

---

# SENATE COMMITTEE ON LOCAL GOVERNMENT

Senator María Elena Durazo, Chair

2025 - 2026 Regular

---

**Bill No:** SB 1187  
**Author:** Durazo  
**Version:** 2/19/26

**Hearing Date:** 4/29/26  
**Fiscal:** No  
**Consultant:** Peterson

## ***OPEN MEETINGS: MAJORITY***

*Defines “majority” for the purposes of local agency meeting laws.*

### **Background**

***Brown Act.*** The Ralph M. Brown Act provides guidelines for how local agencies must hold public meetings. Among other provisions, the Act requires meetings of the legislative body of a local agency be open and public. The Legislature originally enacted the Brown Act in 1953 and has since amended it numerous times. The Legislature expressly declared the intent of the Brown Act in its original statute, which remains unchanged today:

The Legislature finds and declares that the public commissions, boards and councils and other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

The Brown Act generally requires local agencies to notice meetings in advance, including the posting of an agenda, and requires these meetings to be open and accessible to the public. The Brown Act defines a “meeting” as “any congregation of a majority of the members of a legislative body at the same time and location, including teleconference locations, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.” The Brown Act applies not just to governing bodies of local agencies like a city council or county board of supervisors. It also applies to these other legislative bodies of a local agency:

- Bodies of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body;
- Standing committees of a legislative body, regardless of their composition, that have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body; and
- Boards, commissions, committees, or other multimember bodies that govern a private corporation, limited liability company, or other entity that either is created by an elected legislative body to exercise authority delegated to it, or receives funds from a local agency and the membership includes a full voting member from that legislative body.

The Brown Act lays out certain requirements for public participation. The legislative body cannot require members of the public to register or provide information as a condition of participation. The Brown Act also generally requires every agenda for meetings to provide an opportunity for the public to directly address the legislative body on any item of public interest, before or during its consideration of the item, within its jurisdiction. While the Brown Act requires local agencies to provide opportunities for public comment, it also allows local agencies to adopt reasonable regulations to carry out public participation requirements, such as limiting the amount of time for public testimony on each item and for each speaker. These restrictions must be content-neutral. For example, the local agency cannot restrict public criticism of its actions.

If a member of the public, including the respective district attorney, believes a local agency violated the Brown Act, they must first send an order to the local agency to correct the violation. If the local agency disagrees with the complaint and does not correct it, the submitter can pursue the complaint through the courts. If the court agrees with the complaint, outcomes range from invalidating certain actions of the local agency to a misdemeanor criminal conviction.

***Brown Act controversies.*** For a legislative body to take action, the Brown Act requires majority approval. However, there is no definition of majority. From time to time, this lack of definition has led to controversy. A recent story in the *San Gabriel Valley Tribune* highlights one example regarding Central Basin Municipal Water District:

“State law and Central Basin’s administrative code required five affirmative votes, a majority of the board, to pass anything, but with only seven board members left and a stalemate on hiring a new general manager, four of the elected officials took the stance that the vacant board seat also reduced the number of votes necessary to qualify as a majority...Under the premise they constituted a majority, the four members hired an interim general manager...and replaced the district’s lawyer, against the warnings of staff and their past legal counsel. Board members pushed forward even after the Los Angeles County District Attorney’s Office told them their votes were invalid and the Metropolitan Water District refused to seat Central Basin’s appointees for the same reason.”<sup>1</sup>

To avoid any such issues in the future, the author wants to define majority for purposes of the Brown Act.

### **Proposed Law**

Senate Bill 1187 defines “majority” in the Brown Act to mean the number of members of the legislative body equaling one more than half of the total number of seats on the legislative body. If a seat on the legislative body is vacant, that seat shall still be counted as a seat on the legislative body.

The measure also makes findings and declarations to further its intent.

### **Comments**

---

<sup>1</sup> <https://www.sgvtribune.com/2020/08/30/water-district-fires-nearly-all-of-its-employees-after-they-refuse-to-follow-boards-illegal-votes/>

1. Purpose of the bill. According to the author, “SB 1187 is needed to bring clarity and stability to how a “majority” is defined under the Brown Act, cutting through the confusion that has, at times, disrupted local governance. When rules are open to interpretation, they can be stretched, challenged, or even ignored. Californians have seen firsthand during the Central Basin Municipal Water District dispute, where disagreement over what counted as a majority led to a prolonged stalemate and public frustration. That kind of uncertainty doesn’t just slow down decision-making; it chips away at trust in the institutions meant to serve the public.

“By firmly defining a majority as more than half of all authorized seats even when some are vacant, SB 1187 restores a clear, reliable standard that every legislative body must follow. In doing so, it reinforces the spirit of transparency and accountability at the heart of the Brown Act, ensuring that decisions carry real legitimacy and reflect the true will of the governing body.”

**Support and Opposition** (4/24/2026)

Support: None Submitted

Opposition: None Submitted

-- END --