



SCHOOL & COLLEGE LEGAL SERVICES OF CALIFORNIA

Virtual Meeting Requirements

Government Code section 54953

A: Rules Regarding a Quorum

Traditional Brown Act Teleconferencing Requirements	AB 2449
During teleconference meetings, at least a quorum of the members of the local public agency body must participate from locations within the boundaries of the territory over which the local public agency body exercises jurisdiction.	A quorum must participate in person from a singular physical location identified in the agenda, that is open to the public, and within the boundaries of the local public agency.

B: Qualifying Circumstances Permitting Teleconferencing

Traditional Brown Act Teleconferencing Requirements	AB 2449
<ul style="list-style-type: none">• The teleconference location must be noted on the agenda.• The agenda must be posted at the remote location.• Each teleconference location must be accessible to the public so the public may attend the remote location.• Any vote must be done by roll call.• A majority of the Board must be located within the territory of the district.	<p>Individual board members may participate in board meetings remotely, if they notify the Board at their earliest opportunity, and have one of the following:</p> <p><u>Just Cause:</u> Individual board members can participate remotely:</p> <ul style="list-style-type: none">- When caregiving of a family member, a contagious illness, a physical or mental disability, or district-related travel prevents them from appearing in person.- May not be used more than two meetings per calendar year per Board member. <u>OR</u> <p><u>Emergency Circumstances:</u> Individual board members can participate remotely when there is a physical or family medical emergency that prevents them from appearing in person.</p> <ul style="list-style-type: none">- The board member must describe the emergency in approximately 20 words without disclosing any personal medical information.- Board must take action to approve the member's request.- A board member may not claim emergency circumstances more than three consecutive months OR 20 percent of the regular meetings within a calendar year

C: Agenda Requirements for Teleconferencing

Traditional Brown Act Teleconferencing Requirements	AB 2449
<p>Each teleconference location from which a member will be participating must be specifically identified in the meeting notice and agenda, including full address and room number.</p> <p>An agenda must be posted for the required period of time (24 or 72 hours) at each teleconference location from which a member will be participating.</p>	<p>The agenda must provide notice of how the public can access the meeting and provide comments. The agenda shall identify and include an opportunity for all persons to attend via a call in option, an internet-based option, <u>and</u> an in-person option. The board may not require a member of the public to submit comments prior to the meeting.</p> <p>There is no requirement to disclose the teleconferencing location.</p>

D: Teleconference Location

Traditional Brown Act Teleconferencing Requirements	AB 2449
<p>Each teleconference location must be physically accessible to the public.</p> <p>Members of the public must be able to physically address the body from each teleconference location.</p>	<p>Teleconferencing members must participate with both audio and visual, i.e. only via videoconference.</p> <p>Videoconferencing members must disclose whether any individuals 18 years or older are present in the same room and the nature of the relationship.</p>

E: Public Comment

Traditional Brown Act Teleconferencing Requirements	AB 2449
<p>Public Comment must be allowed at the in-person meeting and from every teleconference location.</p>	<p>The legislative body must provide to the public a two-way audio-visual platform or a two-way telephonic service with live webcasting.</p> <p>The legislative body must provide a way for the public to remotely hear, visually observe, and remotely address the legislative body in real time.</p>



F: Effective Dates

Brown Act Teleconferencing Requirements	AB 2449
Government Code section 54953 was initially added in 1953, and amended in 1988 to allow for teleconferencing, with various amendments throughout the years. There is no intended sunset date.	AB 2449 went into effect on January 1, 2023 and sunsets on December 31, 2025.

The information in this document is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.

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