

ITEM 5

LEGISLATIVE UPDATE

Commission staff continues to monitor for legislation that might affect the mandates process.

SB 799 State government: local costs¹

SB 799 was introduced by Senator Allen on February 21, 2025, read for the first time on February 24, 2025, and may be acted upon on or after March 24, 2025. On March 12, 2025 this bill was referred to the Senate Rules Committee. On March 24, 2025, this bill was amended, is now titled False Claims: taxation, no longer amends Government Code section 17552, and is no longer relevant to the Commission.

AB 964 Commission on State Mandates: state mandates²

SB 964 was introduced by Assembly Member Hadwick on February 20, 2025. On March 10, 2025 this bill was referred to the Assembly Committees on Local Government and Education. On March 27, 2025 this bill was amended and re-referred to the Assembly Committee on Local Government, read a second time, and amended. On April 23, 2025, this bill was passed and re-referred to the Assembly Committee on Education, where it was amended, read a second time, and amended. On April 24, 2025, this bill was re-referred to the Assembly Committee on Education. On May 1, 2025, this bill was passed and re-referred to the Assembly Committee on Appropriations with a recommendation to the Consent Calendar and was re-referred to the Assembly Committee on Appropriations.

Existing law creates the Commission on State Mandates and establishes procedures for implementing the requirement in the California Constitution that the state reimburse local agencies and school districts for certain costs mandated by the state. Existing law makes a reimbursement claim for actual costs filed by a local agency or school district subject to the initiation of an audit by the Controller, and authorizes the Controller to make a field review of a claim after it has been submitted but before it has been reimbursed. Existing law requires the Controller to notify the claimant in writing within 30 days after issuance of a remittance advice of any adjustment to a claim for reimbursement that results from an audit or review.

This bill would, instead, require the Controller to notify the claimant in writing within 30 days of any adjustment that results from an audit or review. The bill would also require the Controller to allow a local agency or school district, at the sole discretion of the local agency

¹ See https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB799 for more information.

² See https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB964 for more information.

or school district, to offset any reduced reimbursement, as prescribed, or to remit funds to the Controller.

AB 1452 State Mandates: claims³

AB 1452 was introduced by Assembly Member Ta on February 21, 2025, it was read for the first time on February 24, 2025, and may be heard in committee March 24, 2025. On March 13, 2025, this bill was referred to the Assembly Committee on Local Government. There has been no new action on this bill.

The California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, requires the state to provide a subvention of funds to reimburse the local government, unless an exception applies. Statutory provisions that establish procedures for making that reimbursement include a requirement that no claim shall be made or paid unless it exceeds \$1,000.

This bill would change the minimum claim amount to \$800.

SB 470 Bagley-Keene Open Meeting Act: teleconferencing⁴

SB 470 was introduced by Senator Laird on February 19, 2025 and was read for the first time. On February 26, 2025, this bill was referred to the Committee on Governmental Organization and the Committee on Judiciary and may be acted upon on or after March 22, 2025. On March 12, 2025, this bill was set for hearing on March 25, 2025, it passed, and was re-referred to the Senate Judiciary Committee. On March 27, 2025 this bill was set for hearing on April 8, 2025. On April 9, 2025 this bill passed as amended and was re-referred to the Senate Committee on Appropriations. On April 10, 2025, this bill was read a second time, amended, and re-referred to the Senate Committee on Appropriations. On April 17, 2025, this bill was set for hearing on April 28, 2025. On April 28, 2025, this bill was ordered to a second reading pursuant to Senate Rule 28.8. On April 29, 2025, this bill was read a second time and was ordered to a third reading.

Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act authorizes meetings through teleconference subject to specified requirements, including, among others, that the state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, that each teleconference location be accessible to the public, that the agenda provide an opportunity for members of the public to address the state body directly at each teleconference location, and that at least one member of the state body be physically present at the location specified in the notice of the meeting.

The act authorizes an additional, alternative set of provisions under which a state body may hold a meeting by teleconference subject to specified requirements, including, among

³ See https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB1452 for more information.

⁴ See https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB470 for more information.

others, that at least one member of the state body is physically present at each teleconference location, as defined, that a majority of the members of the state body are physically present at the same teleconference location, except as specified, and that members of the state body visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except as specified. The act authorizes, under specified circumstances, a member of the state body to participate pursuant to these provisions from a remote location, which would not be required to be accessible to the public and which the act prohibits the notice and agenda from disclosing. The act repeals these provisions on January 1, 2026.

