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# SB 707 Explained: Major Changes to California's Open Meeting Law

**Presenters:**

Megan McClurg, Assistant City Attorney,  
Oceanside

Tracy Noonan, City Attorney, Thousand Oaks  
Johnnie Pina, Legislative Advocate, League of  
California Cities

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# Speakers

- Tracy Noonan, City Attorney, Thousand Oaks
  - Megan McClurg, Assistant City Attorney, Oceanside
  - Johnnie Pina, Legislative Advocate, Cal Cities
- 
- Thanks to Javan Rad, City Attorney, Ventura, Ruben Duran, Partner, BBK Law, Kurt Wendlenner, Assistant General Counsel, Cal Cities and the Cal Cities City Attorney Brown Act Committee.

# Cal Cities Brown Act Committee

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- 
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# SB 707 Background



# SB 707 Next Year

# The Brown Act Then & Now

## California's First Open Meeting Law

*The series printed in this booklet led to the adoption of California's first Open Meeting Law in 1953. While the text of today's amended law (1990) comprises 21 pages, the proposed version in 1952 was contained in just two typewritten pages, and is re-printed herewith. The preamble, written by Michael Harris in 1952, is still preserved in today's law.*

(An act to add chapter 9, comprising sections 54950 to 54957 inclusive, to Part 1, Division 2, Title 5, of the Government Code relating to meetings of legislative bodies of local agencies.)

**Preamble.** The public commissions, boards and councils and the 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 people of the State of California do therefore enact as follows:

**Section 1.** Chapter 9, comprising Sections 54950 to 54957 inclusive, is added to Part 1, Division 2, Title 5, of the Government Code, to read: CHAPTER 9. MEETINGS

**54950.** "Local agency" defined. As used in this chapter, "local agency" means a county, city, town, school district, municipal corporation, district, political subdivision, public corporation, or any board, commission or agency thereof, or other public agency of the State.

**54951.** "Legislative body" defined. As used in this chapter, "legislative body" means the governing board, commission, directors or body of a local agency, or any board or commission thereof.

**54952.** Meetings to be public. All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

**54953.** Regular meetings. Time and place. The legislative body of a local agency shall provide,

by ordinance, the time and place for holding regular meetings. Meetings of the legislative body shall be held within the boundaries of the territory over which the local agency exercises jurisdiction. If at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day. If, by reason of fire, flood, earthquake or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the presiding officer of the legislative body.

**54954.** Adjourned meetings. The legislative body of a local agency may adjourn any regular or adjourned meeting to a time and place specified in the order of adjournment. When so adjourned, the adjourned meeting is a regular meeting for all purposes. When an order of adjournment of a regular or adjourned meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified by ordinance for regular meetings.

**54955.** Special meetings. A special meeting may be ordered at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering personally or by mail written notice to each member of the legislative body and to each local newspaper of general circulation printed and published within the boundaries of the territory over which the local agency exercises jurisdiction. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. The order shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by the legislative body.

**54956.** Exceptions. A private meeting or executive session shall not be held by the legislative body of a local agency, except to consider the employment or dismissal of a public officer or employee or to hear complaints or charges brought against such officer or employee by another public officer or employee. The legislative body also may exclude from any public or private meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.

**54957.** The provisions of this chapter shall apply to the legislative body of every local agency notwithstanding the conflicting provisions of any other State law.

## Senate Bill No. 707

### CHAPTER 327

An act to amend Sections 54952.7, 54953, 54953.5, 54953.7, 54954.2, 54954.3, 54956, 54956.5, 54957.6, 54957.9, and 54957.95 of, to amend and repeal Section 54952.2 of, to add Sections 54953.8, 54953.8.1, 54953.8.2, and 54957.96 to, and to add and repeal Sections 54953.4, 54953.8.3, 54953.8.4, 54953.8.5, 54953.8.6, and 54953.8.7 of, the Government Code, relating to local government.

[Approved by Governor October 3, 2025. Filed with Secretary of State October 3, 2025.]

### LEGISLATIVE COUNSEL'S DIGEST

SB 707, Durazo. Open meetings: meeting and teleconference requirements.

(1) Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate.

# Eligible Legislative Bodies

Requirements for “eligible legislative bodies” are effective July 1, 2026, sunset January 1, 2030 (Government Code Section 54953.4)

# Eligible Legislative Bodies – Definition

An Eligible Legislative Body is:

- City Council of a City
  - with a population of 30,000 or more
  - in a county with a population of 600,000 or more
- County Board of Supervisors of a County (or City and County)
  - with a population of 30,000 or more
- Board of Directors of a Special District that has an internet website and one of the following:
  - boundaries include entirety of county with a population of 600,000 or more, and special district has more than 200 full-time equivalent employees
  - over 1,000 full-time equivalent employees
  - annual revenues of over \$400 million and over 200 full-time equivalent employees

# Eligible Legislative Bodies - Remote Public Access

**Remote Participation:** Must allow members of the public to attend via two-way telephone or two-way audio-visual platform, “except if adequate telephonic or internet service is not operational at the meeting location”

