

AMENDED IN SENATE APRIL 10, 2025

**SENATE BILL**

**No. 470**

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**Introduced by Senator Laird**

February 19, 2025

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An act to amend ~~Section 11123.2 of, and to amend and repeal Section Sections 11123.2 and 11123.5 of, the Government Code, relating to state government.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 470, as amended, Laird. Bagley-Keene Open Meeting Act: teleconferencing.

Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act authorizes meetings through teleconference subject to specified requirements, including, among others, that the state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, that each teleconference location be accessible to the public, that the agenda provide an opportunity for members of the public to address the state body directly at each teleconference location, and that at least one member of the state body be physically present at the location specified in the notice of the meeting.

The act authorizes an additional, alternative set of provisions under which a state body may hold a meeting by teleconference subject to specified requirements, including, among others, that at least one member of the state body is physically present at each teleconference location, as defined, that a majority of the members of the state body are physically present at the same teleconference location, except as

specified, and that members of the state body visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except as specified. The act authorizes, under specified circumstances, a member of the state body to participate pursuant to these provisions from a remote location, which would not be required to be accessible to the public and which the act prohibits the notice and agenda from disclosing. The act repeals these provisions on January 1, 2026.

~~This bill would delete the January 1, 2026 repeal date, thereby authorizing the above-described additional, alternative set of teleconferencing provisions indefinitely.~~ *instead repeal these provisions on January 1, 2030.*

The act authorizes a multimember state advisory body to hold an open meeting by teleconference pursuant to an alternative set of provisions that are in addition to the above-described provisions generally applicable to state bodies. These alternative provisions specify requirements, including, among others, that the multimember state advisory body designates the primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting, observe and hear the meeting, and participate, that at least one staff member of the state body to be present at the primary physical meeting location during the meeting, and that the members of the state body visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except as specified. ~~Existing law~~ *The act* repeals these provisions on January 1, 2026.

~~This bill would delete the January 1, 2026 repeal date, thereby authorizing the above-described alternative set of teleconferencing provisions for multimember state advisory bodies indefinitely.~~ *instead repeal these provisions on January 1, 2030.*

The act, beginning January 1, 2026, removes the above-described requirements for the alternative set of teleconferencing provisions for multimember state advisory bodies, and, instead, requires, among other things, that the multimember state advisory body designates the primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting and participate.

~~This bill would repeal those provisions.~~ *instead make these provisions operative on January 1, 2030.*

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public

officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11123.2 of the Government Code is  
2 amended to read:

3 11123.2. (a) For purposes of this section, the following  
4 definitions apply:

5 (1) “Teleconference” means a meeting of a state body, the  
6 members of which are at different locations, connected by  
7 electronic means, through either audio or both audio and video.

8 (2) “Teleconference location” means a physical location that is  
9 accessible to the public and from which members of the public  
10 may participate in the meeting.

11 (3) “Remote location” means a location from which a member  
12 of a state body participates in a meeting other than a teleconference  
13 location.

14 (4) “Participate remotely” means participation by a member of  
15 the body in a meeting at a remote location other than a  
16 teleconference location designated in the notice of the meeting.

17 (b) (1) In addition to the authorization to hold a meeting by  
18 teleconference pursuant to subdivision (b) of Section 11123 and  
19 Section 11123.5, a state body may hold an open or closed meeting  
20 by teleconference as described in this section, provided the meeting  
21 complies with all of this section’s requirements and, except as set  
22 forth in this section, it also complies with all other applicable  
23 requirements of this article relating to the specific type of meeting.

24 (2) This section does not limit or affect the ability of a state  
25 body to hold a teleconference meeting under another provision of  
26 this article, including Sections 11123 and 11123.5.

27 (c) The portion of the teleconferenced meeting that is required  
28 to be open to the public shall be visible and audible to the public  
29 at each teleconference location.

30 (d) (1) The state body shall provide a means by which the public  
31 may remotely hear audio of the meeting, remotely observe the

1 meeting, remotely address the body, or attend the meeting by  
2 providing on the posted agenda a teleconference telephone number,  
3 an internet website or other online platform, and a physical address  
4 for each teleconference location. The telephonic or online means  
5 provided to the public to access the meeting shall be equivalent to  
6 the telephonic or online means provided to a member of the state  
7 body participating remotely.

