

Senate Bill 707 Abridged

January 7, 2026

Public 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 we do not represent. Just imagine how the public must feel!



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 is immediate. The others come 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 go into effect **January 1, 2026**.



PART I:
IMMEDIATE CONSIDERATIONS
FOR ALL BROWN ACT
LEGISLATIVE BODIES



General Considerations

- Traditional Brown Act Teleconferencing Rules unchanged.
- County is required to give members a copy of Brown Act.
- Social Media only a meeting if members interact with each other.
- Emergency Situations notice requirements add email option.
- Special Meetings Notice and Waivers telephone option.
- Reporting Out for Department Head 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.
- If a member demonstrates disability, the body must provide a “reasonable accommodation” to attend by “remote participation.”
- The 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, as defined under United States Code section 12102 of Title 42, 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

Not Applicable to TAMC (yet)



**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**.
- **Trivia:** Does anyone know why the sections are in this order?



Government Code Section 54953.8

Government Code section 54953.8	
Government Code section 54953.8.1	Health Authority Districts 2005 AB 1438
Government Code section 54953.8.2	State of Emergency 2021 AB 361
Government Code section 54953.8.3	Just Cause 2023 AB 2449
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

- **Extra bonus question:** What former Assembly Member and Board of Supervisor wrote AB 1438?



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.**
- **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.
- **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
Government Code section 54953.8.3	Just Cause
Government Code section 54953.8.6	Eligible Subsidiary body
Government Code section 54953.8.7	Multijurisdictional body

- **Whittle Down from 7 to 4:**
 - Section 54953.8.1 applies to Health Authority Districts; not relevant to the County of Monterey.
 - Sections 54953.8.4 and 54953.8.5 only apply to Legislative Bodies in Los Angeles.
- The remaining four statutes can be broken down into two categories:
 - **ALL:** Teleconferencing rules which any Legislative Body can use, if the circumstances are met
 - State of Emergency (54953.8.2) and
 - Just Cause (54953.8.3)
 - **SCHISM:** Teleconferencing only available depending on the subject matter of the Legislative Body
 - Eligible Subsidiary body (54953.8.6)
 - Multijurisdictional body (54953.8.7)



Government Code Section 54953.8

Government Code section 54953.8	
Government Code section 54953.8.2	State of Emergency
Government Code section 54953.8.3	Just Cause

- “ALL” Category
 - **NEW** Just Cause (54953.8.3) Requirements:
 - **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.



Government Code Section 54953.8

Government Code section 54953.8

Government Code section 54953.8.6

Eligible Subsidiary body

Government Code section 54953.8.7

Multijurisdictional body

- “Schism” Category:
 - “Eligible Subsidiary Body” Definition: All of the following
 - **Committee.** Is a commission, committee, or board (“Committee”) as described in 54952(b); and
 - **Exclusive.** The Committee serves **exclusively** in an advisory capacity; and
 - **No Final Actions.** The Committee is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds; and
 - **Elections, Budget, Police Oversight, Privacy, Public Library Material Access, and Taxes/Spending Committees (“Special 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

Government Code section 54953.8.7

Multijurisdictional body

- “Schism” Category:
 - “Eligible Subsidiary Body” Teleconferencing Requirements (1/2): All of the following
 - **One Physical Location.** One location within the body’s boundaries. No body member needs to go to the location, but at least one staff member. Agenda at physical location only.
 - **Appearance.** At least one member should have their camera on, unless disabled or technical issues. Must announce the latter.
 - **Parent Legislative Body Findings.** Parent Legislative Body makes these findings (**for the first time, and every six months thereafter**):
 - The Parent Legislative Body considered the circumstances of the Eligible Subsidiary Body.
 - Teleconference ESB meetings would enhance public access, and the public **1)** is notified of remote participation and **2)** has been provided the opportunity to comment at an in-person meeting of the Parent Legislative Body.
 - Teleconference would promote the attraction, retention, and diversity of ESB.



Government Code Section 54953.8

Government Code section 54953.8

Government Code section 54953.8.6

Eligible Subsidiary body

Government Code section 54953.8.7

Multijurisdictional body

- “Schism” Category:
 - “Eligible Subsidiary Body” Teleconferencing Requirements (2/2): All of the following
 - **ESB Approval after PLB findings.**
 - **ESB Recommendations.** The ESB may use these powers whenever it makes a recommendation to present to the PBL:
 - **Recommendation at Next Regular Meeting** (60 days or ASAP thereafter); and
 - **Recommendation Must be a Timed Item;** and
 - **No Action until Regular Meeting AFTER Recommendation Presentation.**

Key Highlights:

- **The Elected Official Rule.** An elected official serving on a ESB cannot use ESB teleconferencing.
- 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 54953.8.6

Eligible Subsidiary body

Government Code section 54953.8.7

Multijurisdictional body

- **“Schism” Category:**
 - **“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.



Questions?

