

LUNCH & LEARN - Expanding Public Access: SB 707's Updates to the Brown Act

THURSDAY, JANUARY 29, 2026 | 12–1 PM



THANKS FOR JOINING US TODAY!

Host & Moderator

MELISSA KUEHNE

Director of Enterprise

Programs and Special Projects

Institute for Local Government



WEBINAR OVERVIEW

About ILG & Setting the Stage

Presentation on SB 707's Updates to the Brown Act

- Aleks R. Giragosian – Senior Counsel at Colantuono, Highsmith & Whatley, PC
- Nicholaus Norvell – Partner at Best Best & Krieger LLP

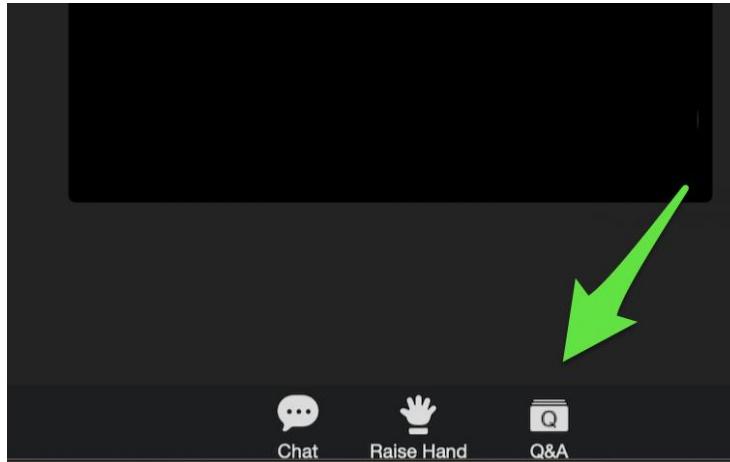
Audience Q&A

Type your questions in Zoom's Q&A feature!

Wrap Up & Adjourn

TECH OVERVIEW & HOUSEKEEPING

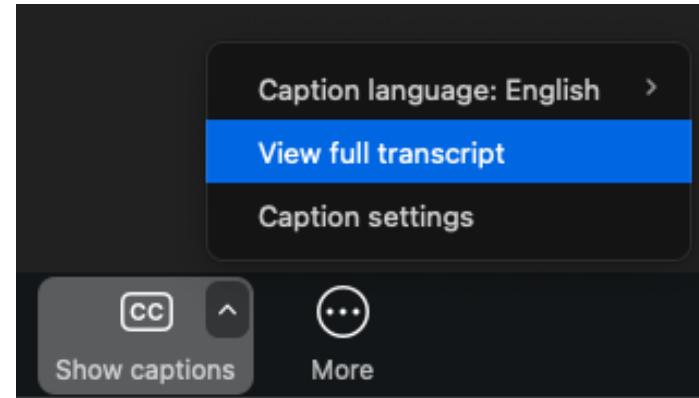
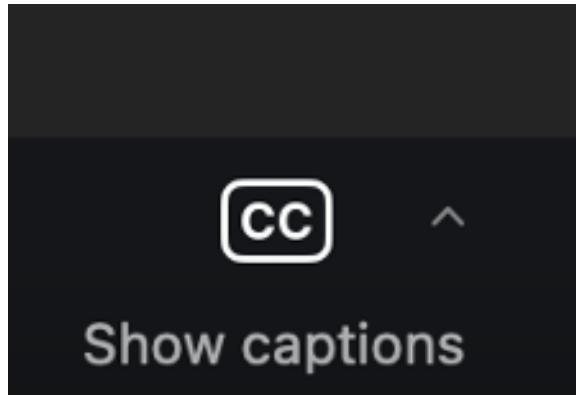
- All webinar participants will be on **MUTE** for the duration of the event.
- Please type questions into the **Q&A BOX** at any time during the session.



- A recording of the session will be available shortly after the webinar.

IF YOU NEED CAPTIONS

- We have closed captioning available in English.
- In the toolbar at the bottom of your Zoom screen, select **Show captions**.



