

THE BROWN ACT
UPDATES ON NEW LAWS
THAT TAKE EFFECT ON
JULY 1, 2026

WHAT IS THE BROWN ACT

- Authored by Ralph Milton Brown, the Brown Act was passed in 1953, to safeguard the public's right to access and participate in government meetings within the State.
- The Brown Act is found at California Government Code Sections 54950-54963

INTENT OF THE BROWN ACT

- To ensure that deliberations and actions of legislative bodies of local government agencies are open and public.
- To ensure meaningful public access to local government decisions.
- The business conducted on behalf of the public is most certainly the public's business.

SENATE BILL 707 (SB 707)

- On October 3, 2025, Governor Newsom signed Senate Bill 707 (Durazo), which enacted significant amendments to the Ralph M. Brown Act.
- SB 707 requires that members of the public be provided an opportunity to comment at Board of Supervisors meetings through remote two-way participation (e.g., telephone or video conferencing) for all regular meetings, unless an exemption applies.
- SB 707 mandates that the Board adopt a policy to address disruptions in remote participation services.

SB 707 UPDATE

REMOTE PUBLIC COMMENTS

EFFECTIVE JULY 1, 2026

- Requires county boards of supervisors to provide for remote public comments (telephonic or two-way audiovisual) if population exceeds 30,000
- Allows limits on remote public comment period (both per commenter and per item) if consistent with in-person limits
- If time limit is imposed on general public comment, comment period must remain open until established time limit elapses
- Allows for removal of disruptive remote commenter
- Exemptions: judicial or administrative proceedings, inspections of property, meetings with state or federal officials to discuss legislative or regulatory issue, or emergency situations

SB 707 UPDATE

REMOTE MEETING DISRUPTIONS

EFFECTIVE JULY 1, 2026

- Allows for cessation of remote meeting if technology fails - if unable to fix issue after one hour; allows closed session to be held during technology failure
- Requires good faith effort to restore service during break and adoption via roll call vote that good faith effort was attempted and public interest in continuing the meeting outweighs postponement
- Requires boards to adopt policy on such disruptions before July 1, 2026

SB 707 UPDATE

JUST CAUSE FOR REMOTE APPEARANCE

EFFECTIVE JULY 1, 2026

- Adds new grounds for just cause supporting remote appearance - immunocompromised family member; physical or family medical emergency; or military service obligations if it requires the member to be at least 50 miles outside the boundaries of the agency
- Meeting minutes must disclose just cause used for remote meeting, unless it would disclose medical or disability diagnoses

SB 707 UPDATE

ADVISORY BODIES

EFFECTIVE JULY 1, 2026

- Allows non-decision-making advisory bodies to meet entirely remotely, with some qualifications and requirements
- Gives boards of supervisors power to authorize or revoke remote meeting option; must be considered at least twice a year (may be on consent)
- Requires one in-person location for public participation, with staff present (but not members)

SB 707 UPDATE

ADVISORY BODIES CONTINUED

EFFECTIVE JULY 1, 2026

- If members of body participate in person, they must do so from singular location No rules for compensated members
- Elected members cannot use flexibility outside of existing remote participation options
- Exempts bodies with primary subject matter jurisdiction over elections, budgets, police oversight, privacy, taxes or tax spending, or library circulation
- Adds language allowing for advisory body to request a presentation at a legislative body meeting; requires item must be non-consent and that item must be heard within 60 days of request (or soonest meeting following 60 days, if not already scheduled)

SB 707 UPDATE OUTREACH

EFFECTIVE JULY 1, 2026

- Requires outreach to underrepresented and non-English-speaking communities, but adds language giving legislative bodies “broad discretion,” to decide what is reasonable for outreach and holds them only to standard of reasonability

SB 707 UPDATE

WEBPAGE AND MEETING INFO

EFFECTIVE JULY 1, 2026

- Requires city councils and boards of supervisors to maintain webpage dedicated to public meetings with prominent link on homepage *and* clarifies method to receive regular notice

OTHER UPDATES FROM SB 707

REMOTE MEETINGS AND PARTICIPATION

- Clarifies that existing authority to remove or limit participation for *individuals* for actual disruption applies to members of public participating remotely
- Expands option to remotely meet without posting locations during local emergencies.
- Clarifies the definition of “teleconference” to not apply to members watching or listening webcast in which they cannot interact
- Clarification that members do not have to appear on camera if they have a disability that prevents them from doing so.
- Confirms California Attorney General opinion holding that remote participation as reasonable accommodation under the Americans with Disabilities Act (ADA).

OTHER UPDATES FROM SB 707

ORAL REPORTS AND SPECIAL MEETINGS

- Oral reports of final action on executive benefits applicable to officers and department heads
- Imposes new restriction on calling of special meeting regarding salaries, salary schedules, or compensation for members of a legislative body

QUESTIONS?