



September 11, 2025

The Honorable Gavin Newsom
Governor of the State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

**Re: SB 470 (Laird) -- Bagley-Keene Open Meeting Act: teleconferencing
Request for Governor's Veto**

Dear Governor Newsom:

The undersigned organizations respectfully request your veto of SB 470 (Laird), which would weaken the Bagley-Keene Open Meeting Act by removing critical government transparency protections and eroding opportunities for meaningful public participation.

While we share the author's stated goals of ensuring more Californians are engaged in civic affairs, we disagree that SB 470 accomplishes that goal. In fact, we fear the constituencies this bill aims to support — seniors and people with disabilities — are among those who have the most to lose if our government becomes more remote and less responsive.

SB 470 prioritizes the convenience of public officials over their service to the public. It allows officials who serve on state bodies and boards to participate in public meetings from undisclosed, remote locations, off-camera, without justification. Additionally, SB 470 establishes a lower standard of transparency for

appointees who serve on “advisory” boards, commissions, committees, and subcommittees, which may hold entirely virtual meetings, thereby depriving the press and public of a guaranteed physical meeting location.

To be clear, we enthusiastically support increased use of videoconferencing for the benefit of the press and public, such as guaranteeing live-streaming of and remote public comment opportunities for government meetings. However, this bill forces Californians to make a tradeoff they should not be forced to make: Give up their seat at the table in exchange for a seat before a computer screen.

The stated goal of being able to attract more people to serve in public office is no reason to remove accountability protections. These multi-member bodies, including those that are advisory, wield immense power, influencing policy and priorities in our state.

Look to any civil rights or social justice movement in history to see the importance of the government doing legislative business in physical meeting places. People amplify their views through First Amendment-protected activities, such as wearing matching clothing that conveys a message, holding signs, speaking to the press, and connecting with like-minded or fellow-impacted community members. That can’t happen during a meeting held entirely virtually. This kind of robust public engagement helps members of bodies better assess the true human impact of government decisions. Public officials who are in the same room as a concerned Californian can’t just turn down the volume on criticism.

Meetings conducted by videoconferencing or that take place with large numbers of public officials appearing on screen from an unknown location deprive Californians – including seniors, people with disabilities and those from

marginalized communities – of the ability to engage in ways that level the playing field and ensure their voices are heard in meaningful ways.

SB 470 permits public officials to “phone it in” and meet entirely telephonically, because it allows a member of the body to avoid being on video when it is “impracticable.” This creates the potential for the viewing public to tune into a screen filled entirely with empty boxes, leaving people with zero visual cues, forcing them to guess speakers’ voices and addressing public officials by audio only.

Current law gives public officials flexibility. Any member of a body can elect to use traditional teleconferencing provisions, without providing a reason or being subject to caps, so long as they follow longstanding protections designed for public accountability. Additionally, existing law allows for flexibility during states of emergency. California also has obligations to make reasonable accommodations, pursuant to the Americans with Disabilities Act,¹ allowing individuals with disabilities to serve on these bodies to participate remotely.

During the pendency of the legislation, we advocated for a more narrowly tailored approach, such as the framework introduced in AB 2449 (Rubio) of 2022, Brown Act legislation that allows members of local government bodies to participate virtually from private locations when the need for that flexibility is tied to specific hardships, such as health issues or caregiving needs, subject to reasonable caps, an in-person quorum of advisory-body members, and other

¹ Cf. Cal Attorney Gen., No 23-1002, 2024 CAL. AG LEXIS 10 (July 24, 2024) (opining that a member’s remote participation in public meetings can be a reasonable accommodation under the Americans with Disabilities Act because the Brown Act’s provisions permitting teleconferencing mean that in-person attendance is not an “essential eligibility requirement”); see Gov’t Code § 11123 (permitting teleconferencing under Bagley-Keene Act); *Travis v. Bd. of Trs. of Cal. State Univ.*, 161 Cal. App. 4th 335, 342 (2008) (noting that reasoning used to interpret Brown Act provisions is applicable to similar provisions in the Bagley-Keene Act due to the laws’ “virtually identical open meeting scheme”).

modest provisions that serve the public interest. We are deeply concerned that SB 470 creates a pathway for the meetings of all state bodies to occur entirely virtually, with no requirement that a majority of members meet in a single physical location² and limitless flexibility for advisory bodies.

For these reasons, we continue to respectfully oppose SB 470 and request your veto on the bill. Thank you for your consideration.

Please do not hesitate to contact Ginny LaRoe, Advocacy Director, First Amendment Coalition, glaroe@firstamendmentcoalition.org or Marshal Arnwine, Legislative Advocate, ACLU California Action, marnwine@acluca.org.

SIGNED BY:

Marshal Arnwine, Legislative
Advocate
ACLU California Action

Sean McMorris, Transparency,
Ethics, & Accountability Programs
Manager
California Common Cause

Scott Kaufman, Legislative Director
Howard Jarvis Taxpayers Association

Seth A. Stern, Advocacy Director
Freedom of the Press Foundation

Matt Hamilton, Vice Chair, Los
Angeles Times Guild Unit
Media Guild of the West

Ginny LaRoe, Advocacy Director
First Amendment Coalition

Dora Rose, Deputy Director
**League of Women Voters of
California**

Mickey Osterreicher, General
Counsel
**National Press Photographers
Association**

Annie Sciacca, President
**Pacific Media Workers Guild, Local
39521**

² Under SB 470, Government Code Section 11123.2(i) would continue to require that “at least one member of the state body shall be physically present at each teleconference location.” But the paragraphs (1) and (2) of subsection (j) undercut this requirement. Those paragraphs provide that, if a quorum is established remotely by members with qualifying disabilities, additional members of the body may also participate remotely from undisclosed locations. These additional members are not required to provide justification for their remote participation, nor are there limits on how often they may use this flexibility.

Page 5

Robert J. Lopez, Vice President
**CCNMA Latino Journalists of
California**

Dan Shelley, Chief Executive Officer
**Radio Television Digital News
Association**

David Young, President
Orange County Press Club

Joe Fitzgerald Rodriguez, President
**Society of Professional Journalists of
Northern California**

cc: The Honorable John Laird, California State Senate
Quincy Stivers, Legislative Aide, Office of Senator John Laird