**Policy:** On or before July 1, 2026, must approve at open session, not on consent calendar, a policy regarding telephonic/internet disruptions that includes:

- 1) Procedures for recessing/reconvening if telephone/internet service is disrupted; and
- 2) Specifies efforts that the body “shall make” to attempt to restore the service



# Eligible Legislative Bodies – Telephone or Internet Service Disruptions

If telephone/internet service disruption, must recess and make a good faith attempt to restore the service

- Body may meet in closed session during the disruption
- Reconvene when service is restored or after one hour, whichever is earlier

Upon reconvening open session, if telephone/internet service is not restored, body must make a finding by rollcall vote that:

- 1) good faith efforts to restore the telephone or internet service have been made in accordance with [the body's] policy; and
- 2) the public interest in continuing the meeting outweighs the public interest in remote public access

# Eligible Legislative Bodies – Remote Public Access Requirements

- If two-way audiovisual platform provided, must publicly post and provide a call-in option, and activate “automatic captioning” if function is included in two-way audiovisual platform
- Bodies allowing for two-way telephonic service or two-way audiovisual platform must
  - Allow remote public comment, giving speakers the “same time allotment” as an in-person
  - Reasonably assist members of the public who wish to translate a public meeting into any language – could include
    - Arranging space for interpreters at meeting location
    - Allowing extra time for interpretation
  - Ensure participants may utilize their personal equipment or “reasonably access” facilities for participants to access “commercially available” interpretation services

# Eligible Legislative Bodies – Meetings Exempt from Remote Public Access Requirements

- Attendance at a judicial or administrative proceeding where the local agency is a party
- Inspect real or personal property (if meeting limited to items “directly related” to that property)
- Meet with elected or appointed officials of the United States or the State of California, “solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction”
- Meet in or nearby a facility owned by the agency (if meeting limited to items “directly related” to the facility)
- Meet in an emergency situation pursuant to Government Code Section 54956.5

# Eligible Legislative bodies - Local Outreach and Website Posting

- **Bodies must take the following actions to encourage residents to participate in public meetings** (includes residents in underrepresented communities and non-English speaking communities)
  - Electronically accept requests for meeting agendas/documents through email or an integrated agenda management platform
    - Must post information on how to make request through a “prominent direct link” on primary homepage
  - Create and maintain webpage “dedicated to public meetings” that includes or links to:
    - General explanation of public meeting process for the body
    - Explanation of public comment procedures, as well as procedures to provide “written public comment”
    - Calendar of public meeting dates with “calendar listings” of date/time/location of meeting
    - Agenda posted online
  - Make reasonable efforts to invite groups “that do not traditionally participate in public meetings” to attend – statute gives bodies “broad discretion” in efforts made

# Eligible legislative bodies - City-Provided Agenda Translations

- **Meeting agenda and website translation requirements**
  - Requirements
    - Must **translate meeting agendas into all “applicable languages”** and post such translation, with instructions on how to join meeting remotely, including public comment instructions
    - Full agenda packet not required to be translated
    - “Applicable languages” – languages spoken jointly by at least 20% of “applicable population” according to most recent American Community Survey, provided that 20% or more of the population speaks English less than “very well”

# Eligible legislative bodies – Applicable Languages

- If more than three languages meet the criteria, “applicable languages” shall mean the three languages that are spoken by the largest percentage of the population.
- An eligible legislative body may determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.



# Eligible legislative bodies - Physical Public Posting Location

- **Meeting agenda and website translation requirements (cont.)**
  - Webpage encouraging residents to participate in public meetings must be translated into all “applicable languages” and be posted through “prominent direct link” on body’s “primary internet website home page”
  - Digital translation services permissible
  - Body must make available a “**physical location** that is freely accessible to the public” which is “in reasonable proximity” where agenda and translations are posted to **allow members of the public to post additional translations of agenda**
    - Body not responsible for content/accuracy of public’s additional translations posted

# General amendments to the Brown Act

# SB 707 – Social Media use

- **Makes permanent AB 992** – public officials use of social media.

# SB 707 – Copy of the Brown Act

- Local agency must **give a copy of the Brown Act** to every elected/appointed member of a legislative body of the local agency.

