

AMENDED IN SENATE APRIL 7, 2025

**SENATE BILL**

**No. 707**

---

**Introduced by Senator Durazo**

February 21, 2025

---

An act to amend Sections 54952, 54952.7, 54953, 54953.5, 54953.7, 54954.2, ~~and 54954.3~~ 54954.3, 54956, 54956.5, 54957.1, 54957.6, 54960, and 54960.2 of, *to amend and repeal Section 54952.2 of*, to add Sections 54953.8, 54953.8.1, and 54953.8.2 to, and to add and repeal Sections 54953.8.3, 54953.8.4, 54953.8.5, 54953.8.6, 54953.8.7, and 54953.9 of, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 707, as amended, 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.

This bill would, until January 1, 2030, require a city council or a county board of supervisors to comply with additional meeting requirements, including that all open and public meetings include an opportunity for members of the public to attend via a ~~two-way~~ 2-way telephonic ~~option~~ service or a ~~two-way~~ 2-way audiovisual platform, as defined, that a system is in place for requesting and receiving interpretation services for public meetings, as specified, and that ~~good faith efforts are made to the city council or county board of supervisors~~ encourage residents to participate in public meetings, as specified. ~~By imposing additional meeting requirements on city councils and county~~

~~boards of supervisors, this bill would impose a state-mandated local program.~~

(2)

*(2) Existing law defines “legislative body” for these purposes to mean, among other things, a commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. Existing law specifies that “legislative body” does not include advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body, except for specified standing committees of a legislative bodies.*

*This bill would revise and recast the above-described definition of a legislative body and would specify that bodies with certain subject matter jurisdiction, including elections, and advisory committees with a continuing subject matter jurisdiction or a fixed meeting schedule, as specified, are legislative bodies.*

*Existing law prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. Existing law defines “meetings” for these purposes to mean any congregation of a majority of the members of a legislative body at the same time and location, as specified, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body. Until January 1, 2026, existing law excepts from the prohibition a member engaging in separate conversations or communications outside of a meeting with any other person using an internet-based social media platform for specified purposes, provided, among other things, that a majority of the members do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body.*

*This bill would also include as a “meeting” any conversation between members of a legislative body regarding, among other things, boundary lines of the districts of the legislative body. The bill would make the above-described exception related to communications on an internet-based social media platform applicable indefinitely.*

*(3) Existing law requires a legislative body of a local agency or its designee, at least 72 hours before a regular meeting, to post an agenda*

that meets specified requirements, including that the agenda contain a brief general description of each item of business to be transacted or discussed at the meeting, as specified.

This bill would also require the agenda to be provided in English and in all other languages spoken jointly by 20% or more of the population in the county in which the local agency is located that, among other things, speaks English less than “very well,” as specified. ~~By imposing additional agenda requirements on legislative bodies of local agencies, this bill would impose a state-mandated local program. specified, and except as provided.~~

Existing law requires every agenda for regular meetings to provide an opportunity for members of the public to directly address the legislative body on any item of interest of the public, as specified. Existing law specifies that the agenda 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, as specified.

This bill would remove the provision related to an item that has already been considered by a committee.

(3)

*(4) Existing law authorizes a legislative body of a local agency to require a copy of the act to be given to each member of the legislative body and specified persons elected to serve as a member of the legislative body, and authorizes an elected legislative body member to require a copy to be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.*

*This bill would instead require a legislative body of a local agency to provide a copy of the act to each member of the legislative body and specified persons elected or appointed to serve as a member of the legislative body, as described above.*

*Existing law authorizes legislative bodies of local agencies to impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in the act, and authorizes an elected legislative body of a local agency to also impose those requirements on those appointed legislative bodies of the local agency of which all or a majority of the members are appointed by or under the authority of the elected legislative body.*

*This bill would remove the above-described requirement that members of an appointed legislative body of a local agency must be appointed*

*by or under the authority of the elected legislative body of a local agency in order for the elected legislative body to impose the above-described requirements on the appointed legislative body.*

*(5) Existing law requires the legislative body of any local agency to publicly report any action taken in closed session and the vote or abstention on that action of every member present pursuant to specified requirements, including that action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session held under specified provisions is reported at the public meeting during that closed session and that the report identifies the title of the position.*

*This bill would require any report subject to the above-described requirement to also include an estimate of the fiscal impact of the action taken.*

*Existing law authorizes a court in its discretion to order a legislative body, upon a judgment of a violation of specified closed session provisions, to audio record closed sessions and preserve the audio recordings for the period and under specified terms the court deems appropriate. Existing law authorizes a district attorney or any interested person to file an action to determine the applicability of the act to past actions of the legislative body pursuant to specified provisions relating to violations of the act if specified conditions are met, including that the district attorney or interested person first submits a cease and desist letter to the clerk or secretary of the legislative body being accused of the violation, as specified, within 9 months of the alleged violation.*

*This bill would expand the violations for specified closed sessions described above to instead include a violation of any provision under the act authorizing a closed session. The bill would instead require that a cease and desist letter described above be submitted within 12 months of the alleged violation.*

*(6) Existing law provides any person attending an open and public meeting of a legislative body of a local agency with the right to record the proceedings with an audio or visual recorder or a still or motion picture camera, as specified.*

*This bill would remove the reference to an audio or visual recorder or a still or motion picture camera for purposes of recording the proceedings, as described above.*

*(7) Existing law authorizes ~~the~~ a legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with*

specified general requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified.

Existing law authorizes members who are outside the jurisdiction of a health authority, as defined, that conducts a teleconferencing meeting to, notwithstanding the above-described general teleconference provisions, count towards the establishment of a quorum when participating in the teleconference if, among other things, at least ~~50 percent~~ 50% of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction.

~~Existing law,~~ law authorizes, in certain circumstances, the legislative body of a local agency to use specified alternative teleconferencing which include provisions related to, among others, notice of the means by which members of the public may access the meeting and offer public comment and identifying and including an opportunity for all persons to attend via a call-in option or an internet-based service option. Those circumstances in which the legislative body of a local agency is authorized to use the alternative teleconferencing provisions include specified circumstances relating to a state of emergency, as defined, and, until January 1, 2026, subject to specified limitations, a member's need to participate remotely due to just cause or emergency circumstances, as defined.

Existing law also authorizes certain eligible legislative bodies, including neighborhood councils and student body associations and student-run community college organizations to, until January 1, 2026, use alternate teleconferencing if, among other requirements, the city council or board of trustees, as applicable, has adopted an authorizing resolution and  $\frac{2}{3}$  of the neighborhood city council or specified student organization, as applicable, votes to use alternate teleconference provisions, as specified.

This bill would revise and recast the above-specified alternative teleconferencing provisions to uniformly apply certain noticing, accessibility, and public commenting provisions. The bill would require a legislative body of a local agency that elects to use teleconferencing

pursuant to these alternative teleconferencing provisions to comply with specified requirements, including that the legislative body provides at least either ~~two-way~~ 2-way audiovisual platform or ~~two-way~~ 2-way telephonic service and a live webcasting of the meeting as a means by which the public may, among other things, remotely hear and visually observe the meeting, and that a member of the legislative body who participates in a teleconference meeting from a remote location is listed in the minutes of the meeting. The bill would require the local agency to identify and make available to legislative bodies a list of meeting locations that the legislative bodies may use to conduct their meetings.

The bill would instead authorize a health authority, as defined, to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in a state of emergency, as defined. The bill would also include a local emergency, as defined, as a circumstance in which a legislative body of a local agency is authorized to use the alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in cases of a member's need to participate remotely due to just cause or emergency circumstances, as defined, to remove the provision applicable to emergency circumstances and to broaden the definition of just cause to include a physical or family medical emergency that prevents a member from attending in person. The bill would extend the authorization to use the alternative teleconferencing provision until January 1, 2030.

The bill would revise and recast the alternative teleconferencing provisions applicable to neighborhood councils and student body associations and student-run community college organizations and would extend the authorization to use the alternative teleconferencing provision until January 1, 2030.

The bill would, until January 1, 2030, also authorize specified subsidiary bodies of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the subsidiary body designates a primary physical meeting location where members of the public may physically attend, observe, hear, and participate in the meeting, as specified.

The bill would, until January 1, 2030, also authorize specified multijurisdictional bodies of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the eligible multijurisdictional body has adopted a resolution that authorizes the multijurisdictional body to use teleconferencing at a regular meeting in open session.

*(8) Existing law authorizes a special meeting to be called any time by, among other persons, the presiding officer of the legislative body of a local agency, by delivering specified written notices and posting a notice on the local agency's internet website, if the local agency has one. Existing law requires specified legislative bodies to comply with the internet website posting requirement. Existing law prohibits a legislative body of a local agency from calling a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined.*

*The bill would remove the requirement that only specified legislative bodies comply with the internet website posting requirement, thereby imposing that requirement on all legislative bodies.*

*The bill would also prohibit a legislative body of a local agency from calling a special meeting regarding the evaluation of performance, discipline, or dismissal of a local agency executive, or a member of the legislative body. The bill would prohibit a legislative body from, among other things, considering the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee, at a special meeting, unless the item is properly before the legislative body, as specified, and certain criteria are met, including that at least 4 /5 of the legislative body vote at the start of the meeting to proceed with the meeting.*

*(9) Existing law authorizes a legislative body of a local agency to hold an emergency meeting without complying with specified notice and posting requirements in the case of specified emergency circumstances, as specified, and imposes various requirements under these provisions applicable to either legislative bodies generally or legislative bodies which are a school board.*

*This bill would remove the school board distinction from the above-described provisions, thereby imposing the same requirements to hold an emergency meeting on all legislative bodies of local agencies.*

*By imposing additional duties on legislative bodies of local agencies, the bill would impose a state-mandated local program.*

(4)

(10) 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.

(5)

(11) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(6)

(12) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

(7)

(13) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

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

1 *SECTION 1. Section 54952 of the Government Code is*  
2 *amended to read:*

3 54952. As used in this chapter, “legislative body” means:

4 (a) The governing body of a local agency or any other local  
5 body created by state or federal statute.

6 (b) A commission, committee, board, or other body of a local  
7 agency, whether permanent or temporary, decisionmaking or  
8 advisory, created by charter, ordinance, resolution, or formal action



1 of a legislative body. ~~However, advisory committees, composed~~  
2 ~~solely of the members of the legislative body that are less than a~~  
3 ~~quorum of the legislative body are not legislative bodies, except~~  
4 ~~that standing committees of a legislative body, irrespective of their~~  
5 ~~composition, which have a continuing subject matter jurisdiction,~~  
6 ~~or a meeting schedule fixed by charter, ordinance, resolution, or~~  
7 ~~formal action of a legislative body are legislative bodies for~~  
8 ~~purposes of this chapter.~~

9 (c) (1) A board, commission, committee, or other multimember  
10 body that governs a private corporation, limited liability company,  
11 or other entity that either:

12 (A) Is created by the elected legislative body in order to exercise  
13 authority that may lawfully be delegated by the elected governing  
14 body to a private corporation, limited liability company, or other  
15 entity.

16 (B) Receives funds from a local agency and the membership of  
17 whose governing body includes a member of the legislative body  
18 of the local agency appointed to that governing body as a full  
19 voting member by the legislative body of the local agency.

20 (2) Notwithstanding subparagraph (B) of paragraph (1), no  
21 board, commission, committee, or other multimember body that  
22 governs a private corporation, limited liability company, or other  
23 entity that receives funds from a local agency and, as of February  
24 9, 1996, has a member of the legislative body of the local agency  
25 as a full voting member of the governing body of that private  
26 corporation, limited liability company, or other entity shall be  
27 relieved from the public meeting requirements of this chapter by  
28 virtue of a change in status of the full voting member to a  
29 nonvoting member.

