

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 707 (Durazo) – As Amended July 17, 2025

Policy Committee: Local Government

Vote: 6 - 2

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill makes numerous changes to the rules governing local agency public meetings pursuant to the Ralph M. Brown Act (Brown Act) to, among other things, increase public access and extend teleconferencing flexibilities.

Major provisions include:

- 1) Defines “eligible legislative bodies” as follows:
 - a) A city council of a city with a population of 30,000 or more.
 - b) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.
 - c) A city council of a city located in a county with a population of 600,000 or more.
 - d) The board of directors of a special district whose boundaries include a population of 200,000 or more and that has an internet website.
- 2) Requires eligible legislative bodies described above to meet additional public access and participation requirements until January 1, 2030. These requirements include providing (a) an opportunity for public attendance via a two-way telephonic service or a two-way audiovisual platform, (b) reasonable assistance with translation and interpretation services at public meetings, and (c) translation of agendas and specified website content into all applicable languages. Eligible legislative bodies must also actively encourage public participation, including by members of the public in underrepresented and non-English-speaking communities, among other specified requirements.
- 3) Revises and recasts teleconferencing provisions applicable to health authorities and applicable during a state of emergency, and expands these provisions to include a local emergency, as specified.
- 4) Extends the sunset date to January 1, 2030, on teleconferencing flexibility provisions allowing remote participation of an individual legislative body member based on “just cause” and “emergency circumstances,” and teleconferencing flexibility provided to neighborhood councils and student body associations. The bill also provides teleconferencing flexibility to subsidiary bodies and multijurisdictional bodies, as specified, until January 1, 2030.

- 5) Extends, from nine months to 12 months after the alleged violation, the period of time a petitioner has to submit a cease and desist letter to a legislative body before filing an action to determine if a legislative body has violated the Brown Act.
- 6) Clarifies the existing authority of a legislative body to remove or limit participation by individuals or groups of persons who disrupt, disturb, impede, or render infeasible the orderly conduct of a meeting applies to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform.
- 7) Provides teleconferencing requirements do not apply to remote participation by a member of a legislative body with a disability, as specified.
- 8) Makes permanent provisions of law governing the use of social media platforms by members of legislative bodies by removing the sunset date of January 1, 2026.

FISCAL EFFECT:

- 1) Ongoing costs to local agencies of an unknown but likely significant amount to meet new Brown Act requirements, such as providing translation services and two-way telephonic services or audiovisual platforms for public meetings, and performing numerous new administrative duties. Local agencies may also incur additional legal costs due to increased legal exposure. However, any costs imposed on local agencies as a result of this bill are not state-reimbursable. Proposition 42, passed by voters on June 3, 2014, amended the state Constitution to require all local governments to comply with the California Public Records Act (CPRA) and the Brown Act, and eliminated reimbursement to local agencies for costs of complying with the CPRA and Brown Act.
- 2) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts to adjudicate violations of this bill in civil actions brought to enforce this bill. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The fiscal year 2025-26 state budget provides \$82 million ongoing General Fund to the Trial Court Trust Fund for court operations.

COMMENTS:

- 1) **Purpose.** According to the author:

The Brown Act since 1954 has served as the minimum standard for how the public can access their local meetings and for how local agencies conduct meetings. As technology has improved, the Legislature has made thoughtful changes to modernize the Brown Act. In addition, the pandemic has helped bring along other technological advancements. [This bill] will modernize Brown Act rules for government bodies to improve transparency and expand public access. This bill will help governments better serve their communities and increase the public's access to meetings, especially for disabled, working, and non-English speaking communities.

- 2) **Background.** Existing law, the Brown Act, requires all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. The Brown Act generally requires meetings be noticed in advance, including the posting of an agenda, requires members of the public to have an opportunity to comment on agenda items, and prohibits deliberation or action on items not listed on the agenda.

The Brown Act allows a local agency to use teleconferencing for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law, in compliance all requirements of the Brown Act and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

The Brown Act authorizes a local agency to use teleconferencing without complying with the requirement that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public, under specified circumstances, until January 1, 2026. In order to use this alternative teleconferencing provision, at least a quorum of the members of the legislative body must participate in person from a singular physical location that is open to the public and situated within the local agency's jurisdiction. Existing law also grants various types of local agencies exceptions to these teleconferencing requirements, such as neighborhood councils, student body associations, and student-run community college organizations.

On March 23, 2025, the Senate Local Government Committee held an informational hearing on the Brown Act, titled "Meeting the Moment: Strengthening Community Voices in Local Government Meetings." This bill seeks to address many of the issues raised at the informational hearing.

- 3) **Support and Opposition.** Supporters, the California State Association of Counties, Rural County Representatives of California, and Urban Counties of California, assert this bill represents a balanced approach in the modernization of the Brown Act.

In opposition, the California Special Districts Association and a coalition of special districts correctly assert the definition of "eligible legislative bodies," is unworkable in its application to special districts. They also cite increased exposure to litigation and significant costs, especially for smaller districts, to comply with the bill's requirements. Additionally in opposition, a coalition of open government groups, including Common Cause, ACLU California Action, and the First Amendment Coalition, among others, assert the bill weakens the Brown Act by removing critical transparency protections, making local government less open and accessible to the press and public.

The author continues to work to address various issues.

- 4) **Related Legislation.** This bill incorporates the contents of AB 259 (B. Rubio), AB 409 (Arambula), and AB 467 (Fong), of this legislative session, which extend sunset dates on teleconferencing flexibilities for certain entities, and were subsequently held in the Senate Local Government Committee. Similarly, this bill includes the contents of SB 239 (Arreguín), which provides similar flexibilities to subsidiary bodies. SB 239 is on the inactive file on the Senate Floor.