



Senate Bill 707

January 28, 2026

Public, Abridged Presentation



Senate Bill 707 of the 2025-2026 Legislative Session

- “Brown Act Modernization Act.”
- SB 707 generally runs from the mundane to the incredibly complex.
- Regarding the latter, the Legislature has created ten (10) teleconferencing processes. You do not need to know them all because the Legislature has created specific teleconferencing rules for specific Legislative Bodies which do not exist in Monterey County.

Senate Bill 707 of the 2025-2026 Legislative Session

- This presentation will begin with the more mundane updates to the Brown Act. One of the changes was immediate. The others came into effect on **January 1, 2026**.
- Next, the presentation will discuss “Eligible Legislative Bodies” – a provision which goes into effect **July 1, 2026**.
- Finally, this presentation will dive into Government Code Section 54953.8 and Sequence. These are the complex teleconferencing changes, and they went into effect **January 1, 2026**.

PART I:
**IMMEDIATE
CONSIDERATIONS
FOR ALL BROWN
ACT LEGISLATIVE
BODIES**

General Considerations

- Traditional Brown Act Teleconferencing Rules unchanged.
- TAMC is required to give members a copy of Brown Act.
- Social Media only a meeting if members interact with each other.
- Emergency Situations notice requirement now includes email.
- Special Meetings waiver requirement now includes telephone.
- Reporting Out for Department Head Salary from Closed Sessions.
- No Special Meetings for Salary Extended to Legislative Body.
- Zoombombing especially called out as disruptive.

Federal Americans with Disability Act Requirements Supersede Brown Act

- Effective **January 1, 2026**. Incorporates the ADA into the Brown Act. Long legal timeline on this.
- If a member demonstrates disability, the body must provide a “reasonable accommodation” to attend by “remote participation.”
- Remote member **must be treated as in-person** for purposes of quorum and voting.
- Requirements of teleconferencing member:
 - Use both audio and visual technology (except if their disability precludes visual technology, in which case audio is still required); and
 - Disclose if anyone over the age of 18 years of age is present and relationship.
- **Please note:** Remote-participating member does not disclose their location on the agenda (See Government code section 54953, subdivision (e)(2)(B)(3) discussing “remote participation”).
- **Who makes reasonable accommodation determination?**

PART II:

GOVERNMENT CODE SECTION

54953.4

(“Eligible Legislative Body”)

Eligible Legislative Body Definition

- Very limited in scope (for now)
 - According to CSAC, an earlier draft included more.
- **There are four categories of Eligible Legislative Bodies:**
 - City with population over 30,000.
 - City in a County where the County's population is over 600,000.
 - The Board of Supervisors of a County with a population of 30,000 or more.
 - Large Special Districts
- **TAMC is not an ELB.**

Eligible Legislative Body Duties

- An ELB has three general duties under SB 707:
 - “Mandatory Zoom” for the Public,
 - Provide some translated materials, and
 - Promote Public Participation

PART III:
GOVERNMENT
CODE SECTION
54953.8 AND
SEQUENCE

Government Code section 54953.8

Government Code section 54953.8

Government Code section 54953.8.1	Health Authority Districts
Government Code section 54953.8.2	State of Emergency
Government Code section 54953.8.3	Just Cause
Government Code section 54953.8.4	Eligible Neighborhood Councils
Government Code section 54953.8.5	Eligible Community College Student Organizations
Government Code section 54953.8.6	Eligible Subsidiary body
Government Code section 54953.8.7	Multijurisdictional body

- Section 54953.8 contains teleconferencing requirements which apply to all subsequent statutes
- The seven subsequent statutes are different kinds of teleconferencing statutes with their own rules.
- The requirements of Section 54953.8 and sequence are **cumulative**.