30 (d) The lessee of any hospital the whole or part of which is first  
31 leased pursuant to subdivision (p) of Section 32121 of the Health  
32 and Safety Code after January 1, 1994, where the lessee exercises  
33 any material authority of a legislative body of a local agency  
34 delegated to it by that legislative body whether the lessee is  
35 organized and operated by the local agency or by a delegated  
36 authority.

37 (e) (1) *An advisory or standing committee of a legislative body,*  
38 *irrespective of its composition, which has a continuing subject*  
39 *matter jurisdiction, or a meeting schedule fixed by charter,*  
40 *ordinance, resolution, or formal action of a legislative body.*

1 (2) However, advisory committees, composed solely of the  
2 members of the legislative body that are less than a quorum of the  
3 legislative body are not legislative bodies.

4 (3) Notwithstanding paragraph (2), any commission, committee,  
5 board, or other body of a local agency, decisionmaking or  
6 advisory, with subject matter jurisdiction over elections, budgets,  
7 police oversight, or removing materials from, or restricting access  
8 to, facilities of the legislative body that created it is a legislative  
9 body.

10 SEC. 2. Section 54952.2 of the Government Code, as amended  
11 by Section 1 of Chapter 89 of the Statutes of 2020, is amended to  
12 read:

13 54952.2. (a) As used in this chapter, “meeting” means ~~any~~  
14 either of the following:

15 (1) Any congregation of a majority of the members of a  
16 legislative body at the same time and location, including  
17 teleconference location as permitted by Section 54953, to hear,  
18 discuss, deliberate, or take action on any item that is within the  
19 subject matter jurisdiction of the legislative body.

20 (2) Any conversation between members of the legislative body  
21 regarding any of the following:

22 (A) Boundary lines of the districts of the legislative body.

23 (B) Compensation of members of the legislative body or a local  
24 agency executive, as defined in subdivision (d) of Section 3511.1.

25 (C) The appointment, employment, evaluation of performance,  
26 discipline, or dismissal of a public employee.

27 (b) (1) A majority of the members of a legislative body shall  
28 not, outside a meeting authorized by this chapter, use a series of  
29 communications of any kind, directly or through intermediaries,  
30 to discuss, deliberate, or take action on any item of business that  
31 is within the subject matter jurisdiction of the legislative body.

32 (2) Paragraph (1) shall not be construed as preventing an  
33 employee or official of a local agency, from engaging in separate  
34 conversations or communications outside of a meeting authorized  
35 by this chapter with members of a legislative body in order to  
36 answer questions or provide information regarding a matter that  
37 is within the subject matter jurisdiction of the local agency, if that  
38 person does not communicate to members of the legislative body  
39 the comments or position of any other member or members of the  
40 legislative body.

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

(B) For purposes of this paragraph, all of the following definitions shall apply:

(i) “Discuss among themselves” means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.

(ii) “Internet-based social media platform” means an online service that is open and accessible to the public.

(iii) “Open and accessible to the public” means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.

(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:

(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).

(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or

1 to public agencies of the type represented by the legislative body,  
2 provided that a majority of the members do not discuss among  
3 themselves, other than as part of the scheduled program, business  
4 of a specified nature that is within the subject matter jurisdiction  
5 of the local agency. Nothing in this paragraph is intended to allow  
6 members of the public free admission to a conference or similar  
7 gathering at which the organizers have required other participants  
8 or registrants to pay fees or charges as a condition of attendance.

9 (3) The attendance of a majority of the members of a legislative  
10 body at an open and publicized meeting organized to address a  
11 topic of local community concern by a person or organization other  
12 than the local agency, provided that a majority of the members do  
13 not discuss among themselves, other than as part of the scheduled  
14 program, business of a specific nature that is within the subject  
15 matter jurisdiction of the legislative body of the local agency.

16 (4) The attendance of a majority of the members of a legislative  
17 body at an open and noticed meeting of another body of the local  
18 agency, or at an open and noticed meeting of a legislative body of  
19 another local agency, provided that a majority of the members do  
20 not discuss among themselves, other than as part of the scheduled  
21 meeting, business of a specific nature that is within the subject  
22 matter jurisdiction of the legislative body of the local agency.

23 (5) The attendance of a majority of the members of a legislative  
24 body at a purely social or ceremonial occasion, provided that a  
25 majority of the members do not discuss among themselves business  
26 of a specific nature that is within the subject matter jurisdiction of  
27 the legislative body of the local agency.

28 (6) The attendance of a majority of the members of a legislative  
29 body at an open and noticed meeting of a standing committee of  
30 that body, provided that the members of the legislative body who  
31 are not members of the standing committee attend only as  
32 observers.

33 ~~(d) This section shall remain in effect only until January 1, 2026,~~  
34 ~~and as of that date is repealed.~~

35 *SEC. 3. Section 54952.2 of the Government Code, as added*  
36 *by Section 2 of Chapter 89 of the Statutes of 2020, is repealed.*

37 ~~54952.2. (a) As used in this chapter, “meeting” means any~~  
38 ~~congregation of a majority of the members of a legislative body~~  
39 ~~at the same time and location, including teleconference location~~  
40 ~~as permitted by Section 54953, to hear, discuss, deliberate, or take~~

1 action on any item that is within the subject matter jurisdiction of  
2 the legislative body.

3 (b) (1) A majority of the members of a legislative body shall  
4 not, outside a meeting authorized by this chapter, use a series of  
5 communications of any kind, directly or through intermediaries,  
6 to discuss, deliberate, or take action on any item of business that  
7 is within the subject matter jurisdiction of the legislative body.

8 (2) Paragraph (1) shall not be construed as preventing an  
9 employee or official of a local agency, from engaging in separate  
10 conversations or communications outside of a meeting authorized  
11 by this chapter with members of a legislative body in order to  
12 answer questions or provide information regarding a matter that  
13 is within the subject matter jurisdiction of the local agency, if that  
14 person does not communicate to members of the legislative body  
15 the comments or position of any other member or members of the  
16 legislative body.

17 (c) Nothing in this section shall impose the requirements of this  
18 chapter upon any of the following:

19 (1) Individual contacts or conversations between a member of  
20 a legislative body and any other person that do not violate  
21 subdivision (b).

22 (2) The attendance of a majority of the members of a legislative  
23 body at a conference or similar gathering open to the public that  
24 involves a discussion of issues of general interest to the public or  
25 to public agencies of the type represented by the legislative body,  
26 provided that a majority of the members do not discuss among  
27 themselves, other than as part of the scheduled program, business  
28 of a specified nature that is within the subject matter jurisdiction  
29 of the local agency. Nothing in this paragraph is intended to allow  
30 members of the public free admission to a conference or similar  
31 gathering at which the organizers have required other participants  
32 or registrants to pay fees or charges as a condition of attendance.

33 (3) The attendance of a majority of the members of a legislative  
34 body at an open and publicized meeting organized to address a  
35 topic of local community concern by a person or organization other  
36 than the local agency, provided that a majority of the members do  
37 not discuss among themselves, other than as part of the scheduled  
38 program, business of a specific nature that is within the subject  
39 matter jurisdiction of the legislative body of the local agency.

~~(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.~~

~~(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.~~

~~(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.~~

~~(d) This section shall become operative on January 1, 2026.~~

*SEC. 4. Section 54952.7 of the Government Code is amended to read:*

*54952.7. A legislative body of a local agency may require that shall provide a copy of this chapter be given to each member of the legislative body and any person elected or appointed to serve as a member of the legislative body who has not assumed the duties of office. An elected legislative body of a local agency may require that a copy of this chapter be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.*

**SECTION 1.**

*SEC. 5. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, is amended to read:*

*54953. (a) 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.*

*(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law.*

1 The teleconferenced meeting or proceeding shall comply with all  
2 otherwise applicable requirements of this chapter and all otherwise  
3 applicable provisions of law relating to a specific type of meeting  
4 or proceeding.

5 (2) Teleconferencing, as authorized by this section, may be used  
6 for all purposes in connection with any meeting within the subject  
7 matter jurisdiction of the legislative body. If the legislative body  
8 of a local agency elects to use teleconferencing, the legislative  
9 body of a local agency shall comply with all of the following:

10 (A) All votes taken during a teleconferenced meeting shall be  
11 by rollcall.

12 (B) The teleconferenced meetings shall be conducted in a  
13 manner that protects the statutory and constitutional rights of the  
14 parties or the public appearing before the legislative body of a  
15 local agency.

16 (C) The legislative body shall give notice of the meeting and  
17 post agendas as otherwise required by this chapter.

18 (D) The legislative body shall allow members of the public to  
19 access the meeting and the agenda shall provide an opportunity  
20 for members of the public to address the legislative body directly  
21 pursuant to Section 54954.3.

22 (3) If the legislative body of a local agency elects to use  
23 teleconferencing, it shall post agendas at all teleconference  
24 locations. Each teleconference location shall be identified in the  
25 notice and agenda of the meeting or proceeding, and each  
26 teleconference location shall be accessible to the public. During  
27 the teleconference, at least a quorum of the members of the  
28 legislative body shall participate from locations within the  
29 boundaries of the territory over which the local agency exercises  
30 jurisdiction, except as provided in subdivisions (d) and (e).

31 (c) (1) No legislative body shall take action by secret ballot,  
32 whether preliminary or final.

33 (2) The legislative body of a local agency shall publicly report  
34 any action taken and the vote or abstention on that action of each  
35 member present for the action.

36 (3) Prior to taking final action, the legislative body shall orally  
37 report a summary of a recommendation for a final action on the  
38 salaries, salary schedules, or compensation paid in the form of  
39 fringe benefits of a local agency executive, as defined in  
40 subdivision (d) of Section 3511.1, during the open meeting in

1 which the final action is to be taken. This paragraph shall not affect  
2 the public's right under the California Public Records Act (Division  
3 10 (commencing with Section 7920.000) of Title 1) to inspect or  
4 copy records created or received in the process of developing the  
5 recommendation.

6 (d) "Teleconference" means a meeting of a legislative body,  
7 the members of which are in different locations, connected by  
8 electronic means, through either audio or video, or both.

9 *SEC. 6. Section 54953.5 of the Government Code is amended*  
10 *to read:*

11 54953.5. (a) Any person attending an open and public meeting  
12 of a legislative body of a local agency shall have the right to record  
13 the proceedings ~~with an audio or video recorder or a still or motion~~  
14 ~~picture camera~~ in the absence of a reasonable finding by the  
15 legislative body of the local agency that the recording cannot  
16 continue without noise, illumination, or obstruction of view that  
17 constitutes, or would constitute, a persistent disruption of the  
18 proceedings.

19 (b) ~~Any audio or video~~ recording of an open and public meeting  
20 made for whatever purpose by or at the direction of the local  
21 agency shall be subject to inspection pursuant to the California  
22 Public Records Act (Division 10 (commencing with Section  
23 7920.000) of Title 1), but, notwithstanding Section 34090, may  
24 be erased or destroyed 30 days after the recording. Any inspection  
25 of an audio or video recording shall be provided without charge  
26 on equipment made available by the local agency.

27 *SEC. 7. Section 54953.7 of the Government Code is amended*  
28 *to read:*

29 54953.7. Notwithstanding any other provision of law,  
30 legislative bodies of local agencies may impose requirements upon  
31 themselves which allow greater access to their meetings than  
32 prescribed by the minimal standards set forth in this chapter. In  
33 addition thereto, an elected legislative body of a local agency may  
34 impose ~~such those~~ requirements on ~~those~~ appointed legislative  
35 bodies of the local agency of which all or a majority of the  
36 ~~members are appointed by or under the authority of the elected~~  
37 ~~legislative body.~~ agency.

