

- Slovak Baron Empey Murphy & Pinkney LLP -

SB 707- BROWN ACT - DURAZO

December 1, 2025



INDIAN WELLS, CA PALM SPRINGS, CA COSTA MESA, CA NEW YORK, NY PRINCETON, NJ SAN DIEGO, CA

BILL SUMMARY

- ▶ Enacts broad revisions to the Ralph M. Brown Act.
 - ▶ Modernizes California's open meeting laws with updated provisions on teleconferencing, public participation, and accessibility.
 - ▶ Establishes a new class of "eligible legislative bodies"
 - ▶ Enhance hybrid meeting and translation requirements, streamlines existing teleconferencing framework, and strengthens public participation rights while addressing meeting disruptions and accessibility accommodations.

KEY PROVISIONS

- ▶ The bill SB 707 creates a new category of “eligible legislative body” including:
 - ▶ City Councils of cities with population of 30,000+
 - ▶ City Councils of cities located in a county with a population of 600,000+
 - ▶ County boards of supervisors in the counties with 30,000+ population
 - ▶ Special district boards that have an internet website and (1) include the entirety of a county with a population of 600,000+ and have 200+ full-time employees; (2) have 1,000+ full-time employees; or (3) have 200+ full-time employees and annual revenues that exceed \$400 million
 - ▶ Until January 1, 2030, these bodies must provide two-way telephonic or audiovisual platforms for public participation, assist with translation services, and maintain accessible webpages with meeting information.

RULES SPECIFIC TO ELIGIBLE LEGISLATIVE BODIES

- ▶ *Two-Way Remote Attendance and Disruption Procedure.* SB 707 adds Cal Gov. Code §54953.4.
 - ▶ Eligible legislative bodies must now offer hybrid meetings that allow the public to participate through two-way telephonic or audiovisual platforms. Unless unavailable at location.
 - ▶ By July 1, 2026, each eligible legislative body must adopt, in open session, a policy addressing disruptions to these remote participation services and procedure for restoring access.
 - ▶ If a disruption prevents public participation, the eligible legislative body must recess and attempt in good faith to restore service for at least one hour.
 - ▶ The body must adopt a finding by roll call vote confirming that reasonable efforts were made and that resuming the meeting serves the public interest more than delaying it further.
 - ▶ The bill authorizes the eligible legislative body or its presiding officer to remove or limit participation by individuals engaging in disruptive behavior, whether attending in person or remotely.

RULES SPECIFIC TO ELIGIBLE LEGISLATIVE BODIES

- ▶ *Translation and Outreach.* SB 707 adds Cal Gov. Code § 54953.4.(b)(2) which states eligible legislative bodies do the following:
 - ▶ Translate meeting agendas and participation instructions into applicable languages
 - ▶ Provide a multilingual, accessible public webpage explaining comment procedures and meetings
 - ▶ Assist with interpretation requests.
 - ▶ Make outreach efforts to underrepresented and non-English-speaking communities, electronic public access to materials.
 - ▶ Prohibits liability for the accuracy of translations or interpretation provided by others.
 - ▶ Agencies must also publicly adopt a disruption policy for remote meetings, and specific exemptions are set for meetings largely focused on property, emergencies, or unique circumstances

RULES APPLICABLE TO LEGISLATIVE BODIES IN GENERAL

- ▶ *Brown Act Distribution. Under SB 707, Cal Gov. Code § 54952.7*
 - ▶ A local agency must provide a copy of the Brown Act to any person who is elected or appointed to serve as a member of the legislative body of the agency.
- ▶ *Social Media Exception. Cal Gov Code § 54952.*
 - ▶ Allows officials to communicate with members of the public on social media while prohibiting them from directly responding to anything another member of the same legislative body posts regarding agency business.
- ▶ *Reasonable Accommodation. Cal Gov Code § 54953(c)*
 - ▶ Legislative body members may participate by teleconference as an accommodation for a disability.
 - ▶ Members must participate using both audio and visual technology and must disclose if another adult is in the room with them, and the general nature of that person's relationship with the member.
- ▶ *Expanded Teleconferencing Requirements. Cal Gov Code § 24953(b)*
 - ▶ The traditional rules for teleconferenced meetings remain unchanged.

RULES APPLICABLE TO LEGISLATIVE BODIES IN GENERAL - continued

- ▶ *Expanded Teleconferencing Requirements. Cal Gov Code § 24953(d), (e), and (f)*
 - ▶ Teleconferencing rules in these sections for health authorities and during a proclaimed emergency, are moving to their own new sections, Cal Gov Code § 54953.8.1 and Cal Gov Code § 54953.8.2.
- ▶ Cal Gov Code § 54953.8.3
 - ▶ SB 707 recognizes and expands the teleconferencing provisions of the Brown Act, adding some uniformity to noticing, disclosure, accessibility, and public comment requirements for certain types of teleconferencing.
 - ▶ SB 707 revises and restates the existing teleconferencing provisions for states of emergency, just cause, and emergency circumstances, and expands coverage to include:
 - (1) states of emergency declared by localities
 - (2) just cause allowances, including physical or family medical emergencies preventing in-person attendance and military service.

RULES APPLICABLE TO LEGISLATIVE BODIES IN GENERAL - continued

- ▶ Exemptions to Public Comment. Cal Gov Code § 54954.3
 - ▶ The bill amends this code to broaden the exemptions to allowance for a legislative body to skip public comment for certain items already considered by a prior committee comprised exclusively of legislative members. To bypass comment
 - (1) There must not have been a substantial change to the item since committee consideration;
 - (2) The prior committee meeting must have had a physical, in-person quorum;
 - (3) The committee must not have primary jurisdiction over certain sensitive or high interest areas (e.g., elections, budgets, and police oversight).
- ▶ Public Recording Rights. The bill amends Cal Gov Code § 54953.5
 - ▶ To reaffirm the public's right to record open legislative body meetings
 - ▶ Broadens the recording right by removing limiting references to older devices (i.e., audio or video recorder or still or motion picture camera).

RULES APPLICABLE TO LEGISLATIVE BODIES IN GENERAL - continued

- ▶ Special Meetings Requirements. SB 707 modifies Cal Gov Code § 54956 regarding special meetings:
 - ▶ Expand the 24-hour posting and distribution requirements to all legislative bodies by removing prior exemptions for certain legislative bodies.
 - ▶ Expands the prohibition on calling special meetings to consider local agency salaries or compensation for local agency executives to also include those for legislative bodies themselves.
- ▶ Authority to Remove Disruptive Participants. The bill amends Cal Gov Code § 54957.95
 - ▶ To extend the authority of a presiding legislative body member to remove a person for disrupting a teleconferenced meeting
 - ▶ Adds Cal Gov Code § 54957.96 to authorize the removal or limit participation of a person participating in the meeting via two-way audiovisual platform or two-way telephonic services if that person “actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting.”