

Legislature Makes Multiple Technical Changes to the Brown Act

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Written by:

Harold M. Freiman
Partner
Walnut Creek

Adam Goldberg
Associate
San Diego

On October 3, 2025, Governor Gavin Newsom signed into law Senate Bill (SB) 707, which will go into effect on January 1, 2026. SB 707 makes significant updates to the Ralph M. Brown Act (Brown Act), with the intent of reducing barriers to public participation at meetings held by legislative bodies. The bill extends rules for teleconferencing / remote participation in meetings, and streamlines requirements for the same.

The Brown Act requires meetings of legislative bodies be open to the public, with all persons permitted to attend and participate in the open sessions of those meetings. The Brown Act provides rules for scheduling meetings, posting agendas, conduct at meetings, and public participation. SB 707 expands these rules to make meetings even more accessible to members of the public while extending provisions for remote attendance for members of the legislative body.

Changes Imposed on “*Eligible Legislative Bodies*”

SB 707 includes some provisions applicable to all public agencies, but the greatest impacts apply only to “eligible legislative bodies.” Under SB 707, an eligible legislative body is defined as a city council of a city with a population of 30,000 or more; a county board of supervisors of a county with a population of 30,000 or more; a city council of a city in a county with a population of 600,000 or more; or the board of directors of a special district having an internet website satisfying certain conditions. Local educational agencies are not included, though other changes implemented by SB 707 will apply to such agencies.

Hybrid Meetings

With certain exceptions, beginning **July 1, 2026**, eligible legislative bodies will be required to hold hybrid public meetings. All open and public meetings must include an option for members of the public to attend via a two-way telephonic or audiovisual platform allowing them to participate in the meeting remotely. Members of the public attending a meeting via teleconference or audiovisual platform must be permitted to make public comments with the same time allotment as those attending the meeting in person. The eligible legislative body must make a good-faith effort to restore service when telephonic or internet disruptions occur.

Before July 1, 2026, each eligible legislative body must adopt a policy addressing service disruptions during hybrid public meetings. The policy must outline procedures to be followed during service disruptions, including:

- Recessing the meeting for at least an hour in an attempt to resolve the service disruption;
- Efforts which the legislative body will take to attempt to restore the service; and
- Reconvening the meeting.

If the service disruption is not resolved before the meeting is reconvened, the legislative body must, by rollcall vote, adopt a finding that good-faith efforts were made in accordance with the policy and that the public interest in continuing the meeting outweighs the public interest in remote meeting access.

The presiding officer of a meeting may remove or limit participation of persons who are attending the meeting remotely if they engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting.

Translations of Meeting Agendas

Eligible legislative bodies will also be required to translate the agenda for each meeting into all “applicable languages,” as defined. “Applicable languages” are those spoken by 20% or more of the applicable population, provided that 20% or more of the population speaks English less than “very well.” This determination is based on the most recent American Community Survey. The translated agenda must be posted at least 72 hours prior to a regular meeting.

The eligible legislative body may choose to determine applicable languages based on a source other than the American Community Survey if it finds the alternative sources provide equally or more reliable data for the area within its jurisdiction.

Each translation must be posted at a physical location that is freely accessible to the public and on an accessible internet webpage, including instructions in the applicable language describing how to join the meeting by telephonic or internet-based service option, and any requirements to register for public comment.

Changes Imposed on *All Legislative Bodies*

SB 707 imposes the following rules applicable to all legislative bodies, including governing bodies and committees to which the Brown Act applies, beginning **January 1, 2026**.

Teleconferencing Provisions

Prior to SB 707, the Brown Act contained traditional teleconferencing procedures, which required that, when members of a legislative body attend a meeting remotely (by teleconference), (1) the agenda must be posted at all teleconference locations, (2) all teleconference locations must be open and accessible to the public, and (3) at least a quorum of the members of the legislative body must participate from a location within the boundaries of the agency.

