidance in the Final Rule would drastically change a service, program, or activity or cause excessive financial and administrative burdens for a public entity, they must comply with the Final Rule to the extent that it doesn't cause such changes or burdens.

What are additional relevant provisions under the 2024 Final Rule?

- **Effect of non-compliance being minimal:** A public entity that is not in full compliance with the requirements of the Final Rule will be deemed to have met the requirements in the limited circumstance in which the public entity can demonstrate that the noncompliance has such a minimal impact on access that it would not affect the ability of individuals with disabilities to use the public entity's web content or mobile app

What's next?

- **The DOJ's 2026 IFR is effective immediately**, and counties need to continue to work towards achieving compliance with the technical standards outlined in the 2024 Final Rule before the updated timelines.
- **Counties should continue to flag areas** in the compliance journey that are proving difficult to comply with due to unclear guidance, technological infeasibility, resource restraints, or other reasons.
- **The DOJ may engage in further rulemaking on the 2024 Final Rule** in the future, and counties should closely follow for regulatory updates and new comment opportunities accordingly.

Technology Discussion Agenda

ADA Title II Accessibility Rule

Understanding the scope, deadlines, and extended compliance dates of ADA Title II web accessibility rule is crucial for legal adherence.

County Implementation Roadmap

A step-by-step county roadmap covers accessibility audit, remediation, and ongoing monitoring for effective compliance.

AI Developments Update

Latest AI advancements relevant to county technology leaders highlight new opportunities and challenges.

NACo County Tech Xchange

The NACo County Tech Xchange offers resources, community engagement, and collaboration to support counties.

ADA Requirements for Counties



Scope of ADA Rule

The ADA Title II rule covers all state and local government digital services including websites, apps, and social media.



County Government Coverage

County governments, agencies, and special districts must ensure their digital services comply with ADA accessibility standards.



Compliance Requirement

Compliance is mandatory and requires a county-wide coordinated approach to ensure equal access for all users.

Rule Foundation, Who Must Comply, and What Is Covered



Foundation of the Rule

The ADA Title II rule is based on the DOJ's commitment to ensuring digital equity for all citizens.

Who Must Comply

All county governments, including every department, agency, and special district, must comply regardless of size.

Scope of Coverage

The rule covers websites, mobile apps, electronic documents, social media, and third-party digital services provided by counties.

Accessibility Management

Counties must evaluate all digital touchpoints and develop robust policies to maintain ongoing accessibility compliance.

Clarification: What the Extended Deadline Does and Does Not Mean

No Safe Harbor from Enforcement

Extended deadlines do not protect counties from ADA enforcement or legal complaints regarding accessibility.

Deadline Defines WCAG Conformance

Extended deadlines indicate when WCAG conformance is required, not when counties can delay accessibility efforts.

Prioritize Accessibility Actions

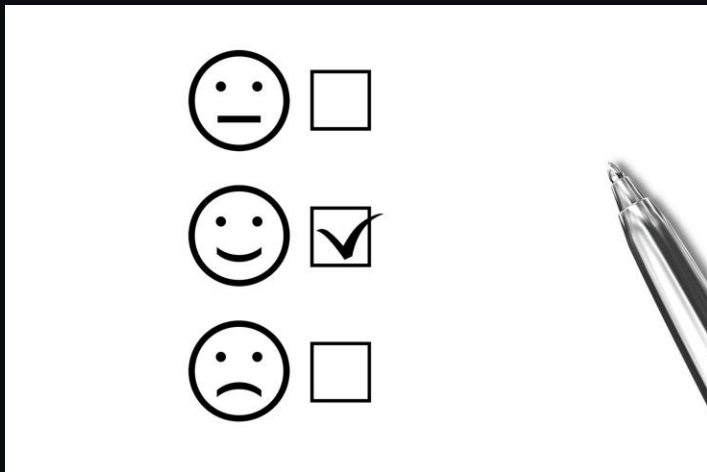
Counties should focus on high-traffic services, conduct audits, and create phased plans to reduce risks effectively.

Immediate Action Needed

Starting accessibility work now ensures smoother transitions and is vital regardless of county size or population.



Starter Checklist for County ADA Compliance



Comprehensive Inventory

Counties should inventory all digital assets including websites, apps, PDFs, forms, and third-party tools for accessibility review.