38 ~~SEC. 2.~~

39 *SEC. 8. Section 54953.8 is added to the Government Code, to*  
40 *read:*



1     54953.8. (a) The legislative body of a local agency may use  
2     teleconferencing as authorized by subdivision (b) of Section 54953  
3     without complying with the requirements of paragraph (3) of  
4     subdivision (b) of Section 54953 in any of the circumstances  
5     described in Sections 54953.8.1 to 54953.8.7, inclusive.

6     (b) A legislative body that holds a meeting pursuant to this  
7     section shall comply with all of the following:

8     (1) The legislative body shall provide at least one of the  
9     following as a means by which the public may remotely hear and  
10    visually observe the meeting, and remotely address the legislative  
11    body:

12    (A) A two-way audiovisual platform.

13    (B) A two-way telephonic service and a live webcasting of the  
14    meeting.

15    (2) In each instance in which notice of the time of the  
16    teleconferenced meeting is otherwise given or the agenda for the  
17    meeting is otherwise posted, the legislative body shall also give  
18    notice of the means by which members of the public may access  
19    the meeting and offer public comment. The agenda shall identify  
20    and include an opportunity for all persons to attend via a call-in  
21    option or an internet-based service option.

22    (3) In the event of a disruption that prevents the legislative body  
23    from broadcasting the meeting to members of the public using the  
24    call-in option or internet-based service option, or in the event of  
25    a disruption within the local agency's control that prevents  
26    members of the public from offering public comments using the  
27    call-in option or internet-based service option, the legislative body  
28    shall take no further action on items appearing on the meeting  
29    agenda until public access to the meeting via the call-in option or  
30    internet-based service option is restored. Actions taken on agenda  
31    items during a disruption that prevents the legislative body from  
32    broadcasting the meeting may be challenged pursuant to Section  
33    54960.1.

34    (4) The legislative body shall not require public comments to  
35    be submitted in advance of the meeting and must provide an  
36    opportunity for the public to address the legislative body and offer  
37    comment in real time.

38    (5) Notwithstanding Section 54953.3, an individual desiring to  
39    provide public comment through the use of an internet website, or  
40    other online platform, not under the control of the local legislative

1 body, that requires registration to log in to a teleconference may  
2 be required to register as required by the third-party internet  
3 website or online platform to participate.

4 (6) (A) A legislative body that provides a timed public comment  
5 period for each agenda item shall not close the public comment  
6 period for the agenda item, or the opportunity to register, pursuant  
7 to paragraph (5), to provide public comment until that timed public  
8 comment period has elapsed.

9 (B) A legislative body that does not provide a timed public  
10 comment period, but takes public comment separately on each  
11 agenda item, shall allow a reasonable amount of time per agenda  
12 item to allow public members the opportunity to provide public  
13 comment, including time for members of the public to register  
14 pursuant to paragraph (5), or otherwise be recognized for the  
15 purpose of providing public comment.

16 (C) A legislative body that provides a timed general public  
17 comment period that does not correspond to a specific agenda item  
18 shall not close the public comment period or the opportunity to  
19 register, pursuant to paragraph (5), until the timed general public  
20 comment period has elapsed.

21 (7) Any member of the legislative body who participates in a  
22 teleconference meeting from a remote location shall be listed in  
23 the minutes of the meeting.

24 (8) The legislative body shall have and implement a procedure  
25 for receiving and swiftly resolving requests for reasonable  
26 accommodation for individuals with disabilities, consistent with  
27 the federal Americans with Disabilities Act of 1990 (42 U.S.C.  
28 Sec. 12132), and resolving any doubt in favor of accessibility. In  
29 each instance in which notice of the time of the meeting is  
30 otherwise given or the agenda for the meeting is otherwise posted,  
31 the legislative body shall also give notice of the procedure for  
32 receiving and resolving requests for accommodation.

33 (9) The legislative body shall conduct meetings subject to this  
34 chapter consistent with applicable civil rights and  
35 nondiscrimination laws.

36 (10) Instructions on joining the meeting by the telephonic or  
37 internet-based service option, including any requirements for  
38 registration for public comment, shall be made available in English  
39 and in all other languages spoken jointly by 20 percent or more of  
40 the population in the county in which the local agency is located

1 that speaks English less than “very well” and jointly speaks a  
2 language other than English according to data from the most recent  
3 American Community Survey or data from an equally reliable  
4 source.

5 ~~(11) If the meeting is outside regular business hours, the~~  
6 ~~legislative body shall make reasonable efforts to accommodate~~  
7 ~~any member of the public that requests an accommodation to~~  
8 ~~participate in the meeting, including, but not limited to, providing~~  
9 ~~access to a computer.~~

10 (c) A local agency shall identify and make available to  
11 legislative bodies a list of meeting locations that the legislative  
12 bodies may use to conduct their meetings.

13 (d) (1) Nothing in this section shall prohibit a legislative body  
14 from providing the public with additional teleconference locations.

15 (2) Nothing in this section shall prohibit a legislative body from  
16 providing the public with additional physical locations in which  
17 the public may observe and address the legislative body by  
18 electronic means

19 (e) For purposes of this section, the following definitions apply:

20 (1) “Remote location” means a location from which a member  
21 of a legislative body participates in a meeting pursuant to paragraph  
22 (7) of subdivision (b), other than any physical meeting location  
23 designated in the notice of the meeting. Remote locations need not  
24 be accessible to the public.

25 (2) “Remote participation” means participation in a meeting by  
26 teleconference at a location other than any physical meeting  
27 location designated in the notice of the meeting. Watching or  
28 listening to a meeting via webcasting or another similar electronic  
29 medium that does not permit members to interactively hear,  
30 discuss, or deliberate on matters, does not constitute remote  
31 participation.

32 (3) “Teleconference” means a meeting of a legislative body,  
33 the members of which are in different locations, connected by  
34 electronic means, through either audio or video, or both.

35 (4) “Two-way audiovisual platform” means an online platform  
36 that provides participants with the ability to participate in a meeting  
37 via both an interactive video conference and a two-way telephonic  
38 ~~function.~~ service.

39 (5) “Two-way telephonic service” means a telephone service  
40 that does not require internet access, ~~is not provided as part of a~~

1 ~~two-way audiovisual platform~~, *access* and allows participants to  
2 dial a telephone number to listen and verbally participate.

3 (6) “Webcasting” means a streaming video broadcast online or  
4 on television, using streaming media technology to distribute a  
5 single content source to many simultaneous listeners and viewers.

6 ~~SEC. 3.~~

7 *SEC. 9.* Section 54953.8.1 is added to the Government Code,  
8 to read:

9 54953.8.1. (a) A health authority may conduct a teleconference  
10 meeting pursuant to Section 54953.8, provided that it complies  
11 with the requirements of that section.

12 (b) Nothing in this section or Section 54953.8 shall be construed  
13 as discouraging health authority members from regularly meeting  
14 at a common physical site within the jurisdiction of the authority  
15 or from using teleconference locations within or near the  
16 jurisdiction of the authority.

17 (c) For purposes of this section, a health authority means any  
18 entity created pursuant to Sections 14018.7, 14087.31, 14087.35,  
19 14087.36, 14087.38, and 14087.9605 of the Welfare and  
20 Institutions Code, any joint powers authority created pursuant to  
21 Article 1 (commencing with Section 6500) of Chapter 5 of Division  
22 7 for the purpose of contracting pursuant to Section 14087.3 of  
23 the Welfare and Institutions Code, and any advisory committee to  
24 a county-sponsored health plan licensed pursuant to Chapter 2.2  
25 (commencing with Section 1340) of Division 2 of the Health and  
26 Safety Code if the advisory committee has 12 or more members.

27 ~~SEC. 4.~~

28 *SEC. 10.* Section 54953.8.2 is added to the Government Code,  
29 to read:

30 54953.8.2. (a) A legislative body of a local agency may  
31 conduct a teleconference meeting pursuant to Section 54953.8  
32 during a proclaimed state of emergency or local emergency,  
33 provided that it complies with the requirements of that section and  
34 the teleconferencing is used in either of the following  
35 circumstances:

36 (1) For the purpose of determining, by majority vote, whether  
37 as a result of the emergency, meeting in person would present  
38 imminent risks to the health or safety of attendees.

(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:

(1) The legislative body has reconsidered the circumstances of the state of emergency or local emergency.

(2) The state of emergency or local emergency continues to directly impact the ability of the members to meet safely in person.

(c) This section shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

~~(d)~~

*(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.*

(e) For purposes of this section, the following definitions apply:

(1) “Local emergency” means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the jurisdiction in which the legislative body is located.

(2) “State of emergency” means state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2).

~~SEC. 5.~~

*SEC. 11.* Section 54953.8.3 is added to the Government Code, to read:

54953.8.3. (a) (1) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the teleconference meeting, at least a quorum of the

1 members of the legislative body participates in person from a  
2 singular physical location clearly identified on the agenda, which  
3 location shall be open to the public and situated within the  
4 boundaries of the territory over which the local agency exercises  
5 jurisdiction, provided that the legislative body complies with the  
6 requirements of Section 54953.8 and all of the following additional  
7 requirements:

8 (2) A member of the legislative body notifies the legislative  
9 body at the earliest opportunity possible, including at the start of  
10 a regular meeting, of their need to participate remotely for just  
11 cause, including a general description of the circumstances relating  
12 to their need to appear remotely at the given meeting. ~~The~~  
13 ~~provisions of this clause shall not be used by any member of the~~  
14 ~~legislative body for more than two meetings per calendar year.~~

15 (3) The member shall publicly disclose at the meeting before  
16 any action is taken, whether any other individuals 18 years of age  
17 or older are present in the room at the remote location with the  
18 member, and the general nature of the member's relationship with  
19 those individuals.

20 (4) The member shall participate through both audio and visual  
21 technology.

22 (5) (A) The provisions of this subdivision shall not serve as a  
23 means for any member of a legislative body to participate in  
24 meetings of the legislative body solely by teleconference from a  
25 remote location for more than the following number of meetings,  
26 as applicable:

27 (i) Two meetings per year, if the legislative body regularly meets  
28 once per month or less.

29 (ii) Five meetings per year, if the legislative body regularly  
30 meets twice per month.

31 (iii) Seven meetings per year, if the legislative body regularly  
32 meets three or more times per month.

33 (B) For the purpose of counting meetings attended by  
34 teleconference under this paragraph, a "meeting" shall be defined  
35 as any number of meetings of the legislative body of a local agency  
36 that begin on the same calendar day.

37 (b) For purposes of this section, "just cause" means any of the  
38 following:

39 (1) Childcare or caregiving need of a child, parent, grandparent,  
40 grandchild, sibling, spouse, or domestic partner that requires them

1 to participate remotely. “Child,” “parent,” “grandparent,”  
2 “grandchild,” and “sibling” have the same meaning as those terms  
3 do in Section 12945.2.

4 (2) A contagious illness that prevents a member from attending  
5 in person.

6 (3) A need related to a physical or mental disability, as defined  
7 in Sections 12926 and 12926.1, not otherwise accommodated by  
8 any reasonable accommodations provided.

9 (4) Travel while on official business of the legislative body or  
10 another state or local agency.

11 (5) An immunocompromised child, parent, grandparent,  
12 grandchild, sibling, spouse, or domestic partner of the member  
13 that requires the member to participate remotely.

14 (6) A physical or family medical emergency that prevents a  
15 member from attending in person.

16 (c) This section shall not be construed to limit the ability of a  
17 legislative body to use alternative teleconferencing provisions.

