



## **BROWN ACT REFRESHER**

### **2026 UPDATES TO THE BROWN ACT/SB707**

**City Council**  
July 14, 2026  
Presented by City Attorney's Office

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## **BACKGROUND**

- SB707, entitled "Open meetings: meeting and teleconference requirements," was signed into law in 2025
- Clarified Brown Act requirements including social media, remote (teleconference) participation, serial meetings and public participation



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## MEETINGS/SOCIAL MEDIA

### 2026 UPDATE

**SB 707 clarifies rules for permitted informational communications, including limited one-way distribution of factual information, and certain social-media activity. Ban on commenting on another public official's social media posts**

EXAMPLE: SB 707 permits City Council members to post factual information on social media or reply individually, but cannot comment on a social media post (both text or emojis)



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## SERIAL MEETINGS

### 2026 CLARIFICATION

**One-way distribution of purely factual information by staff to multiple City Council Members is allowed ONLY IF it does not reveal other City Council Members' views or facilitate agreement.**



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## PUBLIC SPEECH

The public has a right to address the City Council at any meeting on any subject that is within the City Council's subject matter jurisdiction.

### **2026 UPDATE**

**Eligible legislative bodies must also allow remote participation through two-way remote access beginning July 1, 2026.**



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## PUBLIC SPEECH, Cont'd

May require members of the public wishing to address the City Council to fill out a speaker's card.

- The public cannot be required to give names or sign a register as a condition of attendance. **2026 UPDATE: This applies equally to in-person and remote attendees.**
- Many cities do ask for names and addresses during oral communications in order facilitate staff responses or the preparation of minutes. This practice is certainly allowable if it is identified as being voluntary.



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## Remote Participation/Traditional

*Example: An elected official is on vacation and wishes to teleconference in from the vacation location*

1. Agendas must be posted at all teleconference physical locations
2. Each teleconference location must be listed on the meeting notice and agenda
3. Each teleconference location must be accessible to the public, allowing for public comment.
4. At least a quorum of the members must participate from locations within the City.
5. All votes must be by roll call (oral, no electronic voting system).



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## Remote Participation/Just Cause

*Example: An elected official has an illness and wishes to teleconference in from their residence*

1. At least a quorum of the members must participate in person
2. Notification at the earliest opportunity possible, including at the start of a regular meeting, of need to participate remotely for just cause, including a general description of the "just cause".
3. Must participate through both audio and visual technology.
4. Limited number of Meetings – "Just Cause" remote participation allowed for five meetings per year
5. Meeting Minutes must include the reason to participate remotely. (Not req. to disclose any medical diagnosis, disability, or personal medical information.)



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## Remote Participation/Just Cause

### REASONS FOR JUST CAUSE/ SB 707 CLARIFICATION

- Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner
- Contagious illness.
- A need related to a physical/mental condition that is not a disability.
- Travel while on official business of the legislative body or other local agency.
- An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member
- A physical or family medical emergency that prevents a member from attending in person.
- Military service obligations



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## Remote Participation (Teleconferencing) Disability

### Reasonable Accommodation (Disability)

- City Councilmember with a statutory (ADA) disability may participate remotely.
- Must use two-way audio and video
- Must disclose adults over 18 present in the remote location.
- No limit on number of meetings



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## Recommendation

**That the City Council receive and file this presentation on the 2026 Updates to the Brown Act added by Senate Bill 707**