Government Code section 54953.8

Government Code section 54953.8

Requirements of Government Code 54953.8 – Review the statute every time

- **Realtime Two-Way Communications.** (Zoom*)
- **Realtime Communications Link on Agenda.**
- **Internet Disruptions.** No action until public access is restored.
- **Prohibit Pre-Meeting Public Comment Requirement.**
- **Hold Open Public Comments Long Enough for Public to Participate Remotely.**
- **Member's Name in Minutes – NO LOCATION IN AGENDA.** The member using this section **appear in the meeting minutes.**
- **Reasonable Accommodation Procedure.** Body implement a reasonable accommodation request process for the public.
- **Notice of Persons over the Age of 18 Years.** Disclose whether anyone over the age of 18 years of age is in the room and the relationship of the member with that person.

Government Code section 54953.8

Government Code section 54953.8

Government Code section 54953.8.2

State of Emergency

State of Emergency (54953.8.2) is available to **ALL** legislative bodies –

- **Basically AB 361:** majority vote of imminent risk to in-person attendance; must be revisited every 45 days.
- **Broader than AB 361:** specifically authorizes local emergencies.
- **No location in agenda requirement.**

Government Code section 54953.8

Government Code section 54953.8

Government Code section 54953.8.3

Just Cause

Just Cause (54953.8.3) is available to **ALL** legislative bodies:

- **Quorum in One Physical Location.**
- **Member Reports of General Need for Teleconferencing.**
- **Realtime Two-way Communications.** The member uses both audio and visual technology.
- **Limit on Uses Per Calendar Year.** 2 or 5 or 7 (**Read statute**)
- **Just Cause in Minutes – NOT AGENDA (Read statute):**
 - Caregiving; Contagious illness; Physical or mental condition; Travel; Immunocompromised family member; Physical or family medical emergency; Military service obligations.
- **No location in agenda requirement.**

Government Code section 54953.8

Government Code section 54953.8

Government Code section 54953.8.6

Eligible Subsidiary Body

“Eligible Subsidiary Body” Definition: A Brown Act Legislative Body which is **exclusively** in an advisory capacity, and takes no final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.

- **Elections, Budget, Police Oversight, Privacy, Public Library Material Access, and Taxes/Spending Committees.** The Committee does not have primary subject matter jurisdiction focusing on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

Government Code section 54953.8

Government Code section 54953.8

Government Code section 54953.8.6

Eligible Subsidiary Body

“Eligible Subsidiary Body” Teleconferencing Requirements

- **One Physical Location.**
- **Appearance.** Members should have their cameras and audio on.
- **Parent Legislative Body Findings.** Parent Legislative Body makes these findings (for the first time, and every six months thereafter).
- ESB must then approve teleconferencing after PLB approval.
- No location in agenda requirement.

Government Code section 54953.8

Government Code section 54953.8

Government Code section 54953.8.6

Eligible Subsidiary Body

“Eligible Subsidiary Body” Key Highlights:

- **The Elected Official Rule.** An elected official (in their official capacity) serving on a ESB cannot use ESB teleconferencing.
 - **CONSIDER** the consequences of Just Cause in an ESB.
- PLBs may **prohibit** teleconferencing under this Section.
- Recommendations can lead to delay of **2 regular PBL meetings.**

Government Code section 54953.8

Government Code section 54953.8

Government Code section 54953.8.7

Multijurisdictional body

“Multijurisdictional body” Definition: Body which includes representatives from more than one county, city, city/county, or special district (including Joint Powers Entity).

“Multijurisdictional body” Requirements: all of the following:

- **Adopt Resolution** at a regular meeting; and
- **Quorum in Physical Locations in the Jurisdiction;** and
- **Compensated Members Appear in Physical Location;** and
- **Agenda identifies who appears remotely;** and
- **Remote members use Realtime Two-way Communications;** and
- The teleconferencing member’s location is **more than 20 miles** from any physical meeting location; and
- **Use Limits.** Teleconferencing is limited **2 or 5 or 7** times per calendar year.
- **No location in agenda requirement.**