- The video recording will include captions as well.

ABOUT THE INSTITUTE FOR LOCAL GOVERNMENT (ILG)

NON-PROFIT, NON-PARTISAN AND HERE TO HELP

- The Institute for Local Government is the non-profit training and education affiliate of the League of California Cities
- We were founded in 1955, 70 years ago, and our mission is to serve and support local government
- Our target population is the 2,500+ cities, counties, and special districts in California
- We provide practical and easy-to-use resources so local agencies can effectively implement policies on the ground



INTER-CONNECTED PROGRAMS & SERVICES

PROGRAM AREAS

Leadership & Governance

Workforce Development & Civics Education

Public Engagement

Sustainable & Resilient Communities

Our mission is to help local government leaders
navigate complexity, increase capacity & build trust
in their communities.



SERVICES

Education & Training

Technical Assistance

Capacity Building

Convening

TODAY'S PANELISTS



Aleks R. Giragosian
Senior Counsel

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Best Best & Krieger LLP

ILG Lunch & Learn

Expanding Public Access: SB 707's Updates to the Brown Act

Aleks R. Giragosian, Senior Counsel, Colantuono, Highsmith & Whatley, PC
Nicholaus W. Norvell, Partner, Best Best & Krieger LLP

January 29, 2026

Three Elements of SB 707

- Purpose: “This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.”
- The Primary Changes:
 - Clarification and Expansion of Teleconferencing Rules;
 - Miscellaneous Changes; and
 - Public Access Updates for Eligible Legislative Bodies.

Existing Teleconferencing Exceptions

- Traditional
(added in 1988)
- State of Emergency
(added in 2021)
- Just Cause
(added in 2023)
- Emergency Circumstance
(added in 2023)
- Neighborhood Council
(added in 2023)
- Student Body Association or
Student-run Community College Org.
(added in 2024)

Traditional Teleconferencing*

- Requirement:
 - Identify each teleconference location
 - Post agenda at teleconference location
- Limit: No limit
- Quorum: Remote participant does not count toward quorum
- Means: Call-in or internet-based service
- Public: Each location accessible to public
- Disclosure: No disclosure required
- Vote: Roll Call

Reasonable Accommodation Teleconferencing*

- Requirement: Traditional teleconferencing rules do not apply
- Limit: No limit
- Quorum: Remote participant does count toward quorum
- Means: Two-way audio-visual platform**
- Public: Not afforded to public***
- Disclosure: 18+ present and relationship
- Vote: Roll Call

Exceptions to Traditional Teleconferencing*

- Health Authority (GC 54953.8.1)
- State of Emergency (GC 54953.8.2)
- Just Cause (GC 54953.8.3)
- Neighborhood Council (GC 54953.8.4)
- Community College Student Organization (GC 54953.8.5)
- Eligible Subsidiary Body (GC 54953.8.6)
- Multi-jurisdictional body (GC 54953.8.7)

Requirements to Use Exceptions to Traditional Teleconferencing

- Public Access
 - Two-way audiovisual platform; or
 - Two-way telephonic service and a live webcasting of the meeting
- Pausing meeting until disruption to teleconferencing for public resolved
- Remote participation of members of legislative body noted in minutes
- Member's disclosure of 18+ participants and relationship

State of Emergency or Local Emergency Teleconferencing

	Existing Rule	New Rule
Requirement	Determine by majority vote that meeting in person presents risks to health or safety due to state of emergency & renew vote every 45 days	Finding now includes state of emergency or local emergency*
Limit	No Limit	No Change
Quorum	Remote participant does count toward quorum	Remote participant does count toward quorum
Vote	Roll Call	Roll Call
Method	Call-in or internet-based service	Two-way telephonic or two-way audio-visual platform