18 (d) This section shall remain in effect only until January 1, 2030,  
19 and as of that date is repealed.

20 ~~SEC. 6:~~

21 *SEC. 12.* Section 54953.8.4 is added to the Government Code,  
22 to read:

23 54953.8.4. (a) An eligible neighborhood council may conduct  
24 a teleconference meeting pursuant to Section 54953.8, provided  
25 that it complies with the requirements of that section and all of the  
26 following have occurred:

27 (1) (A) The city council for a city described in paragraph (2)  
28 of subdivision (b) considers whether to adopt a resolution to  
29 authorize eligible neighborhood councils to use teleconferencing  
30 as described in this section at an open and regular meeting.

31 (B) If the city council adopts a resolution described in  
32 subparagraph (A), an eligible neighborhood council may elect to  
33 use teleconferencing pursuant to this section if a majority of the  
34 eligible neighborhood council votes to do so. The eligible  
35 neighborhood council shall notify the city council if it elects to  
36 use teleconferencing pursuant to this section and its justification  
37 for doing so.

38 (C) Upon receiving notification from an eligible neighborhood  
39 council described in subparagraph (B), the city council may adopt

1 a resolution to prohibit the eligible neighborhood council from  
2 using teleconferencing pursuant to this section.

3 (2) After completing the requirements of subparagraph (A) of  
4 paragraph (1), an eligible neighborhood council that holds a  
5 meeting pursuant to this subdivision shall do all of the following:

6 (A) At least a quorum of the members of the eligible  
7 neighborhood council shall participate from locations within the  
8 boundaries of the city in which the eligible neighborhood council  
9 is established.

10 (B) At least once per year, at least a quorum of the members of  
11 the eligible neighborhood council shall participate in person from  
12 a singular physical location that is open to the public and within  
13 the boundaries of the eligible neighborhood council.

14 (3) If the meeting is during regular business hours of the offices  
15 of the city council member that represents the area that includes  
16 the eligible neighborhood council, the eligible neighborhood  
17 council shall provide a publicly accessible physical location from  
18 which the public may attend or comment, which shall be the offices  
19 of the city council member who represents the area where the  
20 eligible neighborhood council is located, unless the eligible  
21 neighborhood council identifies an alternative location.

22 (b) For purposes of this section, the following definitions apply:

23 (1) “Accommodation” means providing a publicly accessible  
24 physical location for the member of the public to participate from,  
25 providing access to technology necessary to participate in the  
26 meeting, or identifying locations or resources available that could  
27 provide the member of the public with an opportunity to participate  
28 in the meeting.

29 (2) “Eligible neighborhood council” means a neighborhood  
30 council that is an advisory body with the purpose to promote more  
31 citizen participation in government and make government more  
32 responsive to local needs that is established pursuant to the charter  
33 of a city with a population of more than 3,000,000 people that is  
34 subject to this chapter.

35 (c) This section shall remain in effect only until January 1, 2030,  
36 and as of that date is repealed.

37 ~~SEC. 7.~~

38 *SEC. 13.* Section 54953.8.5 is added to the Government Code,  
39 to read:



1 54953.8.5. (a) An eligible community college student  
2 organization may conduct a teleconference meeting pursuant to  
3 the Section 54953.8, provided that it complies with the  
4 requirements of that section and all of the following additional  
5 requirements:

6 (1) An eligible community college student organization may  
7 only use teleconferencing as described in Section 54953.8 after  
8 all the following have occurred:

9 (A) The board of trustees for a community college district  
10 considers whether to adopt a resolution to authorize eligible  
11 community college student organizations to use teleconferencing  
12 as described in this section at an open and regular meeting.

13 (B) If the board of trustees for a community college district  
14 adopts a resolution described in subparagraph (A), an eligible  
15 community college student organization may elect to use  
16 teleconferencing pursuant to this section if a majority of the eligible  
17 community college student organization votes to do so. The eligible  
18 community college student organization shall notify the board of  
19 trustees if it elects to use teleconferencing pursuant to this section  
20 and its justification for doing so.

21 (C) Upon receiving notification from an eligible community  
22 college student organization as described in subparagraph (B), the  
23 board of trustees may adopt a resolution to prohibit the eligible  
24 community college student organization from using  
25 teleconferencing pursuant to this section.

26 (D) (i) At least a quorum of the members of the eligible  
27 community college student organization shall participate from a  
28 singular physical location that is accessible to the public and is  
29 within the community college district in which the eligible  
30 community college student organization is established.

31 (ii) Notwithstanding the requirements of clause (i), a person  
32 may count toward the establishment of a quorum pursuant to clause  
33 (i) regardless of whether the person is participating at the in-person  
34 location of the meeting or remotely if the person meets any of the  
35 following criteria:

36 (I) The person has a disability that requires accommodation  
37 pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C.  
38 Sec. 12132).

39 (II) The person is under 18 years of age.

40 (III) The person is incarcerated.

1 (IV) The person is unable to disclose the location that they are  
2 participating from because of either of the following circumstances:

3 (ia) The person has been issued a protective court order,  
4 including, but not limited to, a domestic violence restraining order.

5 (ib) The person is participating in a program that has to remain  
6 confidential, including, but not limited to, an independent living  
7 program.

8 (V) The person provides childcare or caregiving to a child,  
9 parent, grandparent, grandchild, sibling, spouse, or domestic partner  
10 that requires them to participate remotely. For purposes of this  
11 subclause, “child,” “parent,” “grandparent,” “grandchild,” and  
12 “sibling” have the same meaning as those terms are defined in  
13 Section 12945.2.

14 (2) An eligible community college student organization that  
15 holds a meeting by teleconference as described in Section 54953.8  
16 shall do the following, as applicable:

17 (A) If the meeting is during regular business hours of the offices  
18 of the board of trustees of the community college district, the  
19 eligible community college student organization shall provide a  
20 publicly accessible physical location from which the public may  
21 attend or comment, which shall be the offices of the board of  
22 trustees of the community college district, unless the eligible  
23 community college student organization identifies an alternative  
24 location.

25 (B) If the meeting is outside regular business hours, the eligible  
26 community college student organization shall make reasonable  
27 efforts to accommodate any member of the public that requests an  
28 accommodation to participate in the meeting. For the purposes of  
29 this subparagraph, “accommodation” means providing a publicly  
30 accessible physical location for the member of the public to  
31 participate from, providing access to technology necessary to  
32 participate in the meeting, or identifying locations or resources  
33 available that could provide the member of the public with an  
34 opportunity to participate in the meeting.

35 (b) For purposes of this section, “eligible community college  
36 student organization” means a student body association organized  
37 pursuant to Section 76060 of the Education Code, or any other  
38 student-run community college organization that is required to  
39 comply with the meeting requirements of this chapter.

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

3 ~~SEC. 8.~~

4 *SEC. 14.* Section 54953.8.6 is added to the Government Code,  
5 to read:

6 54953.8.6. (a) An eligible subsidiary body may conduct a  
7 teleconference meeting pursuant to Section 54953.8, provided that  
8 it complies with the requirements of that section and all of the  
9 following additional requirements:

10 (1) The eligible subsidiary body shall designate a primary  
11 physical meeting location where members of the public may  
12 physically attend, observe, hear, and participate in the meeting.  
13 At least one staff member of the local agency of the subsidiary  
14 body shall be present at the primary physical meeting location  
15 during the meeting. The local agency of the subsidiary body shall  
16 post the agenda at the primary physical meeting location, but need  
17 not post the agenda at a remote location.

18 (2) (A) The members of the eligible subsidiary body shall  
19 visibly appear on camera during the open portion of a meeting that  
20 is publicly accessible via the internet or other online platform.

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

29 (C) If a member of the eligible subsidiary body does not appear  
30 on camera due to challenges with internet connectivity, the member  
31 shall announce the reason for their nonappearance when they turn  
32 off their camera.

33 (3) Any member who receives compensation for their service  
34 on the subsidiary body shall not ~~participate in a teleconference~~  
35 ~~meeting from a remote location pursuant to this section.~~ *receive*  
36 *compensation if they participate in a teleconference meeting from*  
37 *a remote location pursuant to this section.* For purposes of this  
38 paragraph, “compensation” does not include reimbursement for  
39 actual and necessary expenses.

1 (4) A quorum of the eligible subsidiary body cannot be  
2 established solely by members of the legislative body that created  
3 it or its staff.

4 (5) (A) At least a quorum of the members of the eligible  
5 subsidiary body shall participate from a singular physical location  
6 that is accessible to the public and is within the jurisdiction in  
7 which the eligible subsidiary body is established.

8 (B) Notwithstanding the requirements of subparagraph (A), a  
9 person may count toward the establishment of a quorum pursuant  
10 to subparagraph (A) regardless of whether the person is  
11 participating at the in-person location of the meeting or remotely  
12 ~~if the person meets any~~ *either* of the following ~~criteria; criteria is~~  
13 *met*:

14 ~~(i)~~

15 *(i) The person meets any of the following criteria:*

16 *(I)* The person has a disability that requires accommodation  
17 pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C.  
18 Sec. 12132).

19 ~~(ii)~~

20 *(II)* The person is under 18 years of age.

21 ~~(iii)~~

22 *(III)* The person is incarcerated.

23 ~~(iv)~~

24 *(IV)* The person is unable to disclose the location that they are  
25 participating from because of either of the following circumstances:

26 ~~(i)~~

27 *(ia)* The person has been issued a protective court order,  
28 including, but not limited to, a domestic violence restraining order.

29 ~~(ii)~~

30 *(ib)* The person is participating in a program that has to remain  
31 confidential, including, but not limited to, an independent living  
32 program.

33 ~~(v)~~

34 *(V)* The person provides childcare or caregiving to a child,  
35 parent, grandparent, grandchild, sibling, spouse, or domestic partner  
36 that requires them to participate remotely. For purposes of this  
37 clause, “child,” “parent,” “grandparent,” “grandchild,” and  
38 “sibling” have the same meaning as those terms are defined in  
39 Section 12945.2.

1     (ii) *The local agency that created the subsidiary body has*  
2 *determined by a majority vote of the legislative body to include*  
3 *one or more of the following criteria for persons to count toward*  
4 *the establishment of a quorum as described in this subparagraph,*  
5 *and the person meets any of the applicable criteria:*

6     (I) *The person has an immunocompromised child, parent,*  
7 *grandparent, grandchild, sibling, spouse, or domestic partner with*  
8 *whom the person has regular contact with that requires the person*  
9 *to participate remotely.*

10    (II) *The person provides a doctor's note before the*  
11 *commencement of the meeting documenting that the person has a*  
12 *contagious illness and that the person is recommended to avoid*  
13 *in-person contact with other individuals.*

14    (III) *The person is coming to the meeting from an area where*  
15 *the local agency that created the subsidiary body has notified the*  
16 *subsidiary body before the commencement of the meeting that*  
17 *inclement weather events have compelled the local agency to issue*  
18 *a local advisory, including, but not limited to, tire chain control,*  
19 *flood danger, or risk of landslide, and that the local agency does*  
20 *not recommend travel to an in-person meeting unless any members*  
21 *of the legislative body can identify an alternative route that allows*  
22 *them to attend the meeting in person.*

23    (IV) *The person plans to commute to the meeting via public*  
24 *transportation and the local agency has notified the subsidiary*  
25 *body of an unforeseen closure or failure of public transportation*  
26 *that may prevent members of the subsidiary body from attending*  
27 *the meeting in person.*

28    (6) *The eligible subsidiary body shall submit its*  
29 *recommendations in writing to the legislative body that created it.*

30    (A) *The eligible subsidiary body shall present its*  
31 *recommendations to the legislative body that created it at a regular*  
32 *meeting in open session of that legislative body.*

33    (B) *The legislative body shall hold the discussion of the*  
34 *recommendations at its next regular meeting, unless it determines*  
35 *it is infeasible, and then shall hold it at the following regular*  
36 *meeting.*

37    (C) *The legislative body shall not place discussions of the*  
38 *recommendations on a consent calendar.*

39    (7) (A) *In order to use teleconferencing pursuant to this section,*  
40 *the legislative body that established the eligible subsidiary body*

1 by charter, ordinance, resolution, or other formal action shall make  
2 the following findings by majority vote before the eligible  
3 subsidiary body uses teleconferencing pursuant to this section for  
4 the first time, and every 12 months thereafter:

5 (i) The legislative body has considered the circumstances of the  
6 eligible subsidiary body.

