

Key Updates to the Ralph Brown Act

- *AB 2302: Remote Participation in Meetings*
- *AB 2715: Closed Sessions for Cybersecurity*

AB 2302: Remote Participation in Meetings

In recent years, the Brown Act has been amended to allow members of local governing bodies to participate remotely in meetings, provided the teleconference location is listed in the agenda and accessible to the public.

Currently, remote participation is only permitted under two conditions: (1) when a quorum of members is in a single physical location or (2) the member requesting remote participation meets the criteria for “just cause” or “emergency circumstances”.

“Just cause” includes circumstances like childcare obligations, a contagious illness, needs related to a physical or mental disability, or being on official travel for the agency.

“Emergency circumstances” include physical or family emergencies that prevent a member from attending.

As of January 1, 2025, AB 2302 amended the remote participation requirements to limit the number of times a member can participate in a meeting remotely. The limitation is based on how frequently the board regularly meets and is determined as follows:

- If the board meets once a month or less, the member can only participate remotely in two meetings per year,
- If the board meets twice per month, the member may participate remotely five times per year,
- If the board meets three or more times per month, the member may participate remotely seven times per year,

Importantly, members may not rely on “just cause” to support their remote participation more than twice per year, regardless of the total number of remote meetings they may be allowed to participate in.

Notably, the provisions of AB 2302 are only in effect until January 1, 2026.

AB 2715: Closed Session for Cybersecurity Discussions

The Brown Act generally requires all meetings of local agency boards to be open to the public. However, starting January 1, 2025, AB 2715 allows agencies to hold

closed sessions to discuss cybersecurity matters, including: Threats to “critical infrastructure” such as an agency’s networks and systems that are critical to public health, safety, or economic security, and

- “Critical infrastructure information” such information pertaining to actual, potential, or threatened cybersecurity attacks on the agency.

AB 2715 also permits security experts to attend the closed session to assess cybersecurity risks and recommend responses in the event of a breach or attack.

Bottom Line:

Although these updates to the Brown Act are relatively minor, local agencies must adapt their meeting procedures to comply with the new rules on remote participation and closed sessions related to cybersecurity.

Stay Safe and Informed in 2025!

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