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LEGISLATIVE COUNSEL'S DIGEST**SP 3: RALPH M. BROWN ACT: TELECONFERENCING**

EXISTING LAW, THE RALPH M. BROWN ACT, REQUIRES, SUBJECT TO 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. THE ACT GENERALLY REQUIRES THE LEGISLATIVE BODY OF A LOCAL AGENCY THAT ELECTS TO USE TELECONFERENCING TO 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, UNTIL JANUARY 1, 2026, AUTHORIZES SPECIFIED NEIGHBORHOOD COUNCILS TO USE ALTERNATE TELECONFERENCING PROVISIONS UPON SPECIFIED CIRCUMSTANCES THAT EXEMPT THE NEIGHBORHOOD COUNCIL FROM CERTAIN GENERAL TELECONFERENCING

REQUIREMENTS, INCLUDING THAT EACH TELECONFERENCE LOCATION BE IDENTIFIED IN THE NOTICE AND AGENDA AND BE ACCESSIBLE TO THE PUBLIC. THOSE PROVISIONS IMPOSE DIFFERENT REQUIREMENTS FOR NOTICE, AGENDA, AND PUBLIC PARTICIPATION, AS PRESCRIBED.

THIS MEASURE WOULD MEMORIALIZE THE LEGISLATURE AND THE GOVERNOR TO ENACT LEGISLATION THAT WOULD AUTHORIZE AN ALTERNATIVE SET OF TELECONFERENCING PROVISIONS FOR MEMBERS OF NONVOTING LOCAL ADVISORY BODIES THAT EXEMPT THE ADVISORY BODY FROM THE GENERAL TELECONFERENCING REQUIREMENTS, INCLUDING THAT EACH TELECONFERENCE LOCATION BE IDENTIFIED IN THE NOTICE AND AGENDA OF THE MEETING OR PROCEEDING AND BE ACCESSIBLE TO THE PUBLIC.

VOTE: MAJORITY.

SP 3: RELATING TO LOCAL GOVERNMENT

WHEREAS, THE RALPH M. BROWN ACT REQUIRES MEETINGS FOR LEGISLATIVE BODIES OF LOCAL AGENCIES TO BE OPEN AND PUBLIC AND MANDATES THAT LEGISLATIVE BODIES OF LOCAL AGENCIES WHO ELECT TO USE THE GENERAL TELECONFERENCING PROVISIONS COMPLY WITH SPECIFIED

REQUIREMENTS, INCLUDING THAT EACH TELECONFERENCE LOCATION IS IDENTIFIED IN THE NOTICE AND AGENDA OF THE MEETING OR PROCEEDING, AND THAT EACH TELECONFERENCE LOCATION IS ACCESSIBLE TO THE PUBLIC, THEREBY CREATING PRIVACY AND SAFETY ISSUES; AND

WHEREAS, COUNTIES ACROSS CALIFORNIA REPORT WIDESPREAD WORKFORCE RECRUITMENT CHALLENGES, WHICH MAY AFFECT RECRUITMENT FOR MEMBERS OF APPOINTED ADVISORY BODIES SERVING OLDER ADULTS, PEOPLE WITH DISABILITIES, AND CAREGIVERS. THESE CHALLENGES ARE PARTICULARLY ACUTE IN RURAL AND UNDER-RESOURCED AREAS. PROVIDING ALTERNATIVE TELECONFERENCING OPTIONS WOULD HELP COUNTIES EXPAND THEIR RECRUITMENT POOL FOR MEMBERS OF THOSE ADVISORY BODIES AND ENSURE MORE EQUITABLE REPRESENTATION IN THOSE BODIES; AND

WHEREAS, QUALIFIED INDIVIDUALS, ESPECIALLY OLDER ADULTS, CAREGIVERS, RURAL RESIDENTS, AND PEOPLE WITH DISABILITIES, ARE EXCLUDED FROM PARTICIPATION DUE TO THESE BARRIERS; AND

WHEREAS, ALLOWING NONVOTING ADVISORY BODY MEMBERS TO PARTICIPATE REMOTELY WITHOUT DISCLOSING PRIVATE LOCATIONS BUT STILL REQUIRING AT LEAST ONE PHYSICAL LOCATION THAT IS ACCESSIBLE FOR THE PUBLIC TO OBSERVE AND PARTICIPATE WOULD REMOVE KEY BARRIERS AND PROMOTE PUBLIC PARTICIPATION WHILE PRESERVING TRANSPARENCY; AND

WHEREAS, LOCAL CONTROL WOULD BE PRESERVED BY MAKING REMOTE PARTICIPATION SUBJECT TO APPROVAL BY THE APPLICABLE LEGISLATIVE BODY THAT ESTABLISHED THE NONVOTING ADVISORY BODY, INCLUDING COUNTY BOARDS OF SUPERVISORS; NOW, THEREFORE, BE IT

RESOLVED, BY THE SENIOR SENATE AND THE SENIOR ASSEMBLY, JOINTLY, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA AT ITS 2025 REGULAR SESSION, WITH A MAJORITY OF THE MEMBERS VOTING IN FAVOR, HEREBY PROPOSES THAT AN ALTERNATIVE SET OF TELECONFERENCING PROVISIONS BE ALLOWED FOR REMOTE PARTICIPATION BY MEMBERS OF NONVOTING LOCAL ADVISORY BODIES AND THAT MEMBERS USING THESE PROVISIONS NOT BE REQUIRED TO DISCLOSE THEIR REMOTE LOCATIONS BUT THAT THERE BE AT LEAST ONE PHYSICAL LOCATION THAT IS ACCESSIBLE FOR THE PUBLIC TO OBSERVE AND PARTICIPATE VIA REMOTE AND IN-PERSON MEANS; AND BE IT FURTHER

RESOLVED, THAT THIS FLEXIBILITY BE SUBJECT TO APPROVAL BY THE APPLICABLE LEGISLATIVE BODY THAT ESTABLISHED THE NONVOTING ADVISORY BODY, INCLUDING COUNTY BOARDS OF SUPERVISORS, WHICH MAY REQUIRE IN-PERSON MEETINGS AS APPROPRIATE; AND BE IT FURTHER

RESOLVED, THAT THE TELECONFERENCING PROCESS FOR NONVOTING ADVISORY BODIES INCLUDE A SUNSET DATE OF JANUARY 1, 2030, FOR REVIEW AND LEGISLATIVE ASSESSMENT; AND BE IT FURTHER

RESOLVED, THAT MEMBERS PARTICIPATING REMOTELY APPEAR ON CAMERA DURING MEETINGS AND BE COUNTED TOWARD A QUORUM, MARKED PRESENT, AND ALLOWED APPLICABLE VOTING RIGHTS WITH RESPECT TO THEIR ROLE AS AN ADVISORY BODY AS IF THEY WERE PRESENT AT THE PHYSICAL LOCATIONS; AND BE IT FURTHER

RESOLVED, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA RESPECTFULLY MEMORIALIZES THE LEGISLATURE AND THE GOVERNOR OF THE STATE OF CALIFORNIA TO ENACT APPROPRIATE LEGISLATION THAT WOULD ADDRESS THE CONCERNS SET FORTH IN THIS MEASURE; AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS MEASURE BE TRANSMITTED TO THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, AND THE GOVERNOR OF THE STATE OF CALIFORNIA.