

118TH CONGRESS
2D SESSION

S. 3749

To support local governments for jurisdictions that elect or appoint a person with a disability in providing the accommodations needed for the elected or appointed official to carry out their official work duties, and to build the capacity of local governments to have consistent and adequate funding for accommodations.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2024

Mr. CASEY (for himself, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. PADILLA, Mr. WELCH, Mr. VAN HOLLEN, Mr. SANDERS, Mr. BROWN, Mr. FETTERMAN, Ms. HIRONO, Mr. BLUMENTHAL, Ms. DUCKWORTH, Mr. WYDEN, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To support local governments for jurisdictions that elect or appoint a person with a disability in providing the accommodations needed for the elected or appointed official to carry out their official work duties, and to build the capacity of local governments to have consistent and adequate funding for accommodations.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Accessibility and Inclu-
3 sion to Diversify Local Government Leadership Act” or
4 the “AID Local Government Leadership Act”.

5 **SEC. 2. FINDINGS AND PURPOSES.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) The Centers for Disease Control and Pre-
8 vention estimates approximately 1 in 4 adults in the
9 United States has a disability.

10 (2) Data from the Bureau of Labor Statistics
11 indicates that the labor force participation rate of
12 people with disabilities is consistently half of that of
13 people without disabilities.

14 (3) The National Council on Independent Liv-
15 ing reports that people with disabilities are under-
16 represented in elected offices.

17 (4) Local governments are required, under the
18 Americans with Disabilities Act of 1990, to provide
19 reasonable accommodations to enable individuals
20 with disabilities to perform official work duties.

21 (b) PURPOSES.—The purposes of this Act are—

22 (1) to support local governments for jurisdic-
23 tions that elect or appoint a person with a disability,
24 in providing the accommodations needed for the
25 local elected or appointed official to carry out the of-
26 ficial’s official work duties, to enable the govern-

1 ments to meet the requirement described in sub-
2 section (a)(4); and

3 (2) to build the capacity of local governments,
4 who otherwise do not have adequate funding to pro-
5 vide the accommodations, to have adequate and con-
6 sistent funding to provide the accommodations for
7 such officials.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) ASSISTIVE TECHNOLOGY.—The term “as-
11 sistive technology” means technology designed to be
12 utilized in an assistive technology device or assistive
13 technology service.

14 (2) ASSISTIVE TECHNOLOGY DEVICE; ASSISTIVE
15 TECHNOLOGY SERVICE.—The terms “assistive tech-
16 nology device” and “assistive technology service”
17 have the meanings given the terms in section 3 of
18 the Assistive Technology Act of 1998 (29 U.S.C.
19 3002).

20 (3) DISABILITY.—The term “disability” has the
21 meaning given the term in section 3 of the Ameri-
22 cans with Disabilities Act of 1990 (42 U.S.C.
23 12102).

24 (4) INDIAN TRIBE.—The term “Indian tribe”
25 has the meaning given the term in section 4 of the

1 Indian Self-Determination and Education Assistance
2 Act (25 U.S.C. 5304).

3 (5) LOCAL APPOINTED OFFICIAL.—The term
4 “local”, used with respect to an appointed official,
5 means an individual who—

6 (A) is appointed to a position on an advi-
7 sory committee that makes recommendations to
8 local government; and

9 (B) is not paid for the individual’s work in
10 the position.

11 (6) LOCAL ELECTED OFFICIAL.—The term
12 “local”, used with respect to an elected official,
13 means an official who is elected for a position, from
14 a village, town, county, or other municipality that is
15 not national or statewide, via an election authorized
16 by a local election board.

17 (7) LOCAL GOVERNMENT.—The term “local
18 government” means the government of any village,
19 town, city, county, or other municipality that is not
20 national or statewide.

21 (8) REASONABLE ACCOMMODATION.—The term
22 “reasonable accommodation” has the meaning given
23 the term in section 101 of the Americans with Dis-
24 abilities Act of 1990 (42 U.S.C. 12111).

1 (9) RURAL.—The term “rural”, used with re-
2 spect to an area, means an area classified as a rural
3 commuting area under the Rural-Urban Commuting
4 Area Codes developed by the Secretary of Agri-
5 culture and the Secretary of Health and Human
6 Services.

7 (10) SECRETARY.—Except as otherwise speci-
8 fied, the term “Secretary” means the Secretary of
9 Labor, acting through the Assistant Secretary for
10 Disability Employment Policy.

11 (11) STATE.—The term “State” means any of
12 the 50 States, the District of Columbia, the Com-
13 monwealth of Puerto Rico, Guam, American Samoa,
14 the United States Virgin Islands, and the Common-
15 wealth of the Northern Marianas.

16 (12) WORK DUTIES.—The term “work duties”
17 means the essential functions of an employment po-
18 sition.

19 **SEC. 4. COMMUNITY GRANT PROGRAM.**

20 (a) IN GENERAL.—From the amounts appropriated
21 to carry out this Act, the Secretary shall award grants
22 to eligible entities in any State or associated with any In-
23 dian tribe in order to provide, to local elected or appointed
24 officials who have disabilities, reasonable accommodations

1 needed to enable the officials to carry out their official
2 work duties, which accommodations may include—

3 (1) physical adaptations of office space and
4 other spaces used for public events;

5 (2) specialized software;

6 (3) communication supports, including sign lan-
7 guage interpreters;

8 (4) provision of transportation services for an
9 official work event (excluding transportation for
10 commuting); and

11 (5) other assistive technology devices and as-
12 sistive technology services needed to carry out offi-
13 cial work duties.