8 (2) The applicable teleconference telephone number, internet  
9 website or other online platform, and physical address of each  
10 teleconference location, as well as any other information indicating  
11 how the public can access the meeting remotely and in person,  
12 shall be specified in any notice required by this article.

13 (3) If the state body allows members of the public to observe  
14 and address the meeting telephonically or otherwise electronically,  
15 the state body shall do both of the following:

16 (A) Implement a procedure for receiving and swiftly resolving  
17 requests for reasonable modification or accommodation from  
18 individuals with disabilities, consistent with the federal Americans  
19 with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and  
20 resolving any doubt whatsoever in favor of accessibility.

21 (B) Advertise that procedure each time notice is given of the  
22 means by which members of the public may observe the meeting  
23 and offer public comment.

24 (e) This section does not prohibit a state body from providing  
25 members of the public with additional locations from which the  
26 public may observe or address the state body by electronic means,  
27 through either audio or both audio and video.

28 (f) (1) The agenda shall provide an opportunity for members  
29 of the public to address the state body directly pursuant to Section  
30 11125.7.

31 (2) Members of the public shall be entitled to exercise their right  
32 to directly address the state body during the teleconferenced  
33 meeting without being required to submit public comments before  
34 the meeting or in writing.

35 (g) The state body shall post the agenda on its internet website  
36 and, on the day of the meeting, at each teleconference location.

37 (h) This section does not affect the requirement prescribed by  
38 this article that the state body post an agenda of a meeting in  
39 accordance with the applicable notice requirements of this article,  
40 including Section 11125, requiring the state body to post an agenda

1 of a meeting at least 10 days in advance of the meeting, Section  
2 11125.4, applicable to special meetings, and Sections 11125.5 and  
3 11125.6, applicable to emergency meetings.

4 (i) At least one member of the state body shall be physically  
5 present at each teleconference location.

6 (j) (1) Except as provided in paragraph (2), a majority of the  
7 members of the state body shall be physically present at the same  
8 teleconference location. Additional members of the state body in  
9 excess of a majority of the members may attend and participate in  
10 the meeting from a remote location. A remote location is not  
11 required to be accessible to the public. The notice and agenda shall  
12 not disclose information regarding a remote location.

13 (2) A member attending and participating from a remote location  
14 may count toward the majority required to hold a teleconference  
15 if both of the following conditions are met:

16 (A) The member has a need related to a physical or mental  
17 disability, as those terms are defined in Sections 12926 and  
18 12926.1, that is not otherwise reasonably accommodated pursuant  
19 to the federal Americans with Disability Act of 1990 (42 U.S.C.  
20 Sec. 12101 et seq.).

21 (B) The member notifies the state body at the earliest  
22 opportunity possible, including at the start of a meeting, of their  
23 need to participate remotely, including providing a general  
24 description of the circumstances relating to their need to participate  
25 remotely at the given meeting.

26 (3) If a member notifies the body of the member's need to attend  
27 and participate remotely pursuant to paragraph (2), the body shall  
28 take action to approve the exception and shall request a general  
29 description of the circumstances relating to the member's need to  
30 participate remotely at the meeting, for each meeting in which the  
31 member seeks to participate remotely. The body shall not require  
32 the member to provide a general description that exceeds 20 words  
33 or to disclose any medical diagnosis or disability, or any personal  
34 medical information that is already exempt under existing law,  
35 such as the Confidentiality of Medical Information Act (Part 2.6  
36 (commencing with Section 56) of Division 1 of the Civil Code).

37 (4) If a member of the state body attends the meeting by  
38 teleconference from a remote location, the member shall disclose  
39 whether any other individuals 18 years of age or older are present

1 in the room at the remote location with the member, and the general  
2 nature of the member's relationship with any such individuals.

3 (k) (1) Except as provided in paragraph (2), the members of  
4 the state body shall visibly appear on camera during the open  
5 portion of a meeting that is publicly accessible via the internet or  
6 other online platform.

