

Legislative Analysis: Administration

BILL NUMBER:	SB 470
SUBJECT:	Bagley-Keene Open Meeting Act
INTRODUCTION DATE:	As Amended April 10, 2025
AUTHOR:	John Laird
SPONSOR:	Author

DESCRIPTION OF PROPOSED LEGISLATION:

This bill would delay, until 2030, the January 1, 2026 sunset on provisions of the Bagley-Keene Open Meeting Act, authorizing state bodies to meet via teleconference, under specified conditions, without requiring each teleconference location to be identified in the notice and agenda and accessible to the public or requiring agendas be posted at all teleconference locations.

STAFF POSITION/RECOMMENDATION: SUPPORT

BACKGROUND:

The California Constitution and the Bagley-Keene Open Meeting Act (Bagley-Keene) protect the public by ensuring public access to meetings of state bodies. During the COVID-19 pandemic, the need for social distancing made the usual practices for public meetings under Bagley-Keene impossible to continue. Governor Newsom issued an Executive Order which suspended many of the requirements under Bagley-Keene for teleconferenced meetings. These teleconference provisions were extended through July 1, 2023 in SB 189 (Committee on Budget, Ch. 48, Stats. 2022), and then extended again in a substantially similar manner, until January 1, 2026, in SB 544 (Laird, Ch. 216, Stats. 2023) (SB 544).

Prior to the Executive Order, a Board could convene via teleconference, but was required to post all locations from which Board Members were attending. All the locations were required to be listed on the Board's agendas and website, and each location was required to post a 10-day notice informing the public of the time and place that the meeting would be held. If

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no Board Members appeared at one or more of the posted locations, the law required the Board to adjourn the meeting.

SB 470 was passed by the Senate Governmental Organization Committee by a vote of 9-1. The Senate Judiciary Committee heard the bill on April 8 and approved it by a vote of 10-1-2.

ANALYSIS:

Between 2020 and 2023, BVNPT's Board and Advisory Committees successfully met without losing quorum. Board Members were able to meet from the safety of their own homes, and not required to have their personal addresses posted or admit interested individuals. Like so many boards and agencies, BVNPT noted a significant increase in public attendance and participation, as stakeholders could attend remotely. Meeting via teleconference also saved the Board approximately \$40,000 between 2020 and 2022.

In 2024, SB 544 narrowed the conditions. State bodies were authorized to conduct meetings subject to Bagley-Keene via teleconference provided that at each teleconference location, at least one member of the state body is physically present. It also allowed individual members to participate remotely without being in a public location, if a majority of members were attending the meeting at a given teleconference site or if the member has a disability-related need. The bill also set out strict requirements for public accessibility: agendas and meeting notices must include teleconference locations and access details, members must appear on camera (with exceptions for technical issues, which require explanation), the public must have equivalent remote access options to hear, observe, and address the meeting, and requires remote members to announce when someone else over 18 years old is in the room with them.

SB 544 set a sunset date of January 1, 2026. SB 470 would delay that sunset until January 1, 2030.

FISCAL:

This bill should not create any new fiscal impact.

SUPPORT:

AARP
Alzheimer's Association

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California Association of Licensed Investigators
California Coalition on Family Caregiving
California Commission on Aging California
Foundation for Independent Living Centers
California Long Term Care Ombudsman Association
Disability Rights California
Family Caregiver Alliance
LeadingAge California
Little Hoover Commission

OPPOSITION:

ACLU California Action
California Broadcasters Association
California Chamber of Commerce
California Common Cause
California News Publishers Association
CCNMA: Latino Journalists of California
First Amendment Coalition
Freedom of the Press Foundation
Howard Jarvis Taxpayers Association
League of Women Voters of California
Media Guild of the West
National Press Photographers Association
Orange County Press Club
Pacific Media Workers Guild, Local 39521
Radio Television Digital News Association
Society of Professional Journalists of Northern California Chapter