

BROWN ACT TELECONFERENCE RULES (AFTER AB 361)

Applies when a member of the legislative body participates from a location that is not the prime meeting location (staff or the public may participate remotely without complying with these rules)

Traditional Requirements for Teleconference Participation (pre-COVID)		AB 2449 alternative Requirements (from March 1, 2023, to January 1, 2024 – revised rules apply from January 1, 2024, to January 1, 2026)
Agenda must list all teleconference locations	1	N/A (but see 4, 5, 9 below for other agenda requirements)
Agenda must be posted at all teleconference locations	2	N/A
Public must be able to access and provide public comment from all teleconference locations	3	N/A
Each teleconference location must be accessible to individuals with disabilities	4	Must have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities. How to request this procedure must be listed on the agenda
At least a quorum of the board (3 members) must participate from a location that is within the jurisdiction	5	At least a quorum of the board (3 members) must participate in person from a singular physical location clearly identified on the agenda and open to the public
Votes must be taken by rollcall	6	Same
Must comply with all other Brown Act requirements and conduct meetings in a manner that protects the constitutional rights of persons appearing before the board	7	Same
	8	Either: use a two-way audiovisual platform; or Use a two-way telephonic service and a live webcasting of the meeting. Board Members must have video.
	9	All notices of meeting must provide instructions for how to participate remotely
	10	In the event of a disruption, no further action may be taken
	11	Members participating remotely must comply with one of the following: Just Cause Exception <ul style="list-style-type: none"> • Notify the board at earliest opportunity of need to participate remotely • Describe “just cause*” for remote participation (*defined in the statute) • Can only do this for 2 meetings each calendar year, or Emergency Exception <ul style="list-style-type: none"> • Notify the board of an emergency* and the board must take action to approve the request (*defined in statute) • Provide a general description of the emergency circumstances • Request must be remade for each meeting (i.e., no standing requests) • Disclose whether any person 18 or older is present with them during the meeting • May be used for no longer than 3 consecutive months or more than 20% of regular meetings of the board