

Minnesota Legislature Digital Accessibility Exception Process

Effective Date: October 1, 2024
Approval: October 15, 2024

[Minnesota Statutes 3.199](#) requires the Legislature to comply with the State of Minnesota Digital Accessibility Standard beginning on October 1, 2024. This applies to the House of Representatives, Senate, Joint Legislative Offices and Commissions of the Legislative Coordinating Commission (LCC), and their employees unless an exception has been approved by a Responsible Authority or their designee(s).

An exception should be requested if a body or office is purchasing, creating, distributing, or publishing digital materials that are known to not be accessible and were created after October 1, 2024. The Responsible Authority, or their designee(s), of the respective body or office should review, approve or deny, and maintain a copy of the exception request.

Definitions

- **Information Technology (IT) System:** Information technology and other equipment, systems, technologies, or processes, for which the principal purpose is to create, store, display, collect, or transmit electronic data and information. Examples of IT systems include:
 - software;
 - web applications;
 - computers and peripheral equipment; and
 - telecommunications equipment.
- **Digital Content:** Information that is transmitted electronically or posted to the Minnesota Legislature’s website. Examples include, but are not limited to:
 - electronic documents
 - email communication
 - websites
 - videos
- **Exemption:** A general category where the standard does not apply and an exception is not required.
- **Exception:** A reason to not apply the standard to a particular situation.
- **Responsible Authority:** The following individuals are the Responsible Authorities for ensuring compliance with the accessibility standards and authorizing exceptions. Each Responsible Authority may designate an individual or individuals who are authorized to approve exceptions.

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| House of Representatives | The Chief Clerk of the House |
| Senate | The Secretary of the Senate |
| Office of the Revisor of Statutes | The Revisor of Statutes |
| Office of the Legislative Auditor | The Legislative Auditor |
| Legislative Reference Library | The Library Director |
| Legislative Budget Office | The Director of the Legislative Budget Office |
| Any other entity administered by the legislative branch not listed above | Executive Director of the Legislative Coordinating Commission |

Exemptions

The following are exemptions to the Minnesota Legislature's Digital Accessibility:

- (a) **Archived and preexisting web content.** Content created before October 1, 2024, that is retained exclusively for reference and is not updated after October 1, 2024.
- (b) **Content posted by, or on behalf of, a third party.** Content posted by, or on behalf of a third party, including documents provided by the public or agencies outside the legislature to legislative committees, commissions, working groups, and task forces for the purposes of public testimony.
- (c) **Other items defined as exempt are:**
 - Official legislative documents that are processed in paper form initially (i.e. enrolled acts).
 - Information developed for individual use.
 - Information that is password protected.
 - Preexisting social media posts.
 - Emergency purchases necessary due to a threat to public health or safety that threatens the function of government.
 - Services and technologies used by contractors in their work to deliver a product to the legislature. For example, if a contractor is hired to develop a website, the website that is delivered must be accessible. The computer or tools used by the contractor are not required to be accessible.
 - Infrastructure hardware such as servers, routers, switches, and non-end-user platform devices.
 - Technology located in spaces frequented only by service personnel for maintenance, repair or occasional monitoring. Examples might include telephone equipment placed on racks in a small room or closet.

Exceptions

The following are exceptions that may be requested by legislative staff and authorized by responsible authorities. An exception may be provided for a grouping of digital content and is not required for each individual document or item that falls within that grouping. For example, an exception may be granted for all side-by-side documents and is not required for each side-by-side document.

Undue Burden

Circumstances that would create an undue burden in complying with accessibility standards are those that create significant difficulty, expense, or for which applying the standard is not practical. Examples for which applying the standard may not be practical include, but are not limited to, IT systems and digital content that:

- must be made publicly available under time constraints for which it is not possible to apply the standard;
- originates from technology systems for which an exception has already been granted; and
- is in a format necessary to either convey legislative meaning, such as strike through and underlining text to convey what is being deleted from or added to existing law, or to serve a particular legislative business need or purpose, such as comparison reports, side-by-side comparisons, and other fiscal documents, which are inherently by their design intended to be visual tools that facilitate legislative business and are not currently susceptible to effective screen-reader use.

Best Meets

The “Best Meets” exception applies when no viable technology product is available that is necessary to support the work of the Legislature and that meets accessibility standards. This exception applies when other technology products have been considered and they all present clear barriers for users with disabilities or there is no other product available that will support the work of the Legislature (see fundamental alteration below).

Fundamental Alteration

This exception may be requested if the ability to conform to the accessibility standards would require a system to be fundamentally altered in a manner that would no longer permit the needs and the activities of the Legislature to be met or supported.

Accessibility Exception Request Process

The Accessibility Exception Request form must be completed and submitted to the Responsible Authority or their designee(s) when requesting an exception to the Minnesota Legislature Digital Accessibility Policy for any IT system/product or digital content. [\(add link to form here\)](#)

The form is necessary for the purposes of documenting and approving exceptions to the Minnesota Legislature Digital Accessibility Policy and the [State of Minnesota Digital Accessibility Standard](#), and must be submitted to the Responsible Authority or their designee(s). [\(add link to policy here\)](#)

The following steps should be followed to request an exception:

1. Complete the accessibility exception request form, including why the exception to the State of Minnesota Digital Accessibility Standard is necessary.
2. Submit the form and any other documentation to the Responsible Authority or their designee(s).
3. The Responsible Authority or their designee(s) and requester should retain a copy of the approved exception form. Each office or body should consider conducting regular reviews and updates to exception documentation as technology is modified, eliminated, or replaced.

Applicability

The processes outlined in this document apply to the Minnesota Legislature Digital Accessibility Policy, which applies to the Minnesota House of Representatives, Senate, and Joint Offices and Commissions of the LCC.

Contact

If you have questions about a document, service, website or application meeting the State of Minnesota accessibility standard or this LCC Digital Accessibility Policy, please contact the Accessibility Coordinator for your body/office (if applicable) or the [LCC Accessibility Coordinator](#).