7 (2) The visual appearance of a member of the state body on  
8 camera may cease only when the appearance would be  
9 technologically impracticable, including, but not limited to, when  
10 the member experiences a lack of reliable broadband or internet  
11 connectivity that would be remedied by joining without video, or  
12 when the visual display of meeting materials, information, or  
13 speakers on the internet or other online platform requires the visual  
14 appearance of a member of a state body on camera to cease.

15 (3) If a member of the state body does not appear on camera  
16 due to challenges with internet connectivity, the member shall  
17 announce the reason for their nonappearance when they turn off  
18 their camera.

19 (l) All votes taken during the teleconferenced meeting shall be  
20 by rollcall.

21 (m) The state body shall publicly report any action taken and  
22 the vote or abstention on that action of each member present for  
23 the action.

24 (n) The portion of the teleconferenced meeting that is closed to  
25 the public shall not include the consideration of any agenda item  
26 being heard pursuant to Section 11125.5.

27 (o) Upon discovering that a means of remote public access and  
28 participation required by subdivision (d) has failed during a  
29 meeting and cannot be restored, the state body shall end or adjourn  
30 the meeting in accordance with Section 11128.5. In addition to  
31 any other requirements that may apply, the state body shall provide  
32 notice of the meeting's end or adjournment on the state body's  
33 internet website and by email to any person who has requested  
34 notice of meetings of the state body by email under this article. If  
35 the meeting will be adjourned and reconvened on the same day,  
36 further notice shall be provided by an automated message on a  
37 telephone line posted on the state body's agenda, internet website,  
38 or by a similar means, that will communicate when the state body  
39 intends to reconvene the meeting and how a member of the public  
40 may hear audio of the meeting or observe the meeting.

1     

(p) *This section shall remain in effect only until January 1, 2030,*  
2     *and as of that date is repealed.*

3     SEC. 2. Section 11123.5 of the Government Code, as amended  
4     by Section 2 of Chapter 216 of the Statutes of 2023, is amended  
5     to read:

6     11123.5. (a) For purposes of this section, the following  
7     definitions apply:

8     (1) “Participate remotely” means participation in a meeting at  
9     a location other than the physical location designated in the agenda  
10    of the meeting.

11    (2) “Remote location” means a location other than the primary  
12    physical location designated in the agenda of a meeting.

13    (3) “Teleconference” has the same meaning as in Section 11123.

14    (b) In addition to the authorization to hold a meeting by  
15    teleconference pursuant to subdivision (b) of Section 11123 or  
16    Section 11123.2, any state body that is an advisory board, advisory  
17    commission, advisory committee, advisory subcommittee, or  
18    similar multimember advisory body may hold an open meeting by  
19    teleconference as described in this section, provided the meeting  
20    complies with all of the section’s requirements and, except as set  
21    forth in this section, it also complies with all other applicable  
22    requirements of this article.

23    (c) A member of a state body as described in subdivision (b)  
24    who participates in a teleconference meeting from a remote location  
25    subject to this section’s requirements shall be listed in the minutes  
26    of the meeting.

27    (d) The state body shall provide notice to the public at least 24  
28    hours before the meeting that identifies any member who will  
29    participate remotely by posting the notice on its internet website  
30    and by emailing notice to any person who has requested notice of  
31    meetings of the state body under this article. The location of a  
32    member of a state body who will participate remotely is not  
33    required to be disclosed in the public notice or email and need not  
34    be accessible to the public. The notice of the meeting shall also  
35    identify the primary physical meeting location designated pursuant  
36    to subdivision (f).

37    (e) This section does not affect the requirement prescribed by  
38    this article that the state body post an agenda of a meeting at least  
39    10 days in advance of the meeting. The agenda shall include  
40    information regarding the physical meeting location designated

1 pursuant to subdivision (f), but is not required to disclose  
2 information regarding any remote location.

3 (f) A state body described in subdivision (b) shall designate the  
4 primary physical meeting location in the notice of the meeting  
5 where members of the public may physically attend the meeting,  
6 observe and hear the meeting, and participate. At least one staff  
7 member of the state body shall be present at the primary physical  
8 meeting location during the meeting. The state body shall post the  
9 agenda at the primary physical meeting location, but need not post  
10 the agenda at a remote location.