# SB 707 – ADA Access

- **Codifies July 2024 California Attorney General Opinion re: ADA access**
  - Allows remote participation as reasonable accommodation (and treats it as in-person attendance for quorum purposes) if both of the following are met
    - Member participates through audio and video – except any member with a disability may participate only through audio (no video) if “a physical condition related to their disability results in a need to participate off camera”
    - At the meeting, and before any action is taken, member discloses (a) whether any other individuals 18 or older are in the room at the remote location; and (b) the “general nature” of their relationship with the individuals

# SB 707 - Alternative Teleconferencing Rules

- SB 707 - Reorganized / recast teleconference rules – applicable to legislative bodies – Government Code Section 54953.8 (and subsections), sunsets January 1, 2030.
- **New/revised requirements if body holds non-traditional teleconference meeting**
  - Must allow public to remotely hear and observe, and provide public comment by way of
    - Two-way audio-visual platform; or
    - Two-way telephonic service and live webcasting
  - If disruption that prevents (a) observation through call-in or internet service; or (b) public comment (if within agency's control), body prohibited from taking action on agenda items until service is restored
  - Must list in meeting minutes the identity of teleconferencing member of body and "specific provision of law" allowing teleconferencing
  - Teleconferencing member must publicly disclose
    - Whether any other individuals 18 years of age or older are in the remote location room; and
    - Member's general relationship with those individuals

# SB 707 - Alternative Teleconferencing Rules

- Quorum required in single physical location
- Teleconferencing member must
  - Notify of need to participate by “**just cause**” (seven categories in definition) – no vote required
  - Participate through both audio and video
  - Annual limits on teleconferencing
    - Two meetings – if body regularly meets monthly or less
    - Five meetings – if body regularly meets twice per month
    - Seven meetings – if body regularly meets three or more times per month



# SB 707 - Subsidiary (Advisory) Bodies

- **Teleconference meeting requirements for “eligible subsidiary bodies”**
  - Definition of “eligible subsidiary body”
    - Exclusively advisory
    - No final action on legislation, regulations, contracts, license, permits, or any other entitlements, grants, or allocation of funds
    - No primary jurisdiction that focuses on elections, budgets, police oversight, privacy, public library material access, or taxes/related spending proposals

# SB 707 - Subsidiary (Advisory) Bodies

- Teleconference meetings permitted where:
  - Legislative body that established the “eligible subsidiary body” makes certain findings to allow the eligible subsidiary body to teleconference – and make findings every six months thereafter
    - Legislative body that established eligible subsidiary body may prohibit teleconferencing at any time
  - Physical meeting location where (a) members not remote are present; (b) public can attend; and (c) at least one staff present
  - Meeting agenda posted at physical meeting location
  - Teleconferencing members must be on camera, unless need to participate off camera due to physical or mental condition not covered by ADA reasonable accommodation
    - If teleconferencing member has lack of reliable broadband or internet, may join without video if it would remedy issue
    - Announce reason for lack of video before turning off camera, if connectivity issue

# SB 707 - Other Alternative Teleconferencing

- **Other bodies that may conduct teleconferenced meetings** (following certain requirements)
  - Health authorities
  - Eligible neighborhood councils (Los Angeles neighborhood councils)
  - Eligible community college student organizations
  - Eligible multijurisdictional bodies (multijurisdictional boards, including Joint Powers Authorities - only if members drive 20+ miles one-way to meetings)

# SB 707 - “Committee exception” to public comment requirement

- Existing law (Government Code 54954.3): body not required to allow for public comment on regular meeting agenda item if item was previously considered by a committee composed exclusively of members of the legislative body at a public meeting where the public could address the committee on the item, and item has not “substantially changed”
- SB 707 adds additional requirements:
  - When considering the item, a quorum of the committee members must have participated from a singular physical location that was clearly identified on the agenda, open to the public, and within the boundaries of the territory over which the body exercises jurisdiction
  - Committee cannot have primary subject matter jurisdiction over elections, budgets, police oversight, privacy, removing or restricting access to library materials, or taxes or related spending proposals (unless the committee was prohibited by law from placing a limit on the time for public comment on the item)

# SB 707 - Emergency Teleconferencing

- Existing law: allows teleconferencing during a proclaimed state of emergency if meeting in person would present imminent risks to the health and safety of attendees. State of emergency defined as one declared by the governor.
- SB 707: teleconferencing authorization is extended to a locally declared state of emergency (including a local health emergency)

# SB 707 - Zoom Bombing

- Existing law authorizes the presiding member of the legislative body conducting a meeting or their designee to limit or remove an individual disrupting the meeting
- This bill specifies that these rules are also applicable to any teleconferenced meeting

# Considerations for 2026

## (1 of 2)

- **Before January 1, 2026**

- Provide a **copy of the Brown Act** to members of city-created legislative bodies
- Provide bodies with a **“list” of meeting locations** “available for use by the legislative bodies to conduct their meetings”
- **Evaluate staffing and technology resources** to confirm compliance with legal requirements
- **For “eligible subsidiary bodies”** that could/should teleconference their meetings, **ensure “formal action” is taken** and calendar six-month come-ups to renew the action

# Considerations for 2026

## (2 of 2)

- **Before July 1, 2026** – for “eligible legislative bodies” (City Councils in cities, if population threshold met)
  - Offer observation of/public comment at meeting through **two-way telephone service or two-way audio-visual service**
  - **Outreach** to encourage participation in public meetings
  - **Webpage development** that explains public meeting process and public comment procedures (translated in “all applicable languages”)
  - Post **agendas translated** in “all applicable languages”
  - **Identify “physical location”** for agenda translations
  - **Adopt disruption policy** re: connectivity issues



# QUESTIONS?



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