Just Cause Teleconferencing

Former Definition of Emergency Circumstances	Former Definition of Just Cause	New Definition of Just Cause
Physical or family medical emergency		Physical or family medical emergency
	Childcare or caregiving need	Childcare or caregiving need
	Contagious illness	Contagious illness
	Travel while on official business of legislative body	Travel while on official business of legislative body
		Immunocompromised family member
		Military service obligations that requires the member to be at least 50 miles outside the boundaries of agency
		Physical or mental condition that is not subject to accommodation

Just Cause Teleconferencing

- Requirement:
 - Disclose reason to legislative body at earliest opportunity
- Limit:^{*}
 - 2 meetings/year (body meets 1- per month)
 - 5 meetings/year (body meets 2 per month)
 - 7 meetings/year (body meets 3+ per month)
- Quorum: Remote participant does not count toward quorum
- Means: two-way audio-visual platform

Subsidiary Body Teleconferencing

“Eligible Subsidiary Body”

- “A commission, committee, board, or other body of a local agency, whether permanent or temporary, ... created by charter, ordinance, resolution, or formal action of a legislative body”;
- Exclusively advisory;
- Not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds;
- Does not have primary subject matter jurisdiction regarding elections, budgets, police oversight, privacy, public library materials, or taxes

Subsidiary Body Teleconferencing

- Requirement:
 - Legislative body must authorize the use of teleconferencing and renew the vote every 6 months; may withdraw authorization at will
 - At least one staff member shall be present at the physical location designated in the meeting
 - Elected official serving as a member of the subsidiary body cannot take advantage of this provision
 - Procedure for acting on recommendation of legislative body
- Means: two-way audio-visual platform
- Quorum: Remote participant does count toward quorum
- Limit: No limit

Multijurisdictional Body Teleconferencing

- “Eligible Multijurisdictional Body”
 - A multijurisdictional board, commission, or advisory body of a multijurisdictional, **cross-county agency**,* the membership of which board, commission, or advisory body is appointed
- “Multijurisdictional”
 - Legislative body that includes representatives from more than one county, city, or special district;
 - Legislative body of a joint powers entity

Multijurisdictional Body Teleconferencing

- Requirement:
 - Legislative body must authorize itself to use teleconferencing via resolution
 - If member receives compensation, then must remotely attend from location open to the public
 - Agenda and minutes reflect which members participate remotely
 - Remote location must be at least 20 miles away from the physical meeting location
- Means: two-way audio-visual platform
- Quorum: Remote participant does not count toward quorum
- Limit:
 - 2 meetings/year (body meets 1- per month)
 - 5 meetings/year (body meets 2 per month)
 - 7 meetings/year (body meets 3+ per month)

COLANTUONO
HIGHSMITH
WHATLEY, PC

Side-by-Side Comparison of Teleconferencing Exceptions

Teleconferencing Exceptions	Existing	SB 707
Traditional	GC 54953(b)	GC 54953(b)
ADA	N/A	GC 54953(c)
Health Authority	N/A	GC 54953.8.1
State of Emergency	GC 54953(e)	GC 54953.8.2
Just Cause	GC 54953(f)	GC 54953.8.3
Emergency Circumstance	GC 54953(f)	N/A
Neighborhood Council	GC 54953.8	GC 54953.8.4
Community College Student Organization	GC 54953.9	GC 54953.8.5
Eligible Subsidiary Body	N/A	GC 54953.8.6
Multi-jurisdictional body	N/A	GC 54953.8.7

Miscellaneous Updates – January 1, 2026



- Social media restrictions – removal of sunset from AB 992 (2021)
 - Legislative body members can use social media to communicate with public BUT
 - Majority cannot discuss matters within their jurisdiction via social media
 - *Individual members cannot* respond to another member's posts, shares, etc. on matters within their jurisdiction (including likes, comments, emojis, etc.)
- Providing copies of Brown Act
 - Local agencies *shall* provide copies of the Brown Act to persons elected or appointed to a legislative body
 - Electronic copies probably sufficient; recommend providing print version if requested