In addition, there were alternative procedures allowing the public agency to avoid posting all teleconference locations and making those locations open to the public, in circumstances including during a proclaimed state of emergency, or where a member has “just cause” or an “emergency” basis

for attending remotely, provided the legislative body provided means for the public to remotely attend, participate, hear, and visually observe the meeting. These alternative teleconferencing procedures were set to expire on January 1, 2026.

SB 707 extends the alternative teleconferencing procedures indefinitely, while reorganizing the procedures into a new set of statutes. The traditional teleconferencing procedures remain unchanged.

Under the new alternative teleconferencing provisions, a legislative body must allow the public to remotely hear and visually observe the meeting by providing either a two-way audiovisual platform, or a two-way telephonic service together with a live webcasting. The definition of “just cause” for member’s attendance by teleconferencing without having to agendize or identify their location will be broadened to include, among other circumstances, a physical or family medical emergency that prevents the member from attending in person. SB 707 combines what used to be the “emergency” exception with the “just cause” exception, so that they now both fall under “just cause.”

When a member of the legislative body participates in a teleconference meeting from a remote location, the specific provision of law the member relied upon to permit their participation by teleconferencing must be listed in the minutes of the meeting.

Members of a legislative body with a disability requiring remote participation as a reasonable accommodation must be permitted to attend by teleconferencing, and considered to have attended in person.

Finally, SB 707 includes a set of updated teleconferencing provisions, each with their own set of requirements and procedures, applicable specifically to health authorities, neighborhood councils, student body associations and student-run community college organizations, eligible subsidiary bodies, and governing bodies of joint powers authorities,

The section specific to subsidiary bodies clarifies that “eligible subsidiary bodies” will be able to conduct meetings by teleconference provided that they comply with the teleconferencing requirements applicable to all legislative bodies, and the following additional requirements:

- Designate one physical meeting location where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting.
- At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting.

An “eligible subsidiary body” means a legislative body that: serves in an advisory capacity; is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds; and does not have primary subject matter jurisdiction that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

Additional Requirements

Newly elected members of the legislative body must be given a copy of the Brown Act. Previously, the Brown Act encouraged, but did not require, a copy of the Brown Act be given to a newly elected

member of the legislative body. We note that Lozano Smith's Brown Act Handbook, which is available at no cost to all our clients, satisfies this requirement, as it contains the entirety of the Brown Act as well as a summary of the same.

The language that previously made emergency meeting internet posting requirements applicable only to certain legislative bodies, has been removed, thereby extending those requirements to all legislative bodies.

The prior-established sunset date for members of legislative bodies to be able to engage with the public and answer questions on social media will be removed. Members of legislative bodies will remain able to engage with the public and answer questions on social media provided the members do not respond directly to a communication made by another member.

The existing rule that a legislative body must orally report a summary, prior to taking final action on compensation for a local agency executive (as defined in Gov. Code, § 3511.1), will now be expanded to a broader range of department heads and similar administrative officers. Existing law specifies that the agenda for a meeting is not required to provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee. Under SB 707, members of the public will be able to address the legislative body on matters that have already been considered when it involves elections, budgets, police oversight, privacy, removing from and restricting access to materials in public libraries, and taxes or related spending proposals.

Takeaways

SB 707, in its effort to promote open and accessible meetings, imposes new duties for all legislative bodies effective January 1, 2026, and additional duties for "eligible legislative bodies" beginning July 1, 2026. All legislative bodies should review and revise policies and procedures in advance of the effective dates and coordinate resources to comply with teleconference / remote participation requirements. The changes made by SB 707 are extensive enough that they cannot all be addressed in total here. Our Brown Act Handbook update for 2026 will address each of the changes in detail.

If you have any questions about SB 707 or seek guidance related to the Brown Act please contact the authors of this Client News Brief or any attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcasts](#), follow us on [Facebook](#) and [LinkedIn](#), or download our [mobile app](#).

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