

ASSEMBLY BILL

No. 29

**Introduced by Assembly Member Cooper
(Coauthor: Assembly Member Blanca Rubio)**

December 7, 2020

An act to amend Section 11125 of the Government Code, relating to public meetings.

LEGISLATIVE COUNSEL'S DIGEST

AB 29, as introduced, Cooper. State bodies: meetings.

Existing law, the Bagley-Keene Open Meeting Act, requires that all meetings of a state body, as defined, be open and public, and that all persons be permitted to attend any meeting of a state body, except as otherwise provided in that act. Existing law requires the state body to provide notice of its meeting, including specified information and a specific agenda of the meeting, as provided, to any person who requests that notice in writing and to make that notice available on the internet at least 10 days in advance of the meeting.

This bill would require that notice to include all writings or materials provided for the noticed meeting to a member of the state body by the staff of a state agency, board, or commission, or another member of the state body that are in connection with a matter subject to discussion or consideration at the meeting. The bill would require those writings or materials to be made available on the state body's internet website, and to any person who requests the writings or materials in writing, on the same day as the dissemination of the writings and materials to members of the state body or at least 72 hours in advance of the meeting, whichever is earlier. The bill would prohibit a state body from discussing those writings or materials, or from taking action on an item to which

those writings or materials pertain, at a meeting of the state body unless the state body has complied with these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11125 of the Government Code is
 2 amended to read:

3 11125. (a) The state body shall provide notice of its meeting
 4 to any person who requests that notice in writing. Notice shall be
 5 given and also made available on the ~~Internet~~ *state body's internet*
 6 *website* at least 10 days in advance of the ~~meeting~~, *meeting* and
 7 shall include the name, address, and telephone number of any
 8 person who can provide further information ~~prior to~~ *before* the
 9 ~~meeting~~, *meeting* but need not include a list of witnesses expected
 10 to appear at the meeting. The written notice shall additionally
 11 include the address of the ~~Internet site~~ *internet website* where
 12 notices required by this article are made available.

13 (b) The notice of a meeting of a body that is a state body shall
 14 include a specific agenda for the meeting, containing a brief
 15 description of the items of business to be transacted or discussed
 16 in either open or closed session. A brief general description of an
 17 item generally need not exceed 20 words. A description of an item
 18 to be transacted or discussed in closed session shall include a
 19 citation of the specific statutory authority under which a closed
 20 session is being held. No item shall be added to the agenda
 21 subsequent to the provision of this notice, unless otherwise
 22 permitted by this article.

23 (c) (1) *A notice provided pursuant to subdivision (a) shall*
 24 *include all writings or materials provided for the noticed meeting*
 25 *to a member of the state body by the staff of a state agency, board,*
 26 *or commission, or another member of the state body that are in*
 27 *connection with a matter subject to discussion or consideration*
 28 *at the meeting.*

29 (2) *The writings or materials described in paragraph (1) shall*
 30 *be made available on the state body's internet website, and to any*
 31 *person who requests the writings or materials in writing, on the*
 32 *same day as the dissemination of the writings and materials to*

1 *members of the state body or at least 72 hours in advance of the*
2 *meeting, whichever is earlier.*

3 *(3) A state body may not distribute or discuss writings or*
4 *materials described in paragraph (1), or take action on an item*
5 *to which those writings or materials pertain, at a meeting of the*
6 *state body unless the state body has complied with this subdivision.*

7 ~~(e)~~

8 *(d) Notice of a meeting of a state body that complies with this*
9 *section shall also constitute notice of a meeting of an advisory*
10 *body of that state body, provided that the business to be discussed*
11 *by the advisory body is covered by the notice of the meeting of*
12 *the state body, provided that the specific time and place of the*
13 *advisory body's meeting is announced during the open and public*
14 *state body's meeting, and provided that the advisory body's*
15 *meeting is conducted within a reasonable time of, and nearby, the*
16 *meeting of the state body.*

17 ~~(d)~~

18 *(e) A person may request, and shall be provided, notice pursuant*
19 *to subdivision (a) for all meetings of a state body or for a specific*
20 *meeting or meetings. In addition, at the state body's discretion, a*
21 *person may request, and may be provided, notice of only those*
22 *meetings of a state body at which a particular subject or subjects*
23 *specified in the request will be discussed.*

24 ~~(e)~~

25 *(f) A request for notice of more than one meeting of a state body*
26 *shall be subject to the provisions of Section 14911.*

27 ~~(f)~~

28 *(g) The notice shall be made available in appropriate alternative*
29 *formats, as required by Section 202 of the Americans with*
30 *Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal*
31 *rules and regulations adopted in implementation thereof, upon*
32 *request by any person with a disability. The notice shall include*
33 *information regarding how, to whom, and by when a request for*
34 *any disability-related modification or accommodation, including*
35 *auxiliary aids or services may be made by a person with a disability*
36 *who requires these aids or services in order to participate in the*
37 *public meeting.*