14 (b) AWARDS.—

15 (1) PROCESS.—During a fiscal year, the Sec-
16 retary shall award the grants on a first-come, first-
17 served basis until the funds appropriated under this
18 section for that year are exhausted. If funds appro-
19 priated under this section are not exhausted for a
20 fiscal year, the Secretary may use the funds to
21 award such grants during a subsequent fiscal year.

22 (2) AMOUNTS.—The Secretary shall award such
23 a grant in an amount of not less than \$3,000 and
24 not more than \$50,000, per year of the grant period.

1 (c) GRANT PERIOD.—The Secretary shall award such
2 a grant for a period equal to—

3 (1) the number of years the local elected or ap-
4 pointed official involved will be in office during the
5 official's first term; and

6 (2) 2 years.

7 (d) ELIGIBLE ENTITIES.—To be eligible to receive a
8 grant under this section, an entity shall be a local govern-
9 ment—

10 (1) that has a local elected or appointed official
11 who has a disability and needs a reasonable accom-
12 modation to carry out the official's official work du-
13 ties; and

14 (2) for a jurisdiction that—

15 (A) is in a rural area;

16 (B) has a population of less than 10,000;

17 or

18 (C) has a population of 10,000 to less than
19 200,000, and a poverty rate of 18 percent or
20 greater, according to the most recent data
21 available from the Bureau of the Census.

22 (e) APPLICATION AND SELECTION.—

23 (1) APPLICATION.—To be eligible to receive a
24 grant under this section, an entity shall submit an
25 application to the Secretary, in accordance with a

1 process prescribed by the Secretary, that shall in-
2 clude, at a minimum—

3 (A) a description of—

4 (i) the position, including the official
5 work duties of the position, held by the
6 local elected or appointed official involved;

7 (ii) the needed reasonable accom-
8 modations for the local elected or ap-
9 pointed official; and

10 (iii) a budget to cover those accom-
11 modations; and

12 (B) assurances that the eligible entity
13 will—

14 (i) use the grant funds only for rea-
15 sonable accommodations needed for the
16 local elected or appointed official involved
17 to carry out their official work duties;

18 (ii) provide, for each fiscal year, non-
19 Federal matching funds equal to not less
20 than 25 percent of the amount provided
21 through the grant for that fiscal year;

22 (iii) use the non-Federal matching
23 funds to fund a reasonable accommoda-
24 tions funding account;

1 (iv) continue the funding of that ac-
2 count for at least 4 years after the end of
3 the grant period, maintaining a balance in
4 the account equal to the total amount of
5 non-Federal matching funds provided by
6 the entity during the grant period;

7 (v) use the account solely for the pur-
8 poses of assisting local elected and ap-
9 pointed officials who have disabilities, by
10 providing reasonable accommodations
11 needed to carry out their official work du-
12 ties; and

13 (vi) submit annual reports on the
14 grant activities as required by the Sec-
15 retary.

16 (2) SELECTION PROCESS.—The Secretary shall
17 award grants in accordance with a process pre-
18 scribed by the Secretary.

19 (f) ALLOWABLE USE.—An eligible entity that re-
20 ceives a grant under this Act may use the grant funds
21 for reasonable accommodations needed to enable a local
22 elected or appointed official who has a disability to carry
23 out the official work duties of the local elected or ap-
24 pointed official. The reasonable accommodations may in-
25 clude the physical adaptations, specialized software, com-

1 munication supports, and devices and services, described
2 in subsection (a).

3 (g) ANNUAL REPORT.—

4 (1) IN GENERAL.—The Secretary shall annually
5 prepare a report regarding the impact of the grant
6 program carried out under this section, which report
7 shall include—

8 (A) the number of applications received
9 under the program;

10 (B) the number of eligible entities that re-
11 ceived a grant;

12 (C) a description of the communities re-
13 ceiving the grant funding, such as—

14 (i) information on whether the com-
15 munities are—

16 (I) rural areas or jurisdictions
17 described in subsection (d)(2); or

18 (II) other types of communities;

19 (ii) race and ethnicity data for the
20 communities;

21 (iii) information on the percentage of
22 the population of the communities that is
23 living in poverty; and

24 (iv) related community demographics;

1 (D) a description of the types of positions
2 held by the local elected or appointed officials
3 supported; and

4 (E) a description of the types of adapta-
5 tions, services, assistive technology, technology,
6 communication services, and other reasonable
7 accommodations funded through the grants in
8 order for the local elected or appointed officials
9 to carry out their official responsibilities.

10 (2) INFORMATION ADDED AFTER SECOND
11 YEAR.—Beginning with the third year of the pro-
12 gram and for each subsequent year, in addition to
13 the information specified in paragraph (1), the re-
14 port shall include—

15 (A) the total amount of funds eligible enti-
16 ties receiving the grants invested in reasonable
17 accommodations funding accounts; and

18 (B) aggregate data on the age, sex, gender
19 identity, race and ethnicity, and disability of the
20 local elected or appointed officials the grant
21 program is supporting.

22 (3) SUBMISSION.—The Secretary shall annually
23 submit the report prepared under this subsection
24 to—

1 (A) the Committee on Health, Education,
2 Labor, and Pensions of the Senate;

3 (B) the Committee on Education and the
4 Workforce of the House of Representatives; and

5 (C) the Special Committee on Aging of the
6 Senate.

7 (h) ADMINISTRATION.—From the amounts made
8 available under subsection (i) for a fiscal year, the Sec-
9 retary may reserve and use not more than 1 percent for
10 administration of the grant program carried out under
11 this section.

12 (i) AUTHORIZATION OF APPROPRIATIONS.—

13 (1) IN GENERAL.—There is authorized to be
14 appropriated to carry out this Act, \$5,000,000 for
15 each of fiscal years 2025 through 2031.

16 (2) AVAILABILITY.—Funds appropriated under
17 paragraph (1) shall remain available until expended.

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