7 (ii) Teleconference meetings of the eligible subsidiary body  
8 would enhance public access to meetings of the eligible subsidiary  
9 body.

10 (iii) Teleconference meetings of the eligible subsidiary body  
11 would promote the attraction, retention, and diversity of eligible  
12 subsidiary body members.

13 (B) After the legislative body makes the findings described in  
14 subparagraph (A), the eligible subsidiary body shall approve the  
15 use of teleconferencing by majority vote before using  
16 teleconference pursuant to this section.

17 (C) The legislative body that created the eligible subsidiary  
18 body may elect to prohibit the eligible subsidiary body from using  
19 teleconferencing pursuant this section at any time.

20 (b) For purposes of this section, “eligible subsidiary body”  
21 means a legislative body that meets all of the following:

22 (1) Is described in subdivision (b) of Section 54952.

23 (2) Serves exclusively in an advisory capacity.

24 (3) Is not authorized to take final action on legislation,  
25 regulations, contracts, licenses, permits, or any other entitlements,  
26 grants, or allocations of funds.

27 (4) One-half of the members or more of the eligible subsidiary  
28 body are not members of the legislative body that created it or its  
29 staff.

30 (5) Does not have subject matter jurisdiction over elections,  
31 budgets, police oversight, or removing materials from, or restricting  
32 access to, facilities of the legislative body that created it.

33 (c) This section shall remain in effect only until January 1, 2030,  
34 and as of that date is repealed.

35 ~~SEC. 9.~~

36 *SEC. 15.* Section 54953.8.7 is added to the Government Code,  
37 to read:

38 54953.8.7. (a) An eligible multijurisdictional body may  
39 conduct a teleconference meeting pursuant to Section 54953.8,

1 provided that it complies with the requirements of that section and  
2 all of the following additional requirements:

3 (1) The eligible multijurisdictional body has adopted a resolution  
4 that authorizes the eligible multijurisdictional body to use  
5 teleconferencing pursuant to this section at a regular meeting in  
6 open session.

7 (2) At least a quorum of the members of the eligible  
8 multijurisdictional body shall participate from one or more physical  
9 locations that are open to the public and within the boundaries of  
10 the territory over which the local agency exercises jurisdiction.

11 (3) A member of the eligible multijurisdictional body who  
12 receives compensation for their service on the eligible  
13 multijurisdictional body shall participate from a physical location  
14 that is open to the public. For purposes of this paragraph,  
15 “compensation” does not include reimbursement for actual and  
16 necessary expenses.

17 (4) The eligible multijurisdictional body shall identify each  
18 member of the eligible multijurisdictional body who plans to  
19 participate remotely in the agenda.

20 (5) A member of the eligible multijurisdictional body shall not  
21 participate in a meeting remotely pursuant to this section, unless  
22 the location from which the member participates is more than 20  
23 miles round trip from the in-person location of the meeting.

24 (b) For the purposes of this section, both of the following  
25 definitions apply:

26 (1) “Eligible multijurisdictional body” means a board,  
27 commission, or advisory body of a multijurisdictional, cross-county  
28 agency, the membership of which board, commission, or advisory  
29 body is appointed, and the board, commission, or advisory body  
30 is otherwise subject to this chapter.

31 (2) “Multijurisdictional” means a legislative body that includes  
32 representatives from more than one county, city, city and county,  
33 special district, or a joint powers entity formed pursuant to an  
34 agreement entered into in accordance with Article 1 (commencing  
35 with Section 6500) of Chapter 5 of Division 7 of Title 1.

36 (c) This section shall remain in effect only until January 1, 2030,  
37 and as of that date is repealed.

38 ~~SEC. 10.~~

39 *SEC. 16.* Section 54953.9 is added to the Government Code,  
40 to read:

1 54953.9. (a) In addition to any other applicable requirements  
2 of this chapter, a city council or a county board of supervisors shall  
3 comply with the following requirements:

4 (1) (A) All open and public meetings shall include an  
5 opportunity for members of the public to attend via a two-way  
6 telephonic ~~option~~ *service* or a two-way audiovisual platform.

7 (B) If a city council or a county board of supervisors elects to  
8 provide a two-way audiovisual platform, the city council or a  
9 county board of supervisors shall publicly post and provide a call-in  
10 option, and activate any automatic captioning function during the  
11 meeting if an automatic captioning function is included with the  
12 system.

13 ~~(2) If a city council or county board of supervisors has provided~~  
14 ~~video streaming for at least one open and public meeting on or~~  
15 ~~before January 1, 2026, the city council or county board of~~  
16 ~~supervisors shall continue to provide video streaming consistent~~  
17 ~~with the previously provided video streaming.~~

18 ~~(3)~~  
19 (2) All open and public meetings shall provide the public with  
20 an opportunity to comment on ~~proposed legislation~~ *agenda items*  
21 via a two-way telephonic or two-way audiovisual platform, and  
22 ensure the opportunity for the members of the public participating  
23 via a two-way telephonic or two-way audiovisual platform to  
24 comment on agenda items with the same time allotment as a person  
25 attending a meeting in person.

26 (b) ~~(1) A city council or a county board of supervisors described~~  
27 ~~in subdivision (a) shall have in place a system for requesting and~~  
28 ~~receiving interpretation services for public meetings, including the~~  
29 ~~public comment period. The city council or a county board of~~  
30 ~~supervisors shall publicize the online system described in this~~  
31 ~~paragraph and any instructions on how to request—certified~~  
32 ~~interpretation services for public meetings online.~~

33 ~~(2) If interpretation services are requested for a public meeting~~  
34 ~~and public comment period, the city council or a county board of~~  
35 ~~supervisors shall make reasonable efforts to accommodate any~~  
36 ~~member of the public that requests the interpretation services.~~

37 (c) A city council or a county board of supervisors ~~described in~~  
38 ~~subdivision (a) shall make a good faith effort to~~ *shall* encourage  
39 residents, including those in underrepresented communities and  
40 non-English-speaking communities, to participate in public



1 ~~meetings, which shall include,~~ *meetings by*, at a minimum, *doing*  
2 all of the following:

3 (1) ~~Making a good faith effort to provide~~ *Providing* public  
4 meeting information to all of the following:

5 (A) Media organizations that provide news coverage in the  
6 jurisdiction of the city council or a county board of supervisors,  
7 including media organizations that serve non-English-speaking  
8 communities.

9 (B) Good government, civil rights, civic engagement,  
10 neighborhood, and community group organizations, or other  
11 organizations that are active in the jurisdiction of the city council  
12 or a county board of supervisors, including organizations active  
13 in non-English-speaking communities.

14 (C) Any person that has requested to be notified concerning the  
15 city council's or a county board of supervisors' public meetings.  
16 The city council or a county board of supervisors shall maintain  
17 a contact list for all people requesting notification and provide  
18 them with regular updates regarding public meetings, including,  
19 at minimum, notices of upcoming public meetings.

20 (2) Creating and maintaining an accessible internet webpage  
21 dedicated to public meetings, in which a prominent link on the  
22 webpage is included on the homepage of the city council's or a  
23 county board of supervisors' internet website, and that includes,  
24 or provides a link to, all of the following information:

25 (A) A general explanation of the public meeting process for the  
26 city council or a county board of supervisors that is provided in  
27 English and any other applicable languages.

28 (B) An explanation of the procedures for a member of the public  
29 to provide in-person or remote oral public comment during a public  
30 meeting or to submit written public comment that is provided in  
31 English and any other applicable languages.

32 (C) A calendar of all public meeting dates with calendar listings  
33 that include the date, time, and location of each public meeting.

34 (D) A notice of the applicable languages in which the city  
35 council or a county board of supervisors will provide live  
36 translation of a public meeting upon request and instructions for  
37 making the request that is provided in English and any other  
38 applicable languages.

39 (E) Instructions and a method for a person to sign up to receive  
40 regular notices regarding public meetings, including notices of

1 public meetings that are provided in English and any other  
2 applicable languages.

3 (F) A notice and agenda for each public meeting.

4 (G) Any available recordings of each public meeting, to the  
5 extent applicable.

6 (d) For purposes of this section, the following definitions apply:

7 (1) “Applicable language” means languages spoken jointly by  
8 20 percent or more of the population in the county in which the  
9 city council or a county board of supervisors is located that speaks  
10 English less than “very well” and jointly speaks a language other  
11 than English according to data from the most recent American  
12 Community Survey or data from an equally reliable source.

13 (2) “Two-way audiovisual platform” means an online platform  
14 that provides participants with the ability to participate in a meeting  
15 via both an interactive video conference and a two-way telephonic  
16 ~~function.~~ *service*.

17 (3) “Two-way telephonic service” means a telephone service  
18 that does not require internet access, ~~is not provided as part of a~~  
19 ~~two-way audiovisual platform,~~ *access* and allows participants to  
20 dial a telephone number to listen and verbally participate.

21 (4) “Video streaming” means media in which the data from a  
22 live filming or a video file is continuously delivered via the internet  
23 to a remote user, allowing a video to be viewed online by the public  
24 without being downloaded on a host computer or device.

25 (e) This section shall remain in effect only until January 1, 2030,  
26 and as of that date is repealed.

27 ~~SEC. 11.~~

28 *SEC. 17.* Section 54954.2 of the Government Code, as amended  
29 by Section 92 of Chapter 131 of the Statutes of 2023, is amended  
30 to read:

31 54954.2. (a) (1) At least 72 hours before a regular meeting,  
32 the legislative body of the local agency, or its designee, shall post  
33 an agenda that meets all of the following requirements:

34 (A) The agenda shall contain a brief general description of each  
35 item of business to be transacted or discussed at the meeting,  
36 including items to be discussed in closed session. A brief general  
37 description of an item generally need not exceed 20 words.

38 (B) The agenda shall specify the time and location of the regular  
39 meeting and shall be posted in a location that is freely accessible

1 to members of the public and on the local agency's internet website,  
2 if the local agency has one.

3 (C) (i) If requested, the agenda shall be made available in  
4 appropriate alternative formats to persons with a disability, as  
5 required by Section 202 of the Americans with Disabilities Act of  
6 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations  
7 adopted in implementation thereof.

8 (ii) The agenda shall include information regarding how, to  
9 whom, and when a request for disability-related modification or  
10 accommodation, including auxiliary aids or services, may be made  
11 by a person with a disability who requires a modification or  
12 accommodation in order to participate in the public meeting.

13 (D) (i) The agenda shall be provided in English and in all other  
14 languages spoken jointly by 20 percent or more of the population  
15 in the county in which the local agency is located that speaks  
16 English less than "very well" and jointly speaks a language other  
17 than English according to data from the most recent American  
18 Community Survey or data from an equally reliable source.

