



1



2

NEW RULES UNDER AB 2449

- AB 2449 is effective January 1, 2023.
- Under AB 2449, board members may attend a meeting by teleconference *without* identifying the location on the agency's agenda or making the location accessible to the public if the following procedures are followed:
 - (1) A quorum of the board must participate in person from a singular physical location clearly identified in the agenda, which is open to the public and within the agency's boundaries; **AND**
 - (2) The remaining board members participate remotely either (a) for "just cause," or (b) in "emergency circumstances."

2023-01-23

3

JUST CAUSE

- "**Just cause**" is defined as any of the following:
 - Childcare or caregiving of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a member to participate remotely;
 - A contagious illness that prevents a member from attending in person;
 - A need related to a physical or mental disability; or
 - Travel while on business of the legislative body (*i.e.*, board) or another state or local agency.
- A member can only participate remotely for "just cause" **2 times** per calendar year.

2023-01-23

4

EMERGENCY CIRCUMSTANCES

- “Emergency circumstances” include physical or family medical emergencies that prevent a board member from attending in person.
- A board member requesting to meet remotely must provide a general description of the “emergency circumstance” to the board and the board must approve the request in order for the board member to participate and count towards the quorum.
 - This description does not need to be more than 20 words and the board member does not need to disclose personal medical information.
- If the board member does not make the request in time for inclusion on the agenda, the board may take action at the beginning of the meeting by majority vote.

2023-01-23

5

WHICH RULES APPLY

- From Now Until January 1, 2023:
 1. Traditional Brown Act teleconferencing rules; or
 2. AB 361’s abbreviated teleconferencing rules.
- From January 1, 2023 Until February 27, 2023:
 1. Traditional Brown Act teleconferencing rules; or
 2. AB 361’s abbreviated teleconferencing rules; or
 3. AB 2449’s new teleconferencing rules
- From February 27, 2023 Onward:
 1. Traditional Brown Act teleconferencing rules; or
 2. AB 2449’s new teleconferencing rules

2023-01-23

6