Miscellaneous Updates – January 1, 2026



- Compensation/benefits of executives
 - Before final action, verbally summarize salary or benefit changes for *department heads* and similar administrative positions of agency
 - Duplicative of existing law, but now explicit in Brown Act itself
- No special meetings on *legislative body's* salary or benefits
 - Can only occur at regular meetings
 - Builds on existing provision for local agency executives

Miscellaneous Updates – January 1, 2026



- Removal of disruptive virtual attendees
 - Authorizes removal of virtual attendees causing disruption under Brown Act
 - Must still provide warning before removal, unless behavior constitutes use of force or true threat of force
 - Recommend muting / moving to non-disruptive virtual participation, if possible
- Committee exception for public comments
 - Brown Act does not require public comments on agenda items if a committee of the body already considered the item, unless there were substantial changes
 - New exceptions when: (1) quorum of committee did not participate from single physical location; or (2) committee has primary subject matter jurisdiction over elections, budgets, police oversight, privacy, library materials, or tax and spending proposals
- Other minor updates/clarifications

Requirements for Eligible Legislative Bodies



ELIGIBLE LEGISLATIVE BODIES, DEFINED:

- Most senior body (e.g., council, board) of a...
 - City over 30k
 - County over 30k
 - City in a County over 600k
 - Special district with a website and
 - covering all of a county over 600k, and 200+ FTE employees
 - 1,000+ FTE employees
 - \$400 million annual revenue and 200+ FTE employees
- Other bodies at these agencies (committees, Planning Commissions, etc.) are NOT subject to the requirements

Requirements for Eligible Legislative Bodies

- **Effective July 1, 2026**
- Provide **access and comment opportunity** via:
 - **Two-way telephonic service** (dial-in service, no internet req'd)
 - **Two-way audiovisual platform** (online platform with video conference and telephonic service; must activate automatic captioning function)
- Exceptions:
 - If adequate telephonic or internet service is not operational at the meeting location;
 - If meeting is taking place outside the usual meeting location under certain circumstances (e.g., real property/facility inspections, etc.)
 - Emergency meetings



Requirements for Eligible Legislative Bodies

- Effective July 1, 2026
- Adopt **policy on disruption of service**, including good faith attempts to restore service for 1+ hour
 - If cannot remedy within 1 hour, MAY reconvene in open session, but MUST adopt a finding, by roll call vote, that: (1) good faith efforts were taken to restore the service; and (2) the public interest in continuing the meeting outweighs the public interest in remote public access
 - Policy cannot be approved on consent



Requirements for Eligible Legislative Bodies



- **Effective July 1, 2026**
- **Reasonably assist translation / interpretation requests**
(e.g. sufficient space, extra time, NOT actual service)
- **Translate and post agenda**, including remote attendance info, into any language spoken by >20% of jurisdiction that also speaks English less than very well
 - Use most recent American Community Survey, published by U.S. Census Bureau
 - Translation can be made through digital service
 - Only agenda, not entire packet



Requirements for Eligible Legislative Bodies

- **Effective July 1, 2026**
- **Engage with underrepresented communities**
 - Electronic system for accepting and fulfilling requests for agendas and meeting documents through e-mail or integrated agenda management platform; provide information on how to make request; link on homepage
 - Websites on meeting process must include: (1) a general explanation of the public meeting process; (2) an explanation of the procedures for a member of the public to provide in-person, remote, or written public comment; (3) a calendar of public meeting dates including time and location of each meeting; and (4) the current posted agenda(s) of the body; link on homepage
 - Provide physical space near posted agendas where public can post agenda translations
 - Make efforts to invite groups that do not usually participate; can use media organizations serving such communities, civic and community groups, etc. for this purpose



AUDIENCE Q&A

What questions
do you have
for us?



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58
Counties

483 Cities
& Towns

2,500+
Special
Districts

20,000+
Local
Agency
Leaders

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RECORDING & RESOURCES AVAILABLE SOON ON CA-ILG.ORG



The webinar recording and related resources will be shared via email with all registrants a few days after the webinar.

THANK YOU!



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