19 (ii) *A legislative body may use a digital translation service to*  
20 *translate its agenda for purposes of clause (i).*

21 (ii) (I) *A legislative body shall be exempt from the requirements*  
22 *described in clause (i) if the legislative body, pursuant to a majority*  
23 *vote of its legislative body at a regular meeting, adopts a resolution*  
24 *declaring its determination that a hardship exists that prevents*  
25 *the legislative body from translating the agenda into any languages*  
26 *other than English.*

27 (II) *A resolution adopted pursuant to this clause shall include*  
28 *detailed findings, based upon evidence set forth in the minutes of*  
29 *the meeting, supporting the legislative body's determination that*  
30 *a hardship prevents it from translating the agenda into any*  
31 *languages other than English. The findings may include, but shall*  
32 *not be limited to, significantly limited financial resources or*  
33 *insufficient staff resources.*

34 (III) *A resolution adopted pursuant to this clause shall be valid*  
35 *for one year. A legislative body shall, in order to continue to be*  
36 *exempt from the requirements described in clause (i), annually*  
37 *adopt a resolution that meets the requirements of this clause so*  
38 *long as the hardship exists.*

39 (2) For a meeting occurring on and after January 1, 2019, of a  
40 legislative body of a city, county, city and county, special district,

1 school district, or political subdivision established by the state that  
2 has an internet website, the following provisions shall apply:

3 (A) An online posting of an agenda shall be posted on the  
4 primary internet website home page of a city, county, city and  
5 county, special district, school district, or political subdivision  
6 established by the state that is accessible through a prominent,  
7 direct link to the current agenda. The direct link to the agenda shall  
8 not be in a contextual menu; however, a link in addition to the  
9 direct link to the agenda may be accessible through a contextual  
10 menu.

11 (B) An online posting of an agenda, including, but not limited  
12 to, an agenda posted in an integrated agenda management platform,  
13 shall be posted in an open format that meets all of the following  
14 requirements:

15 (i) Retrievable, downloadable, indexable, and electronically  
16 searchable by commonly used internet search applications.

17 (ii) Platform independent and machine readable.

18 (iii) Available to the public free of charge and without any  
19 restriction that would impede the reuse or redistribution of the  
20 agenda.

21 (C) A legislative body of a city, county, city and county, special  
22 district, school district, or political subdivision established by the  
23 state that has an internet website and an integrated agenda  
24 management platform shall not be required to comply with  
25 subparagraph (A) if all of the following are met:

26 (i) A direct link to the integrated agenda management platform  
27 shall be posted on the primary internet website home page of a  
28 city, county, city and county, special district, school district, or  
29 political subdivision established by the state. The direct link to the  
30 integrated agenda management platform shall not be in a contextual  
31 menu. When a person clicks on the direct link to the integrated  
32 agenda management platform, the direct link shall take the person  
33 directly to an internet website with the agendas of the legislative  
34 body of a city, county, city and county, special district, school  
35 district, or political subdivision established by the state.

36 (ii) The integrated agenda management platform may contain  
37 the prior agendas of a legislative body of a city, county, city and  
38 county, special district, school district, or political subdivision  
39 established by the state for all meetings occurring on or after  
40 January 1, 2019.

1 (iii) The current agenda of the legislative body of a city, county,  
2 city and county, special district, school district, or political  
3 subdivision established by the state shall be the first agenda  
4 available at the top of the integrated agenda management platform.

5 (iv) All agendas posted in the integrated agenda management  
6 platform shall comply with the requirements in clauses (i), (ii),  
7 and (iii) of subparagraph (B).

8 (D) For the purposes of this paragraph, both of the following  
9 definitions shall apply:

10 (i) “Integrated agenda management platform” means an internet  
11 website of a city, county, city and county, special district, school  
12 district, or political subdivision established by the state dedicated  
13 to providing the entirety of the agenda information for the  
14 legislative body of the city, county, city and county, special district,  
15 school district, or political subdivision established by the state to  
16 the public.

17 (ii) “Legislative body” has the same meaning as that term is  
18 used in subdivision (a) of Section 54952.

19 (E) The provisions of this paragraph shall not apply to a political  
20 subdivision of a local agency that was established by the legislative  
21 body of the city, county, city and county, special district, school  
22 district, or political subdivision established by the state.

23 (3) No action or discussion shall be undertaken on any item not  
24 appearing on the posted agenda, except that members of a  
25 legislative body or its staff may briefly respond to statements made  
26 or questions posed by persons exercising their public testimony  
27 rights under Section 54954.3. In addition, on their own initiative  
28 or in response to questions posed by the public, a member of a  
29 legislative body or its staff may ask a question for clarification,  
30 make a brief announcement, or make a brief report on their own  
31 activities. Furthermore, a member of a legislative body, or the  
32 body itself, subject to rules or procedures of the legislative body,  
33 may provide a reference to staff or other resources for factual  
34 information, request staff to report back to the body at a subsequent  
35 meeting concerning any matter, or take action to direct staff to  
36 place a matter of business on a future agenda.

37 (b) Notwithstanding subdivision (a), the legislative body may  
38 take action on items of business not appearing on the posted agenda  
39 under any of the conditions stated below. Prior to discussing any

1 item pursuant to this subdivision, the legislative body shall publicly  
2 identify the item.

3 (1) Upon a determination by a majority vote of the legislative  
4 body that an emergency situation exists, as defined in Section  
5 54956.5.

6 (2) Upon a determination by a two-thirds vote of the members  
7 of the legislative body present at the meeting, or, if less than  
8 two-thirds of the members are present, a unanimous vote of those  
9 members present, that there is a need to take immediate action and  
10 that the need for action came to the attention of the local agency  
11 subsequent to the agenda being posted as specified in subdivision  
12 (a).

13 (3) The item was posted pursuant to subdivision (a) for a prior  
14 meeting of the legislative body occurring not more than five  
15 calendar days prior to the date action is taken on the item, and at  
16 the prior meeting the item was continued to the meeting at which  
17 action is being taken.

18 (c) This section is necessary to implement and reasonably within  
19 the scope of paragraph (1) of subdivision (b) of Section 3 of Article  
20 I of the California Constitution.

21 (d) For purposes of subdivision (a), the requirement that the  
22 agenda be posted on the local agency's internet website, if the  
23 local agency has one, shall only apply to a legislative body that  
24 meets either of the following standards:

25 (1) A legislative body as that term is defined by subdivision (a)  
26 of Section 54952.

27 (2) A legislative body as that term is defined by subdivision (b)  
28 of Section 54952, if the members of the legislative body are  
29 compensated for their appearance, and if one or more of the  
30 members of the legislative body are also members of a legislative  
31 body as that term is defined by subdivision (a) of Section 54952.

32 ~~SEC. 12.~~

33 *SEC. 18.* Section 54954.3 of the Government Code is amended  
34 to read:

35 54954.3. (a) (1) Every agenda for regular meetings shall  
36 provide an opportunity for members of the public to directly  
37 address the legislative body on any item of interest to the public,  
38 before or during the legislative body's consideration of the item,  
39 that is within the subject matter jurisdiction of the legislative body,  
40 provided that no action shall be taken on any item not appearing

1 on the agenda unless the action is otherwise authorized by  
2 subdivision (b) of Section 54954.2

3 (2) Every notice for a special meeting shall provide an  
4 opportunity for members of the public to directly address the  
5 legislative body concerning any item that has been described in  
6 the notice for the meeting before or during consideration of that  
7 item.

8 (b) (1) The legislative body of a local agency may adopt  
9 reasonable regulations to ensure that the intent of subdivision (a)  
10 is carried out, including, but not limited to, regulations limiting  
11 the total amount of time allocated for public testimony on particular  
12 issues and for each individual speaker.

13 (2) Notwithstanding paragraph (1), when the legislative body  
14 of a local agency limits time for public comment, the legislative  
15 body of a local agency shall provide at least twice the allotted time  
16 to a member of the public who utilizes a translator to ensure that  
17 non-English speakers receive the same opportunity to directly  
18 address the legislative body of a local agency.

19 (3) Paragraph (2) shall not apply if the legislative body of a  
20 local agency utilizes simultaneous translation equipment in a  
21 manner that allows the legislative body of a local agency to hear  
22 the translated public testimony simultaneously.

23 (c) The legislative body of a local agency shall not prohibit  
24 public criticism of the policies, procedures, programs, or services  
25 of the agency, or of the acts or omissions of the legislative body.  
26 Nothing in this subdivision shall confer any privilege or protection  
27 for expression beyond that otherwise provided by law.

28 *SEC. 19. Section 54956 of the Government Code is amended*  
29 *to read:*

30 54956. (a) A special meeting may be called at any time by the  
31 presiding officer of the legislative body of a local agency, or by a  
32 majority of the members of the legislative body, by delivering  
33 written notice to each member of the legislative body and to each  
34 local newspaper of general circulation and radio or television  
35 station requesting notice in writing and posting a notice on the  
36 local agency's ~~Internet Web site~~, *internet website*, if the local  
37 agency has one. The notice shall be delivered personally or by any  
38 other means and shall be received at least 24 hours before the time  
39 of the meeting as specified in the notice. The call and notice shall  
40 specify the time and place of the special meeting and the business

1 to be transacted or discussed. No other business shall be considered  
2 at these meetings by the legislative body. The written notice may  
3 be dispensed with as to any member who at or prior to the time  
4 the meeting convenes files with the clerk or secretary of the  
5 legislative body a written waiver of notice. The waiver may be  
6 given by telegram. The written notice may also be dispensed with  
7 as to any member who is actually present at the meeting at the  
8 time it convenes.

9 The call and notice shall be posted at least 24 hours prior to the  
10 special meeting in a location that is freely accessible to members  
11 of the public.

12 (b) Notwithstanding any other law, a legislative body shall not  
13 call a special meeting regarding the salaries, salary schedules, ~~or~~  
14 compensation paid in the form of fringe benefits, *evaluation of*  
15 *performance, discipline, or dismissal of the members of the*  
16 *legislative body* or of a local agency executive, as defined in  
17 subdivision (d) of Section 3511.1. However, this subdivision does  
18 not apply to a local agency calling a special meeting to discuss the  
19 local agency's budget.

20 ~~(c) For purposes of subdivision (a), the requirement that the~~  
21 ~~agenda be posted on the local agency's Internet Web site, if the~~  
22 ~~local agency has one, shall only apply to a legislative body that~~  
23 ~~meets either of the following standards:~~

24 ~~(1) A legislative body as that term is defined by subdivision (a)~~  
25 ~~of Section 54952.~~

26 ~~(2) A legislative body as that term is defined by subdivision (b)~~  
27 ~~of Section 54952, if the members of the legislative body are~~  
28 ~~compensated for their appearance, and if one or more of the~~  
29 ~~members of the legislative body are also members of a legislative~~  
30 ~~body as that term is defined by subdivision (a) of Section 54952.~~

31 *(c) A legislative body shall not consider the appointment,*  
32 *employment, evaluation of performance, discipline, or dismissal*  
33 *of a public employee or hear complaints or charges brought*  
34 *against the employee by another person or employee at a special*  
35 *meeting, unless the item is properly before the legislative body, as*  
36 *specified in Section 54954.2, and both of the following are met:*

37 *(1) At the start of the meeting, at least four-fifths of the*  
38 *legislative body votes to proceed with the meeting.*

39 *(2) Any discussion related to the topics described in this*  
40 *subdivision is held during open session.*



1     *SEC. 20. Section 54956.5 of the Government Code is amended*  
2     *to read:*

3     54956.5. (a) For purposes of this section, “emergency  
4     situation” means both of the following:

5         (1) An emergency, which shall be defined as a work stoppage,  
6     crippling activity, or other activity that severely impairs public  
7     health, safety, or both, as determined by a majority of the members  
8     of the legislative body.