11 (g) When a member of a state body described in subdivision  
12 (b) participates remotely in a meeting subject to this section's  
13 requirements, the state body shall provide a means by which the  
14 public may remotely hear audio of the meeting or remotely observe  
15 the meeting, including, if available, equal access equivalent to  
16 members of the state body participating remotely. The applicable  
17 teleconference phone number or internet website, or other  
18 information indicating how the public can access the meeting  
19 remotely, shall be in the 24-hour notice described in subdivision  
20 (b) that is available to the public.

21 (h) (1) Except as provided in paragraph (2), the members of  
22 the state body shall visibly appear on camera during the open  
23 portion of a meeting that is publicly accessible via the internet or  
24 other online platform.

25 (2) The visual appearance of a member of a state body on camera  
26 may cease only when the appearance would be technologically  
27 impracticable, including, but not limited to, when the member  
28 experiences a lack of reliable broadband or internet connectivity  
29 that would be remedied by joining without video, or when the  
30 visual display of meeting materials, information, or speakers on  
31 the internet or other online platform requires the visual appearance  
32 of a member of a state body on camera to cease.

33 (3) If a member of the body does not appear on camera due to  
34 challenges with internet connectivity, the member shall announce  
35 the reason for their nonappearance when they turn off their camera.

36 (i) Upon discovering that a means of remote access required by  
37 subdivision (g) has failed during a meeting, the state body  
38 described in subdivision (b) shall end or adjourn the meeting in  
39 accordance with Section 11128.5. In addition to any other  
40 requirements that may apply, the state body shall provide notice



1 of the meeting's end or adjournment on its internet website and  
2 by email to any person who has requested notice of meetings of  
3 the state body under this article. If the meeting will be adjourned  
4 and reconvened on the same day, further notice shall be provided  
5 by an automated message on a telephone line posted on the state  
6 body's agenda, or by a similar means, that will communicate when  
7 the state body intends to reconvene the meeting and how a member  
8 of the public may hear audio of the meeting or observe the meeting.

9 (j) This section does not limit or affect the ability of a state body  
10 to hold a teleconference meeting under another provision of this  
11 article.

12 (k) *This section shall remain in effect only until January 1, 2030,*  
13 *and as of that date is repealed.*

14 ~~SEC. 3. Section 11123.5 of the Government Code, as added~~  
15 ~~by Section 3 of Chapter 216 of the Statutes of 2023, is repealed.~~

16 *SEC. 3. Section 11123.5 of the Government Code, as added*  
17 *by Section 3 of Chapter 216 of the Statutes of 2023, is amended*  
18 *to read:*

19 11123.5. (a) In addition to the authorization to hold a meeting  
20 by teleconference pursuant to subdivision (b) of Section 11123,  
21 any state body that is an advisory board, advisory commission,  
22 advisory committee, advisory subcommittee, or similar  
23 multimember advisory body may hold an open meeting by  
24 teleconference as described in this section, provided the meeting  
25 complies with all of the section's requirements and, except as set  
26 forth in this section, it also complies with all other applicable  
27 requirements of this article.

28 (b) A member of a state body as described in subdivision (a)  
29 who participates in a teleconference meeting from a remote location  
30 subject to this section's requirements shall be listed in the minutes  
31 of the meeting.

32 (c) The state body shall provide notice to the public at least 24  
33 hours before the meeting that identifies any member who will  
34 participate remotely by posting the notice on its internet website  
35 and by emailing notice to any person who has requested notice of  
36 meetings of the state body under this article. The location of a  
37 member of a state body who will participate remotely is not  
38 required to be disclosed in the public notice or email and need not  
39 be accessible to the public. The notice of the meeting shall also

1 identify the primary physical meeting location designated pursuant  
2 to subdivision (e).

3 (d) This section does not affect the requirement prescribed by  
4 this article that the state body post an agenda of a meeting at least  
5 10 days in advance of the meeting. The agenda shall include  
6 information regarding the physical meeting location designated  
7 pursuant to subdivision (e), but is not required to disclose  
8 information regarding any remote location.

