

Brown Act Overview 2023-03-01

Introduction (Reference: [Government Code §54953](#))

The state of emergency declared by the Governor ends on February 28, 2023. The suspension of teleconference restrictions in the traditional Brown Act on which we have relied for almost 3 years now will also come to an end. This is not an exhaustive resource by any means, only highlighting the most important components related to teleconferencing for running Senate Council and Senate Standing Committees. An internet search for “brown act full text” will yield the Brown Act in all of its glory.

Traditional Brown Act

Teleconferencing requires:

- Listing of addresses of each teleconference location in agenda (72 hours in advance)
- Each teleconference location must be accessible to the public
 - Members of the public may address legislative body at each teleconference location
- Rollcall vote

AB 2449 (Rubio) Provisions

Until Jan 1, 2026 legislative bodies may use teleconferencing under these provisions:

- Quorum of members in person at a single physical location clearly identified on the agenda
 - As usual this location must be accessible to the public
- Some members may participate via teleconferencing in the following cases:
 - Just cause—Limited to 2 meetings per calendar year
 - Childcare or caregiving need of a child, grandparent, grandchild, sibling, spouse, or domestic partner
 - Contagious illness
 - Physical or mental disability not otherwise accommodated
 - Travel while on official business of the body or another state or local agency
 - Just cause to be requested at earliest opportunity, including at the start of a regular meeting
 - Emergency circumstances
 - Physical or family medical emergency
 - Requires action by legislative body to approve request
 - Teleconference participation is limited to not more than 3 consecutive months or 20 percent of regular meetings in a calendar year, or not more than 2 meetings if body meets fewer than 10 times per calendar year
- Members must participate with both video and sound
- Public must be able to remotely hear and visually observe the meeting and remotely address the legislative body
- Rollcall vote

Likely the simplest path forward under these provisions is to have a standing agenda item related to teleconferencing requests: information for just cause and an action item for emergency circumstances.