

119TH CONGRESS
2^D SESSION

H. R. 8396

To amend the Americans with Disabilities Act of 1990 to promote compliance through education, to clarify the requirements for demand letters, to provide for a notice and cure period before the commencement of a private civil action, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2026

Mr. CALVERT (for himself, Mr. OBERNOLTE, Mr. CORREA, and Mr. FINE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Americans with Disabilities Act of 1990 to promote compliance through education, to clarify the requirements for demand letters, to provide for a notice and cure period before the commencement of a private civil action, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “ADA Compliance for
5 Customer Entry to Stores and Sites Act of 2026” or as
6 the “ACCESS Act of 2026”.

1 **SEC. 2. COMPLIANCE THROUGH EDUCATION.**

2 (a) IN GENERAL.—Based on existing funding, the
3 Disability Rights Section of the Department of Justice
4 shall, in consultation with property owners, website owners
5 and app developers, and representatives of the disability
6 rights community, develop a program to educate State and
7 local governments and property owners on effective and
8 efficient strategies for promoting access to public accom-
9 modations for persons with a disability (as defined in sec-
10 tion 3 of the Americans with Disabilities Act (42 U.S.C.
11 12102)). Such program may include training for profes-
12 sionals such as Certified Access Specialists to provide a
13 guidance of remediation for potential violations of the
14 Americans with Disabilities Act.

15 (b) MATERIALS PROVIDED IN OTHER LANGUAGES.—
16 The Disability Rights Section of the Department of Jus-
17 tice shall take appropriate actions, to the extent prac-
18 ticable, to make technical assistance publications relating
19 to compliance with this Act and the amendments made
20 by this Act available in all the languages commonly used
21 by owners and operators of United States businesses.

22 **SEC. 3. NOTICE AND CURE PERIOD.**

23 Paragraph (1) of section 308(a) of the Americans
24 with Disabilities Act of 1990 (42 U.S.C. 12188(a)(1)) is
25 amended to read as follows:

1 “(1) AVAILABILITY OF REMEDIES AND PROCE-
2 DURES.—

3 “(A) IN GENERAL.—Subject to subpara-
4 graph (B), the remedies and procedures set
5 forth in section 204(a) of the Civil Rights Act
6 of 1964 (42 U.S.C. 2000a–3(a)) are the rem-
7 edies and procedures this title provides to any
8 person who is being subjected to discrimination
9 on the basis of disability in violation of this title
10 or who has reasonable grounds for believing
11 that such person is about to be subjected to dis-
12 crimination in violation of section 303. Nothing
13 in this section shall require a person with a dis-
14 ability to engage in a futile gesture if such per-
15 son has actual notice that a person or organiza-
16 tion covered by this title does not intend to
17 comply with its provisions.

18 “(B) BARRIERS TO ACCESS TO EXISTING
19 PUBLIC ACCOMMODATIONS.—

20 “(i) IN GENERAL.—A civil action
21 under section 302 or 303 based on the fail-
22 ure to—

23 “(I) remove an architectural bar-
24 rier to access into an existing public
25 accommodation, or

1 “(II) or any technological barrier
2 to access to a website or mobile appli-
3 cation,
4 may not be commenced by a person ag-
5 grieved by such failure unless that person
6 has complied with the requirements of
7 clause (ii).

8 “(ii) REQUIREMENTS FOR PROVIDING
9 CURE PERIOD.—The requirements of this
10 clause are that—

11 “(I) the person has provided to
12 the owner or operator of the accom-
13 modation a written notice specific
14 enough to allow such owner or oper-
15 ator to identify the barrier; and

16 “(II)(aa) during the period be-
17 ginning on the date the notice is re-
18 ceived and ending 60 days after that
19 date, the owner or operator fails to
20 provide to that person a written de-
21 scription outlining improvements that
22 will be made to remove the barrier; or

23 “(bb) if the owner or operator
24 provides the written description under
25 subclause (I), the owner or operator

1 fails to remove the barrier or, in the
2 case of a barrier, the removal of which
3 requires additional time as a result of
4 circumstances beyond the control of
5 the owner or operator, fails to make
6 substantial progress in removing the
7 barrier during the period beginning on
8 the date the description is provided
9 and ending 60 days after that date.

10 “(C) SPECIFICATION OF DETAILS OF AL-
11 LEGED VIOLATION.—The written notice re-
12 quired under subparagraph (B) shall also speci-
13 fy in detail the circumstances under which an
14 individual was actually denied access to a public
15 accommodation, including—

16 “(i) the address of property or the
17 necessary information to access the website
18 or mobile application (including a URL or
19 Bundle ID);

20 “(ii) whether a request for assistance
21 in removing a barrier to access was made;
22 and

23 “(iii) whether the barrier to access
24 was a permanent or temporary barrier.”.

1 **SEC. 4. EFFECTIVE DATE.**

2 This Act and the amendments made by this Act take
3 effect 30 days after the date of the enactment of this Act.

4 **SEC. 5. MEDIATION FOR ADA ACTIONS RELATED TO ARCHI-
5 TECTURAL BARRIERS.**

6 The Judicial Conference of the United States shall,
7 under rule 16 of the Federal Rules of Civil Procedure or
8 any other applicable law, in consultation with property
9 owners and representatives of the disability rights commu-
10 nity, develop a model program to promote the use of alter-
11 native dispute resolution mechanisms, including a stay of
12 discovery during mediation, to resolve claims of architec-
13 tural barriers to access for public accommodations. To the
14 extent practical, the Federal Judicial Center should pro-
15 vide a public comment period on any such proposal. The
16 goal of the model program shall be to promote access
17 quickly and efficiently without the need for costly litiga-
18 tion. The model program should include an expedited
19 method for determining the relevant facts related to such
20 barriers to access and steps taken before the commence-
21 ment of litigation to resolve any issues related to access.

22 **SEC. 6. STUDY REGARDING WCAG 2.0 STANDARDS.**

23 Not later than 1 year after the date of enactment
24 of this Act, the Attorney General shall complete a study
25 to determine whether WCAG 2.0 standards, accessibility
26 widgets, or providing a telephone number through which

1 members of the public can obtain the same information
2 and services as they would on a website would all provide
3 reasonable accommodations for individuals with disabil-
4 ities who are protected by the provisions of the Americans
5 with Disabilities Act of 1990.