9         (2) A dire emergency, which shall be defined as a crippling  
10    disaster, mass destruction, terrorist act, or threatened terrorist  
11    activity that poses peril so immediate and significant that requiring  
12    a legislative body to provide one-hour notice before holding an  
13    emergency meeting under this section may endanger the public  
14    health, safety, or both, as determined by a majority of the members  
15    of the legislative body.

16         (b) (1) Subject to paragraph (2), in the case of an emergency  
17    situation involving matters upon which prompt action is necessary  
18    due to the disruption or threatened disruption of public facilities,  
19    a legislative body may hold an emergency meeting without  
20    complying with either the 24-hour notice requirement or the  
21    24-hour posting requirement of Section 54956 or both of the notice  
22    and posting requirements.

23         (2) Each local newspaper of general circulation and radio or  
24    television station that has requested notice of special meetings  
25    pursuant to Section 54956 shall be notified by the presiding officer  
26    of the legislative body, or designee thereof, one hour prior to the  
27    emergency meeting, or, in the case of a dire emergency, at or near  
28    the time that the presiding officer or designee notifies the members  
29    of the legislative body of the emergency meeting.

30         (A) Except as provided in subparagraph (B), the notice required  
31    by this paragraph shall be given by telephone and all telephone  
32    numbers provided in the most recent request of a newspaper or  
33    station for notification of special meetings shall be exhausted. In  
34    the event that telephone services are ~~not functioning and the~~  
35    ~~legislative body is not a school board,~~ *functioning*, the notice  
36    requirements of this paragraph shall be deemed waived, and the  
37    legislative body, or designee of the legislative body, shall notify  
38    those newspapers, radio stations, or television stations of the fact  
39    of the holding of the emergency meeting, the purpose of the

1 meeting, and any action taken at the meeting as soon after the  
2 meeting as possible.

3 (B) For an emergency meeting held ~~by a school board~~ pursuant  
4 to this section, the presiding officer of the ~~school board~~, *legislative*  
5 *body*, or designee thereof, may send the notifications required by  
6 this paragraph by email instead of by telephone, as provided in  
7 subparagraph (A), to all local newspapers of general circulation,  
8 and radio or television stations, that have requested those  
9 notifications by email, and all email addresses provided by  
10 representatives of those newspapers or stations shall be exhausted.  
11 In the event that internet services and telephone services are not  
12 functioning, the notice requirements of this paragraph shall be  
13 deemed waived, and the ~~school board~~, *legislative body*, or designee  
14 of the ~~school board~~, *legislative body*, shall notify those newspapers,  
15 radio stations, or television stations of the fact of the holding of  
16 the emergency meeting, the purpose of the meeting, and any action  
17 taken at the meeting as soon after the meeting as possible.

18 (c) During a meeting held pursuant to this section, the legislative  
19 body may meet in closed session pursuant to Section 54957 if  
20 agreed to by a two-thirds vote of the members of the legislative  
21 body present, or, if less than two-thirds of the members are present,  
22 by a unanimous vote of the members present.

23 (d) All special meeting requirements, as prescribed in Section  
24 54956 shall be applicable to a meeting called pursuant to this  
25 section, with the exception of the 24-hour notice requirement.

26 (e) The minutes of a meeting called pursuant to this section, a  
27 list of persons who the presiding officer of the legislative body,  
28 or designee of the legislative body, notified or attempted to notify,  
29 a copy of the rollcall vote, and any actions taken at the meeting  
30 shall be posted for a minimum of 10 days in a public place as soon  
31 after the meeting as possible.

32 *SEC. 21. Section 54957.1 of the Government Code is amended*  
33 *to read:*

34 54957.1. (a) The legislative body of any local agency shall  
35 publicly report any action taken in closed session and the vote or  
36 abstention on that action of every member present, as follows:

37 (1) Approval of an agreement concluding real estate negotiations  
38 pursuant to Section 54956.8 shall be reported after the agreement  
39 is final, as follows:

1 (A) If its own approval renders the agreement final, the body  
2 shall report that approval and the substance of the agreement in  
3 open session at the public meeting during which the closed session  
4 is held.

5 (B) If final approval rests with the other party to the negotiations,  
6 the local agency shall disclose the fact of that approval and the  
7 substance of the agreement upon inquiry by any person, as soon  
8 as the other party or its agent has informed the local agency of its  
9 approval.

10 (2) Approval given to its legal counsel to defend, or seek or  
11 refrain from seeking appellate review or relief, or to enter as an  
12 amicus curiae in any form of litigation as the result of a  
13 consultation under Section 54956.9 shall be reported in open  
14 session at the public meeting during which the closed session is  
15 held. The report shall identify, if known, the adverse party or  
16 parties and the substance of the litigation. In the case of approval  
17 given to initiate or intervene in an action, the announcement need  
18 not identify the action, the defendants, or other particulars, but  
19 shall specify that the direction to initiate or intervene in an action  
20 has been given and that the action, the defendants, and the other  
21 particulars shall, once formally commenced, be disclosed to any  
22 person upon inquiry, unless to do so would jeopardize the agency's  
23 ability to effectuate service of process on one or more unserved  
24 parties, or that to do so would jeopardize its ability to conclude  
25 existing settlement negotiations to its advantage.

26 (3) Approval given to its legal counsel of a settlement of pending  
27 litigation, as defined in Section 54956.9, at any stage prior to or  
28 during a judicial or quasi-judicial proceeding shall be reported  
29 after the settlement is final, as follows:

30 (A) If the legislative body accepts a settlement offer signed by  
31 the opposing party, the body shall report its acceptance and identify  
32 the substance of the agreement in open session at the public  
33 meeting during which the closed session is held.

34 (B) If final approval rests with some other party to the litigation  
35 or with the court, then as soon as the settlement becomes final,  
36 and upon inquiry by any person, the local agency shall disclose  
37 the fact of that approval, and identify the substance of the  
38 agreement.

39 (4) Disposition reached as to claims discussed in closed session  
40 pursuant to Section 54956.95 shall be reported as soon as reached

1 in a manner that identifies the name of the claimant, the name of  
2 the local agency claimed against, the substance of the claim, and  
3 any monetary amount approved for payment and agreed upon by  
4 the claimant.

5 (5) Action taken to appoint, employ, dismiss, accept the  
6 resignation of, or otherwise affect the employment status of a  
7 public employee in closed session pursuant to Section 54957 shall  
8 be reported at the public meeting during which the closed session  
9 is held. Any report required by this paragraph shall identify the  
10 title of the ~~position~~ *position and an estimate of the fiscal impact*  
11 *of the action taken*. The general requirement of this paragraph  
12 notwithstanding, the report of a dismissal or of the nonrenewal of  
13 an employment contract shall be deferred until the first public  
14 meeting following the exhaustion of administrative remedies, if  
15 any.

16 (6) Approval of an agreement concluding labor negotiations  
17 with represented employees pursuant to Section 54957.6 shall be  
18 reported after the agreement is final and has been accepted or  
19 ratified by the other party. The report shall identify the item  
20 approved and the other party or parties to the negotiation.

21 (7) Pension fund investment transaction decisions made pursuant  
22 to Section 54956.81 shall be disclosed at the first open meeting of  
23 the legislative body held after the earlier of the close of the  
24 investment transaction or the transfer of pension fund assets for  
25 the investment transaction.

26 (b) Reports that are required to be made pursuant to this section  
27 may be made orally or in writing. The legislative body shall provide  
28 to any person who has submitted a written request to the legislative  
29 body within 24 hours of the posting of the agenda, or to any person  
30 who has made a standing request for all documentation as part of  
31 a request for notice of meetings pursuant to Section 54954.1 or  
32 54956, if the requester is present at the time the closed session  
33 ends, copies of any contracts, settlement agreements, or other  
34 documents that were finally approved or adopted in the closed  
35 session. If the action taken results in one or more substantive  
36 amendments to the related documents requiring retyping, the  
37 documents need not be released until the retyping is completed  
38 during normal business hours, provided that the presiding officer  
39 of the legislative body or ~~his or her~~ *their* designee orally  
40 summarizes the substance of the amendments for the benefit of

1 the document requester or any other person present and requesting  
2 the information.

3 (c) The documentation referred to in subdivision (b) shall be  
4 available to any person on the next business day following the  
5 meeting in which the action referred to is taken or, in the case of  
6 substantial amendments, when any necessary retyping is complete.

7 (d) Nothing in this section shall be construed to require that the  
8 legislative body approve actions not otherwise subject to legislative  
9 body approval.

10 (e) No action for injury to a reputational, liberty, or other  
11 personal interest may be commenced by or on behalf of any  
12 employee or former employee with respect to whom a disclosure  
13 is made by a legislative body in an effort to comply with this  
14 section.

15 (f) This section is necessary to implement, and reasonably within  
16 the scope of, paragraph (1) of subdivision (b) of Section 3 of  
17 Article I of the California Constitution.

18 *SEC. 22. Section 54957.6 of the Government Code is amended*  
19 *to read:*

20 54957.6. (a) Notwithstanding any other provision of law, a  
21 legislative body of a local agency may hold closed sessions with  
22 the local agency's designated representatives regarding the salaries,  
23 salary schedules, or compensation paid in the form of fringe  
24 benefits of its represented and unrepresented employees, and, for  
25 represented employees, any other matter within the statutorily  
26 provided scope of representation. ~~However, prior representation,~~  
27 *subject to all of the following conditions:*

28 (1) Prior to the closed session, the legislative body of the local  
29 agency shall hold an open and public session in which it identifies  
30 its designated representatives.

31 ~~Closed sessions of a legislative body of a local agency, as~~  
32 ~~permitted in this section;~~

33 (2) The closed session shall be for the purpose of reviewing its  
34 position and instructing the local agency's designated  
35 representatives.

36 ~~Closed sessions, as permitted in this section~~

37 (3) The closed session may take place prior to and during  
38 consultations and discussions with representatives of employee  
39 organizations and unrepresented employees.

40 ~~Closed sessions~~

1 (4) *Any closed session* with the local agency's designated  
2 representative regarding the salaries, salary schedules, or  
3 compensation paid in the form of fringe benefits may include  
4 discussion of an agency's available funds and funding priorities,  
5 but only insofar as these discussions relate to providing instructions  
6 to the local agency's designated representative.

7 ~~Closed sessions held pursuant to this section~~

8 (5) *The closed session* shall not include final action on the  
9 proposed compensation of one or more unrepresented employees.

10 ~~For~~

11 (6) *For* the purposes enumerated in this section, a legislative  
12 body of a local agency may also meet with a state conciliator who  
13 has intervened in the proceedings.

14 (b) For the purposes of this section, the term "employee" shall  
15 include an officer or an independent contractor who functions as  
16 an officer or an employee, but shall not include any elected official,  
17 member of a legislative body, or other independent contractors.

18 SEC. 23. *Section 54960 of the Government Code is amended*  
19 *to read:*

20 54960. (a) The district attorney or any interested person may  
21 commence an action by mandamus, injunction, or declaratory relief  
22 for the purpose of stopping or preventing violations or threatened  
23 violations of this chapter by members of the legislative body of a  
24 local agency or to determine the applicability of this chapter to  
25 ongoing actions or threatened future actions of the legislative body,  
26 or to determine the applicability of this chapter to past actions of  
27 the legislative body, subject to Section 54960.2, or to determine  
28 whether any rule or action by the legislative body to penalize or  
29 otherwise discourage the expression of one or more of its members  
30 is valid or invalid under the laws of this state or of the United  
31 States, or to compel the legislative body to audio record its closed  
32 sessions as hereinafter provided.

