

BROWN ACT UPDATES

Senate Bill 707, Chapter 327 for 2026

Beginning January 1, 2026, the Brown Act's "just cause" remote participation rules—previously set to expire—are replaced and updated by Senate Bill (SB) 707.

This new, unified rule merges the old "just cause" and "emergency circumstances" categories into a single, broader "just cause" exception, running through January 1, 2030. It allows board members to participate remotely without posting their private location on the agenda, provided specific conditions are met.

Here is what the 2026 "just cause" rule consists of:

1. Expanded Definition of "Just Cause"

Under SB 707, **just cause** now includes:

- Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner.
- A contagious illness that prevents in-person attendance.
- A need related to physical or mental condition.
- Travel while on official business of the legislative body or another state or local agency.
- Having an immuno-compromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires the board member to participate remotely.
- A physical or family medical emergency that prevents in-person attendance.
- Military service obligations.

2. Mandatory Requirements for "Just Cause"

For a member to use this exception, the following must occur:

- **Notice:** The member must notify the board at the earliest opportunity (even at the start of the meeting) of their need to participate remotely for "just cause," including a general description of the circumstances.
- **Audio/Video:** The member must participate via both audio and video technology.
- **Minutes:** The "just cause" reason must be recorded in the minutes.

3. Usage Limits

The updated rule retains and refines limits on how often a member can use this, based on meeting frequency:

- **Once per month or less:** Maximum 2 meetings per year.
- **Twice per month:** Maximum 5 meetings per year.
- **Three or more times per month:** Maximum 7 meetings per year.

4. Required Agency Procedures

To utilize "just cause" teleconferencing, the agency must ensure:

- A quorum of the board is physically present at the primary meeting location within the agency's jurisdiction.
- The meeting agenda provides a way for the public to observe and comment via a two-way audio-visual platform or two-way telephonic service.

5. Key Changes from Pre-2026 Rules

- **Merger:** "Just cause" (short-term) and "emergency circumstances" (unexpected) are now combined into one, simplified "just cause" definition.
- **Disability Accommodation:** SB 707 expressly separates "just cause" from "disability accommodations." A member with a disability can attend remotely as a reasonable accommodation (ADA) without being subject to the annual limits or the requirement of a physically present quorum, provided they use audio/video.
- **Disruption Policy:** Agencies must adopt policies for removing remote participants who disrupt the meeting.

Senate Bill 707, Chapter 327

(2025): https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB707

SEC. 11.

Section 54953.8.3 is added to the Government Code, to read:

54953.8.3. (a) 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 members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, provided that the legislative body complies with the requirements of Section 54953.8 and all of the following additional requirements:

- (1) A member of the legislative body notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting.
- (2) The member shall participate through both audio and visual technology.
- (3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for just cause for more than the following number of meetings, as applicable:
 - (i) Two meetings per year, if the legislative body regularly meets once per month or less.
 - (ii) Five meetings per year, if the legislative body regularly meets twice per month.
 - (iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

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

(b) The minutes for the meeting shall identify the specific provision in subdivision (c) that each member relied upon to participate remotely. This subdivision shall not be construed to require the member to disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law, including, but not limited to, the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).

(c) For purposes of this section, “just cause” means any of the following:

(1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. “Child,” “parent,” “grandparent,” “grandchild,” and “sibling” have the same meaning as those terms do in Section 12945.2.

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

(3) A need related to a physical or mental condition that is not subject to subdivision (c) of Section 54953.

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

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

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

(7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

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