

To: City Council, City Clerk, Assistant City Clerk
From: Greg Holtz, Deputy City Attorney
Date: January 14, 2026
Subject: SB 707 Changes to the Brown Act

SB 707 is billed a large overhaul of the Brown Act. Below is a summary of how its provisions will affect the City of Eureka:

- The biggest changes—to translation requirements, technological access to public comment, and availability of a physical agenda packet—apply only to “eligible legislative bodies,” defined as cities with more than 30,000 residents or cities in counties with more than 600,000 residents.¹ Since Eureka’s population is approximately 26,000 and Humboldt County’s is approximately 134,000, these provisions do not apply.²
- AB 2449’s provisions for remote participation by members of legislative bodies for just cause or emergency circumstances are extended to 2030, codified at Government Code section 54953.8.3, with slight changes:
 - Just cause is defined to include emergency:
 - (1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. . . .
 - (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 [remote participation as an accommodation of a disability].
 - (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.³
 - A member of a legislative body who needs to participate remotely in a meeting must notify the body as soon as the need is known, including at the start of the

¹ Gov’t Code, § 54953.4, subds. (b), (e)(2).

² American Communities Survey, 5-year Survey (2023). Importantly, the new law does not define how, or when, to count a jurisdiction’s population for the purpose of this threshold.

³ Gov’t Code, § 54953.8.3, subd. (c).

meeting;⁴ must give “a general description of the circumstances relating to their need to appear remotely;”⁵ and must identify the specific provision listed above, to be noted in the minutes.⁶

- A member of a body that meets twice per month may use just cause for remote participation a maximum of five (5) times per calendar year.⁷
- If a member participates remotely, not only must they use audio and visual connection, but also the body must offer audio and visual participation to any public commenters.⁸
- A member participating remotely must disclose “before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member’s relationship with those individuals.”⁹

⁴ Gov’t Code, § 54953.8.3, subd. (a)(1).

⁵ Gov’t Code, § 54953.8.3, subd. (a)(1).

⁶ Gov’t Code, § 54953.8.3, subd. (b).

⁷ Gov’t Code, § 54953.8.3, subd. (a)(3)(A)(ii).

⁸ Gov’t Code, § 54953.8, subd. (b).

⁹ Gov’t Code, § 54953.8., subd. (e).