33 (b) The court in its discretion may, upon a judgment of a  
34 violation of ~~Section 54956.7, 54956.8, 54956.9, 54956.95, 54957,~~  
35 ~~or 54957.6,~~ *any provision of this chapter authorizing a closed*  
36 *session*, order the legislative body to audio record its closed  
37 sessions and preserve the audio recordings for the period and under  
38 the terms of security and confidentiality the court deems  
39 appropriate.

1 (c) (1) Each recording so kept shall be immediately labeled  
2 with the date of the closed session recorded and the title of the  
3 clerk or other officer who shall be custodian of the recording.

4 (2) The audio recordings shall be subject to the following  
5 discovery procedures:

6 (A) In any case in which discovery or disclosure of the audio  
7 recording is sought by either the district attorney or the plaintiff  
8 in a civil action pursuant to Section 54959, 54960, or 54960.1  
9 alleging that a violation of this chapter has occurred in a closed  
10 session that has been recorded pursuant to this section, the party  
11 seeking discovery or disclosure shall file a written notice of motion  
12 with the appropriate court with notice to the governmental agency  
13 that has custody and control of the audio recording. The notice  
14 shall be given pursuant to subdivision (b) of Section 1005 of the  
15 Code of Civil Procedure.

16 (B) The notice shall include, in addition to the items required  
17 by Section 1010 of the Code of Civil Procedure, all of the  
18 following:

19 (i) Identification of the proceeding in which discovery or  
20 disclosure is sought, the party seeking discovery or disclosure, the  
21 date and time of the meeting recorded, and the governmental  
22 agency that has custody and control of the recording.

23 (ii) An affidavit that contains specific facts indicating that a  
24 violation of the act occurred in the closed session.

25 (3) If the court, following a review of the motion, finds that  
26 there is good cause to believe that a violation has occurred, the  
27 court may review, in camera, the recording of that portion of the  
28 closed session alleged to have violated the act.

29 (4) If, following the in camera review, the court concludes that  
30 disclosure of a portion of the recording would be likely to  
31 materially assist in the resolution of the litigation alleging violation  
32 of this chapter, the court shall, in its discretion, make a certified  
33 transcript of the portion of the recording a public exhibit in the  
34 proceeding.

35 (5) This section shall not permit discovery of communications  
36 that are protected by the attorney-client privilege.

37 *SEC. 24. Section 54960.2 of the Government Code is amended*  
38 *to read:*

39 54960.2. (a) The district attorney or any interested person may  
40 file an action to determine the applicability of this chapter to past

actions of the legislative body pursuant to subdivision (a) of Section 54960 only if all of the following conditions are met:

(1) The district attorney or interested person alleging a violation of this chapter first submits a cease and desist letter by postal mail or facsimile transmission to the clerk or secretary of the legislative body being accused of the violation, as designated in the statement pertaining to that public agency on file pursuant to Section 53051, or if the agency does not have a statement on file designating a clerk or a secretary, to the chief executive officer of that agency, clearly describing the past action of the legislative body and nature of the alleged violation.

(2) The cease and desist letter required under paragraph (1) is submitted to the legislative body within ~~nine~~ 12 months of the alleged violation.

(3) The time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b) has expired and the legislative body has not provided an unconditional commitment pursuant to subdivision (c).

(4) Within 60 days of receipt of the legislative body's response to the cease and desist letter, other than an unconditional commitment pursuant to subdivision (c), or within 60 days of the expiration of the time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b), whichever is earlier, the party submitting the cease and desist letter shall commence the action pursuant to subdivision (a) of Section 54960 or thereafter be barred from commencing the action.

(b) The legislative body may respond to a cease and desist letter submitted pursuant to subdivision (a) within 30 days of receiving the letter. This subdivision shall not be construed to prevent the legislative body from providing an unconditional commitment pursuant to subdivision (c) at any time after the 30-day period has expired, except that in that event the court shall award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to this section, in accordance with Section 54960.5.

(c) (1) If the legislative body elects to respond to the cease and desist letter with an unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate this chapter, that response shall be in substantially the following form:

To \_\_\_\_\_:



1  
2 The [name of legislative body] has received your cease and desist  
3 letter dated [date] alleging that the following described past action  
4 of the legislative body violates the Ralph M. Brown Act:

5  
6 [Describe alleged past action, as set forth in the cease and desist  
7 letter submitted pursuant to subdivision (a)]  
8

9 In order to avoid unnecessary litigation and without admitting  
10 any violation of the Ralph M. Brown Act, the [name of legislative  
11 body] hereby unconditionally commits that it will cease, desist  
12 from, and not repeat the challenged past action as described above.  
13

14 The [name of legislative body] may rescind this commitment  
15 only by a majority vote of its membership taken in open session  
16 at a regular meeting and noticed on its posted agenda as  
17 “Rescission of Brown Act Commitment.” You will be provided  
18 with written notice, sent by any means or media you provide in  
19 response to this message, to whatever address or addresses you  
20 specify, of any intention to consider rescinding this commitment  
21 at least 30 days before any such regular meeting. In the event that  
22 this commitment is rescinded, you will have the right to commence  
23 legal action pursuant to subdivision (a) of Section 54960 of the  
24 Government Code. That notice will be delivered to you by the  
25 same means as this commitment, or may be mailed to an address  
26 that you have designated in writing.  
27

28 Very truly yours,

29  
30 \_\_\_\_\_  
31 [Chairperson or acting chairperson of the legislative body]

32 (2) An unconditional commitment pursuant to this subdivision  
33 shall be approved by the legislative body in open session at a  
34 regular or special meeting as a separate item of business, and not  
35 on its consent agenda.

36 (3) An action shall not be commenced to determine the  
37 applicability of this chapter to any past action of the legislative  
38 body for which the legislative body has provided an unconditional  
39 commitment pursuant to this subdivision. During any action  
40 seeking a judicial determination regarding the applicability of this

chapter to any past action of the legislative body pursuant to subdivision (a), if the court determines that the legislative body has provided an unconditional commitment pursuant to this subdivision, the action shall be dismissed with prejudice. Nothing in this subdivision shall be construed to modify or limit the existing ability of the district attorney or any interested person to commence an action to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body.

(4) Except as provided in subdivision (d), the fact that a legislative body provides an unconditional commitment shall not be construed or admissible as evidence of a violation of this chapter.

(d) If the legislative body provides an unconditional commitment as set forth in subdivision (c), the legislative body shall not thereafter take or engage in the challenged action described in the cease and desist letter, except as provided in subdivision (e). Violation of this subdivision shall constitute an independent violation of this chapter, without regard to whether the challenged action would otherwise violate this chapter. An action alleging past violation or threatened future violation of this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

(e) The legislative body may resolve to rescind an unconditional commitment made pursuant to subdivision (c) by a majority vote of its membership taken in open session at a regular meeting as a separate item of business not on its consent agenda, and noticed on its posted agenda as “Rescission of Brown Act Commitment,” provided that not less than 30 days prior to such regular meeting, the legislative body provides written notice of its intent to consider the rescission to each person to whom the unconditional commitment was made, and to the district attorney. Upon rescission, the district attorney or any interested person may commence an action pursuant to subdivision (a) of Section 54960. An action under this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

~~SEC. 13.~~

~~SEC. 25.~~ The Legislature finds and declares that Section 4 5 of this act, which amends Section 54953 of the Government Code, and Sections 2 to 9, of, Sections 8 to 15, inclusive, of this act,

1 which add Sections 54953.8 to 54953.8.7, respectively, ~~to to, and~~  
 2 *Section 20 of this act, which amends Section 54956.5 of, the*  
 3 Government Code, impose a limitation on the public's right of  
 4 access to the meetings of public bodies or the writings of public  
 5 officials and agencies within the meaning of Section 3 of Article  
 6 I of the California Constitution. Pursuant to that constitutional  
 7 provision, the Legislature makes the following findings to  
 8 demonstrate the interest protected by this limitation and the need  
 9 for protecting that interest:

10 (a) This act is necessary to provide opportunities for public  
 11 participation in meetings of specified public agencies and to  
 12 promote the recruitment and retention of members of those  
 13 agencies.

14 (b) This act is necessary to ensure minimum standards for public  
 15 participation and notice requirements allowing for greater public  
 16 participation in meetings.

17 (c) This act is necessary to modernize the Ralph M. Brown Act  
 18 to reflect recent technological changes that can promote greater  
 19 public access to local officials.

20 ~~SEC. 14.~~

21 *SEC. 26.* The Legislature finds and declares that Section 1 of  
 22 this act, which amends Section 54952 of, *Sections 2 and 3 of this*  
 23 *act, which amend and repeal Section 54952.2, respectively, of,*  
 24 *Section 4 of this act, which amends Section 54952.7 of, Section 5*  
 25 *of this act, which amends Section 54953 of the Government Code,*  
 26 ~~*Sections 2 to 9, of, Section 6 of this act, which amends Section*~~  
 27 ~~*54953.5 of, Section 7 of this act, which amends Section 54953.7*~~  
 28 ~~*of, Sections 8 to 15, inclusive, of this act, which add Sections*~~  
 29 ~~*54953.8 to 54953.8.7, respectively, to the Government Code,*~~  
 30 ~~*Section 10 to, Section 16 of this act, which adds Section 54953.9*~~  
 31 ~~*to the Government Code, and Sections 11 to 12, to, Sections 17 to*~~  
 32 ~~*18, inclusive, of this act, which amend Sections 54954.2 and*~~  
 33 ~~*54954.3, respectively, of of, Section 19 of this act, which amends*~~  
 34 ~~*Section 54956 of, Section 20 of this act, which amends Section*~~  
 35 ~~*54956.5 of, Section 21 of this act, which amends Section 54957.1*~~  
 36 ~~*of, Section 22 of this act, which amends Section 54957.6 of, Section*~~  
 37 ~~*23 of this act, which amends Section 54960 of, and Section 24 of*~~  
 38 ~~*this act, which amends Section 54960.2 of, the Government Code,*~~  
 39 further, within the meaning of paragraph (7) of subdivision (b) of  
 40 Section 3 of Article I of the California Constitution, the purposes

1 of that constitutional section as it relates to the right of public  
2 access to the meetings of local public bodies or the writings of  
3 local public officials and local agencies. Pursuant to paragraph (7)  
4 of subdivision (b) of Section 3 of Article I of the California  
5 Constitution, the Legislature makes the following findings:

6 (a) This act is necessary to provide opportunities for public  
7 participation in meetings of specified public agencies and to  
8 promote the recruitment and retention of members of those  
9 agencies.

10 (b) This act is necessary to ensure minimum standards for public  
11 participation and notice requirements allowing for greater public  
12 participation in meetings.

13 (c) This act is necessary to modernize the Ralph M. Brown Act  
14 to reflect recent technological changes that can promote greater  
15 public access to local officials.

16 ~~SEC. 15.~~

17 *SEC. 27.* The Legislature finds and declares that adequate  
18 public access to meetings is a matter of statewide concern and is  
19 not a municipal affair as that term is used in Section 5 of Article  
20 XI of the California Constitution. Therefore, ~~Section 10 of this act~~  
21 ~~adding Section 54953.9 to, and Section 11 of this act amending~~  
22 ~~Section 54954.2 of, the Government Code~~ *this bill would apply*  
23 to all cities, including charter cities.

24 ~~SEC. 16.~~

25 *SEC. 28.* No reimbursement is required by this act pursuant to  
26 Section 6 of Article XIII B of the California Constitution because  
27 the only costs that may be incurred by a local agency or school  
28 district under this act would result from a legislative mandate that  
29 is within the scope of paragraph (7) of subdivision (b) of Section  
30 3 of Article I of the California Constitution.