Baseline Testing

Conduct baseline accessibility testing using automated tools and manual checks with keyboards and screen readers.

Prioritized Remediation

Focus remediation on top services, high-traffic pages, and critical legal or benefits workflows first for impact.

Governance and Procurement

Establish governance policies and ensure procurement processes include accessibility requirements and testing before launch.

Updated: Digital Accessibility & ADA Compliance Guide



ADA Digital Accessibility Overview

New federal rules require counties to make all digital services fully accessible.

Why Accessibility Matters

Improves equity, expands constituent access, and strengthens public trust.

Compliance Requirements

Counties must meet WCAG standards across websites, documents, and digital tools.

Implementation Timeline

Deadlines begin as early as 2027, with requirements based on jurisdiction size.

Challenges for Counties

Limited resources, staffing, and technical complexity may slow progress.

Action Steps for Counties

Start with inventory, testing, and prioritizing high-impact services.

Leadership Responsibility

Elected officials must drive accountability, policy, and resource decisions.

Available Resources

Federal guidance and partner organizations can support implementation efforts.

NACo Resources and Support for County Compliance

Training and Education

NACo offers webinars, workshops, and guides to educate counties on ADA compliance strategies effectively.

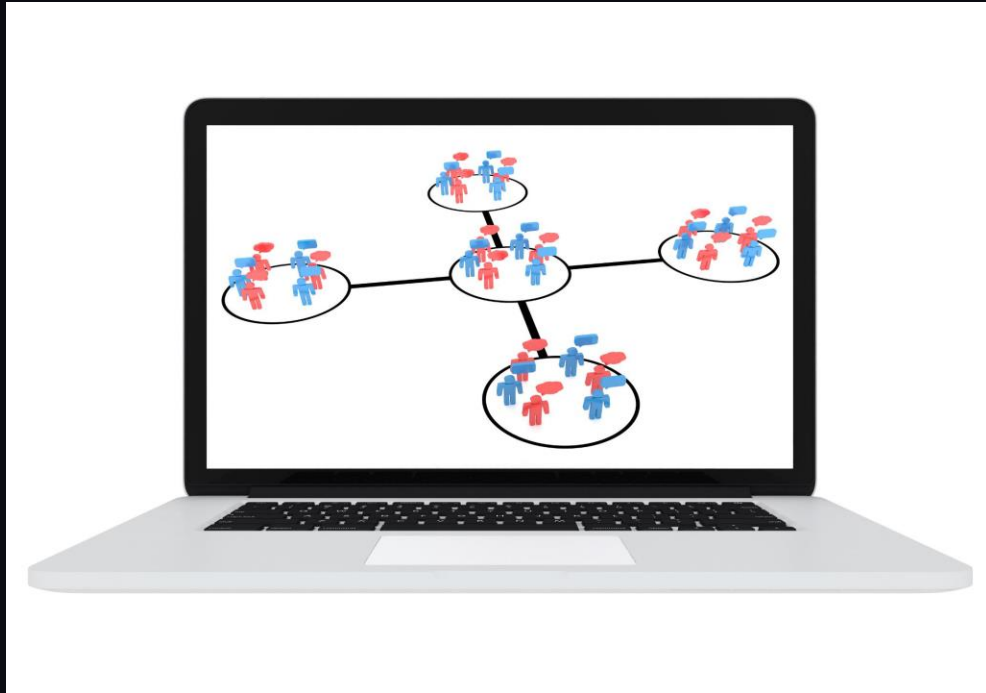
Peer Learning Network

The Peer Learning Network facilitates knowledge sharing and regional coordination among counties to reduce costs.

Technical Assistance (CIO Reserves)

Technical support includes planning, vendor guidance, model policies, contract language, and federal advocacy.





Benefits of the NACo County Tech Xchange

Centralized Resource Hub

Provides counties with policies, best practices, job descriptions, and toolkits to improve technology infrastructure.

Peer-to-Peer Collaboration

Enables discussion groups, member directory, and engagement for shared county technology challenges.

Three Pillars Framework

Built around resources, community, and collaboration to strengthen and improve government technology.

Easy Access Features

Includes QR code and plain-text URL for quick, direct access to the Tech Xchange platform.

Question and Answer (Q&A)