

## Ralph M. Brown Act: What Local Agencies Need to Know About Recent Amendments Before January 2025

Posted by Katie Mola in Legislation

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Governor Newsom signed four bills in September amending the Ralph M. Brown Act (Brown Act), all of which become effective on January 1, 2025. The amendments provide notable updates to how local entities must conduct their meetings, and may require adjusted procedures for closed sessions, remote participation, and emergency notifications.

- Assembly Bill 2715 – Closed Sessions and Cybersecurity Threats

The Brown Act generally requires that all local agency board meetings be open and public, and that all persons be permitted to attend and participate. Closed sessions are allowed under specific circumstances, including to address matters posing a threat to the security of essential public services. AB 2715 authorizes a legislative body to hold a closed session to discuss cybersecurity threats involving critical infrastructure or controls. This bill also expands closed session attendees to include more law enforcement and security staff than previously allowed.

- Assembly Bill 2302 – Remote Participation by Board Members for “Just Cause” or “Emergency Circumstances”

Although the Brown Act allows members of a local agency’s board to remotely participate in meetings, existing law has a variety of procedural requirements for such participation, including identifying each teleconference location in the notice and agenda of the meeting, and making each teleconference location accessible to the public. Prior amendments to the Brown Act allow for remote participation by board members without complying with those notice requirements if at least a quorum of members are in a singular physical location, and the teleconferencing members are participating remotely for “just cause” or “emergency circumstances,” as defined by law. The “just cause” and “emergency circumstances” remote participation rules are in effect until January 1, 2026, and subject to other limitations.

AB 2302 amends the remote participation rule to limit how many times a member can participate remotely for “just cause” and “emergency circumstances,” based on how frequently the board regularly meets. If the board regularly meets once per month or less, a member may only participate remotely during two meetings per year. If the board regularly meets twice per month, a member may only participate remotely during five meetings per year. If the board regularly meets three or more times per month, a member may only participate remotely during seven meetings per year. Importantly, members may not rely on “just cause” to support their remote participation more than two times per year, regardless of the total number of remote meetings to which they may be allowed under the new limits noted above.

- Assembly Bill 1855 – Remote Participation for Community College Student Body Associations and Student-Run Organizations

AB 1855 allows community college student body associations and other student-led groups to use alternative teleconferencing options during their meetings, if specified criteria are met. This will allow remote members to count toward in-person quorums and increase accessibility for public participation. This amendment will be in effect until January 1, 2026.

- Assembly Bill 2350 – School Board Emergency Notifications

Existing law allows local agencies to schedule special meetings with 24 hours' notice. For school boards facing an "emergency situation" as defined by law, the notice requirement can be waived by notifying specified media entities by telephone one hour before the emergency meeting, or at or near the time the members of the board were notified. AB 2350 enables school boards to fulfill the premeeting notification requirement by email instead of telephone. In cases where both phone and internet services are down, notifications must be sent as soon as possible after the meeting.

If you have any questions about the above new enactments, please contact Katie Mola at [kmola@prismrisk.gov](mailto:kmola@prismrisk.gov) or Mike Pott at [mpott@prismrisk.gov](mailto:mpott@prismrisk.gov).

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