

# 2026 Brown Act Modernization Act

## Opportunities for Community Engagement



This document is intended to help rural tobacco prevention projects understand recent changes to the 2026 Brown Act Modernization Act that may support their policy adoption work. It is not exhaustive of changes, requirements, and exceptions to the 2026 Brown Act Modernization Act (Modernization Act). Clarifying questions may need to be brought to your local elected body's legal counsel. As well, you can reach out to RISE and the Public Health Law Center for support. Full text of the Brown Act Modernization Act can be found here: [SB 707](#).

### History

Through the Ralph M. Brown Act of 1953, California requires, with specific exceptions, that all meetings of a legislative body be open and public, and that all persons be permitted to attend and participate. At the time of its inception, meetings needed to be noticed and held in a public physical space. In 1988, teleconferencing exceptions were added allowing remote participation by elected officials and the public under certain conditions and with strict notification protocols and quorum requirements. In 2021, during the COVID pandemic emergency, and because of expanded available technology, the Brown Act was amended to allow local agencies to hold remote virtual meetings with less constrictions and expanded technology requirements, including two-way telephonic or an audio-visual platform, so participation could take place while ensuring public health and safety. To further enhance public participation with currently available technology, the Brown Act Modernization Act of 2025/26 (SB 707), became effective January, 2026, with some provisions becoming effective July 1, 2026.

### Is Your Community Impacted?

Certain updates in the Modernization Act are applicable to what are known as **Eligible Legislative Bodies (ELBs)**. ELBs generally include city councils and county boards of supervisors in jurisdictions with populations of 30,000 or more, city councils located in counties of 600,000 or more, and certain special districts. To learn your county's population, visit: [https://www.california-demographics.com/counties\\_by\\_population](https://www.california-demographics.com/counties_by_population).

# Modernization Act Changes



## Hybrid Options Required\*

ELBs must provide real-time remote access and public comment via either (1) a two-way audiovisual platform (with call-in option and captioning enabled, if included), or (2) a two-way telephonic option. Remote speakers must receive equal time allotment. (Exceptions apply.)

## Disruptive Virtual Attendee Removal

Legislative bodies must provide warning before removal, unless behavior constitutes use of force or true threat of force. They may use less restrictive measures (such as muting) before removal when feasible.



## Reasonably Assist Translation & Interpretation Requests\*

ELBs must translate and post agendas (including remote access information) into "applicable languages" where statutory thresholds are met, based on census data.



## Underrepresented Community Engagement\*

ELBs must include on a website a general explanation of public meeting process; procedures for public comment; calendar with date, time, location; agenda; and provide a clear electronic method to request agendas and meeting materials. They must also make efforts to invite groups that do not usually participate.

## Social Media Restrictions

Legislative body members can use social media to communicate with public. A majority CANNOT discuss matters within their jurisdiction and individual members CANNOT respond to another member's posts (including comments, shares, or reactions) on matters within their jurisdiction.

*\*Implementation begins July 1, 2026 and applies to ELBs.*

# Rural Project & Coalition Opportunities



*Whether you are a LLA or Competitive Grantee, expanded access to your elected body's regular meetings can be a boon to your coalition and policy adoption work.*

## Coalition Member Participation

Opportunities increase for coalition members to participate remotely, which expands the number and variety of voices heard and can be particularly important for young and working adult members. As well, written comments may be submitted ahead of the meeting and included in the public record and possibly read out loud during the meeting. Virtual watch parties can invigorate coalitions.



## Coalition Growth

Actions by legislative bodies to create more civic engagement can expand exposure to coalition efforts and lead to potential membership growth. Paying attention to who is in the room can help your coalition learn about potential partnership and CEA opportunities. Building trusted relationships in your community is key to long term policy success.

## Social Media

Understanding Brown Act restrictions for elected officials can help project staff and coalition members recognize that limited engagement may be reflecting legal constraints rather than lack of support. For this reason, it isn't the best tool to use if you are trying to learn their position or have them share their thoughts.

