



# Senate Bill 707

January 13, 2026

Public, Abridged 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.



# 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 was immediate. The others came 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 went 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 requirement now includes email.
- Special Meetings waiver requirement now includes telephone.
- Reporting Out for Department Head Salary from 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. Long legal timeline on this.
- If a member demonstrates disability, the body must provide a “reasonable accommodation” to attend by “remote participation.”
- 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 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 Definition

- Very limited in scope (for now)
  - According to CSAC, an earlier draft included all counties.
- **There are four categories of Eligible Legislative Bodies:**
  - City with population over 30,000.
  - City in a County where the County's population is over 600,000.
  - The Board of Supervisors of a County with a population of 30,000 or more.
    - Applies to County of Monterey. Only applies to the Board of Supervisors; does not apply to Committees, Commissions, etc.
  - Large Special Districts



# Eligible Legislative Body Duties

- An ELB has three general duties under SB 707:
  - “Mandatory Zoom” for the Public,
  - Provide some translated materials, and
  - Promote Public Participation



# Eligible Legislative Body: “Mandatory Zoom”

- **All Meetings Require Realtime Two-Way Communications (Zoom).\***
  - Must call-in option and activate any automatic captioning.
  - The public's right to make public comment is the same as in-person.
- **BOS must Adopt Policy on or before July 1, 2026.** The policy shall address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts the ELB shall make to attempt to restore the service.
- **Disruption, One-Hour Cure. Regardless of policy, these are the minimums.**
  - BOS shall recess for at least one hour and make a good faith attempt to restore the service.
  - BOS may adjourn to its scheduled closed session during this one-hour period.
  - BOS may convene after at least one hour following the disruption, or until real-time two-way communication is restored, whichever is earlier.
- If the disruption not cured after one hour and BOS wants to continue the people's business, BOS must find by rollcall vote:
  - Good faith efforts to restore the service have been made in accordance with its policy, and
  - The public interest in continuing the meeting outweighs the public interest in remote public access.



# Eligible Legislative Body: “Mandatory Zoom”

- **“Mandatory Zoom” is not required in the following circumstances:**
  - **Proceeding.** Attend a judicial or administrative proceeding where the ELB is a party.
  - **Property Inspection.** Inspect real or personal property (if the meeting is only for that).
  - **Superior Electeds.** 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.
  - **Facility.** Meet relating solely to an ELB-owned facility held at or near the facility.
  - **Emergency.** Meet in an emergency situation pursuant to Section 54956.5.



# Eligible Legislative Body: Translations

- The BOS must assist the public with interpretation services, so long as those services are not disruptive. The ELB body shall publicize instructions on how to request this assistance. Assistance may include any of the following, at the ELB's prerogative:
  - Provide space for interpreter(s) at the meeting.
  - Allow extra time for interpretation to occur.
  - Allow participants to use their personal equipment or commercially available interpretation services.
- **SB 707 does NOT require the BOS to provide interpretation**, but the ELB may elect to provide interpretation services. The ELB is **not liable for interpretation**.
- The BOS **must** translate the agenda – but not the agenda packet – for each of its meetings into Spanish (maybe Tagalog and Arabic, too).
  - The BOS is not responsible or liable for the content of the translation.
  - Each translation shall include instructions in its language on how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.
  - The accessible internet webpage provided shall be translated into all applicable languages, and each translation shall be accessible through a prominent direct link posted on the Board's homepage.
  - Digital translation services is acceptable.
- The BOS **shall** provide an area for the public to post their own translated agendas.



# Eligible Legislative Body: Participation

- BOS shall take the following actions to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings: **Updates to webpage**
- BOS must make reasonable efforts, at its sole discretion and **without liability**, to invite groups that do not traditionally participate in public meetings to attend those meetings, which may include, but are not limited to, all the following:
  - Media organizations that provide news coverage in the jurisdiction, including media organizations that serve non-English-speaking communities.
  - Good government, civil rights, civic engagement, neighborhood, and community group organizations, or similar organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities.



# **PART III:**

# **GOVERNMENT CODE**

# **SECTION 54953.8 AND**

# **SEQUENCE**



# Government Code Section 54953.8

Government Code section 54953.8	
<b>Government Code section 54953.8.1</b>	Health Authority Districts
<b>Government Code section 54953.8.2</b>	State of Emergency
<b>Government Code section 54953.8.3</b>	Just Cause
<b>Government Code section 54953.8.4</b>	Eligible Neighborhood Councils
<b>Government Code section 54953.8.5</b>	Eligible Community College Student Organizations
<b>Government Code section 54953.8.6</b>	Eligible Subsidiary body
<b>Government Code section 54953.8.7</b>	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**.



# 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.** (Zoom\*)
- **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 for the public.
- **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	
<b>Government Code section 54953.8.2</b>	<b>State of Emergency</b>
<b>Government Code section 54953.8.3</b>	<b>Just Cause</b>

State of Emergency (54953.8.2) is available to **ALL** legislative bodies –

- **Basically AB 361:** majority vote of imminent risk to in-person attendance; must be revisited every 45 days.
- **Broader than AB 361:** specifically authorizes local emergencies.
- **No location in agenda requirement.**
- **Read statute.**



# Government Code Section 54953.8

Government Code section 54953.8	
<b>Government Code section 54953.8.2</b>	<b>State of Emergency</b>
<b>Government Code section 54953.8.3</b>	<b>Just Cause</b>

Just Cause (54953.8.3) is available to **ALL** legislative bodies:

- **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.
- **No location in agenda requirement.**



# Government Code Section 54953.8

Government Code section 54953.8	
<b>Government Code section 54953.8.6</b>	Eligible Subsidiary body
<b>Government Code section 54953.8.7</b>	Multijurisdictional body

**“Eligible Subsidiary Body” Definition:** A Brown Act Legislative Body which is **exclusively** in an advisory capacity, and takes no final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.

- **Elections, Budget, Police Oversight, Privacy, Public Library Material Access, and Taxes/Spending 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

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## “Eligible Subsidiary Body” Teleconferencing Requirements

- **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.** Members should have their cameras and audio on.
- **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.
- ESB must then approve teleconferencing after PLB approval.
- **No location in agenda requirement.**



# Government Code Section 54953.8

Government Code section 54953.8	
<b>Government Code section 54953.8.6</b>	Eligible Subsidiary body
<b>Government Code section 54953.8.7</b>	Multijurisdictional body

## “Eligible Subsidiary Body” Key Highlights:

- **The Elected Official Rule.** An elected official (in their official capacity) serving on a ESB cannot use ESB teleconferencing.
  - **CONSIDER** the consequences of Just Cause in an ESB.
- 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	
<b>Government Code section 54953.8.6</b>	Eligible Subsidiary body
<b>Government Code section 54953.8.7</b>	Multijurisdictional body

**“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.
- **No location in agenda requirement.**