9 (e) A state body described in subdivision (a) shall designate the  
10 primary physical meeting location in the notice of the meeting  
11 where members of the public may physically attend the meeting  
12 and participate. A quorum of the members of the state body shall  
13 be in attendance at the primary physical meeting location, and  
14 members of the state body participating remotely shall not count  
15 towards establishing a quorum. All decisions taken during a  
16 meeting by teleconference shall be by rollcall vote. The state body  
17 shall post the agenda at the primary physical meeting location, but  
18 need not post the agenda at a remote location.

19 (f) When a member of a state body described in subdivision (a)  
20 participates remotely in a meeting subject to this section's  
21 requirements, the state body shall provide a means by which the  
22 public may remotely hear audio of the meeting or remotely observe  
23 the meeting, including, if available, equal access equivalent to  
24 members of the state body participating remotely. The applicable  
25 teleconference phone number or internet website, or other  
26 information indicating how the public can access the meeting  
27 remotely, shall be in the 24-hour notice described in subdivision  
28 (a) that is available to the public.

29 (g) Upon discovering that a means of remote access required  
30 by subdivision (f) has failed during a meeting, the state body  
31 described in subdivision (a) shall end or adjourn the meeting in  
32 accordance with Section 11128.5. In addition to any other  
33 requirements that may apply, the state body shall provide notice  
34 of the meeting's end or adjournment on its internet website and  
35 by email to any person who has requested notice of meetings of  
36 the state body under this article. If the meeting will be adjourned  
37 and reconvened on the same day, further notice shall be provided  
38 by an automated message on a telephone line posted on the state  
39 body's agenda, or by a similar means, that will communicate when

1 the state body intends to reconvene the meeting and how a member  
2 of the public may hear audio of the meeting or observe the meeting.

3 (h) For purposes of this section:

4 (1) “Participate remotely” means participation in a meeting at  
5 a location other than the physical location designated in the agenda  
6 of the meeting.

7 (2) “Remote location” means a location other than the primary  
8 physical location designated in the agenda of a meeting.

9 (3) “Teleconference” has the same meaning as in Section 11123.

10 (i) This section does not limit or affect the ability of a state body  
11 to hold a teleconference meeting under another provision of this  
12 article.

13 (j) This section shall become operative on January 1, ~~2026~~.  
14 2030.

15 SEC. 4. The Legislature finds and declares that Section 1 of  
16 this act, which amends Section 11123.2 of the Government Code,  
17 and Sections 2 and 3 of this act, which amend and repeal Section  
18 11123.5 of the Government Code, modify the public’s right of  
19 access to the meetings of public bodies or the writings of public  
20 officials and agencies within the meaning of Section 3 of Article  
21 I of the California Constitution. Pursuant to that constitutional  
22 provision, the Legislature makes the following findings to  
23 demonstrate the interest protected by this limitation and the need  
24 for protecting that interest:

25 (a) By continuing to ensure that agendas are not required to be  
26 posted at, and that agendas and notices do not disclose information  
27 regarding, the location of each public official participating in a  
28 public meeting remotely, including from the member’s private  
29 home or hotel room, this act protects the personal, private  
30 information of public officials and their families while preserving  
31 the public’s right to access information concerning the conduct of  
32 the people’s business.

33 (b) During the COVID-19 public health emergency, audio and  
34 video teleconference were widely used to conduct public meetings  
35 in lieu of physical location meetings, and those public meetings  
36 have been productive, increased public participation by all  
37 members of the public regardless of their location and ability to  
38 travel to physical meeting locations, increased the pool of people  
39 who are able to serve on these bodies, protected the health and  
40 safety of civil servants and the public, and have reduced travel

- 1 costs incurred by members of state bodies and reduced work hours
- 2 spent traveling to and from meetings.
- 3 (c) Conducting audio and video teleconference meetings
- 4 enhances public participation and the public's right of access to
- 5 meetings of the public bodies by improving access for individuals
- 6 who often face barriers to physical attendance.