This bill would, as amended, repeal these provisions on January 1, 2030.

The act authorizes a multimember state advisory body to hold an open meeting by teleconference pursuant to an alternative set of provisions that are in addition to the above-described provisions generally applicable to state bodies. These alternative provisions specify requirements, including, among others, that the multimember state advisory body designates the primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting, observe and hear the meeting, and participate, that at least one staff member of the state body to be present at the primary physical meeting location during the meeting, and that the members of the state body visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except as specified. Existing law repeals these provisions on January 1, 2026.

This bill would, as amended, repeal these provisions on January 1, 2030.

The act, beginning January 1, 2026, removes the above-described requirements for the alternative set of teleconferencing provisions for multimember state advisory bodies, and, instead, requires, among other things, that the multimember state advisory body designates the primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting and participate.

This bill would, as amended, make these provisions operative on January 1, 2030.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

AB 1170 Maintenance of the codes⁵

AB 1170 was introduced by Assembly Member Dixon on February 21, 2025 and was read for the first time on February 24, 2025. On March 3, 2025, this bill was referred to the Assembly Committee on Judiciary and on March 26, 2025, it passed on the Consent Calendar. On March 27, 2025, this bill was read a second time and ordered to the Consent Calendar. On April 1, 2025, this bill was read a third time, passed, and ordered to the

⁵ See https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20250260AB1170 for more information.

Senate. On April 2, 2025, this bill was read for the first time and is to the Senate Rules Committee for assignment.

Existing law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes.

This bill would make nonsubstantive changes in various provisions of the law to effectuate the recommendations made by the Legislative Counsel to the Legislature.

Specifically, this bill makes changes to Government Code section 11126, the Bagley-Keene Open Meeting Act that are not relevant to the Commission.

AB 395 Holidays.⁶

AB 395 was introduced by Assembly Member Gabriel on February 3, 2025 and was read for the first time. On March 28, 2025, this bill was referred to the Assembly Committees on Education and Higher Education, was amended, was re-referred to the Assembly Committee on Education, was read a second time, and amended. On April 1, 2025, this bill was re-referred to the Assembly Committee on Education. On April 10, 2025, this bill was amended, passed as amended, and was re-referred to the Assembly Committee on Higher Education with recommendation to the Consent Calendar. On April 21, 2025, this bill was read a second time and amended. On April 22, 2025, this bill was re-referred to the Assembly Committee on Higher Education. On April 30, 2025, this bill was amended, passed as amended, and was re-referred to the Assembly Committee on Appropriations with recommendation to the Consent Calendar. On May 1, 2025, this bill was read a second time and amended. On May 5, 2025, this bill was re-referred to the Assembly Committee on Appropriations.

This bill would require, commencing with the 2026-27 school year, the governing board of a school district, a county office of education, or the governing body of a charter school to consider making efforts to avoid scheduling the first day of class and high school graduation, if applicable, on a date for which the governing board or county office of education knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday. In addition, this bill would require, commencing with the 2026-2027 academic year, the governing board of a community college and the California State University, and would request the University of California, to make every reasonable effort, when developing academic calendars, to avoid calendaring an institutional event, as defined, on a date for which the institution of higher education knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday.

The Bagley-Keene Open Meeting Act and the Ralph M. Brown Act require, with specified exceptions, that all meetings of specified governmental bodies be open and public and all persons be permitted to attend. This bill would require a state agency to make every reasonable effort to avoid conducting any meeting, conference, or other function on a date for which the state agency knows, or has reason to know, that members of the public would

⁶ See https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=20250260AB395 for more information.

be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday, including, among others, Eid al-Adha, Rosh Hashanah, and Diwali. The bill would also encourage a legislative body of a local agency to consider making efforts to avoid conducting any meeting, conference, or other function on a date for which the legislative body knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday, including, among others, the holidays listed above; specifically:

- (1) Eid al-Adha. (the evening of Friday June 6-Saturday June 7, 2025)
- (2) Eid al-Fitr. (the evening of Thursday, March 19, 2026-Friday, March 20, 2026)
- (3) Feast of the Nativity. (Monday, September 8, 2025)
- (4) Maha Shivaratri. (Sunday, February 15, 2026, 3:34 a.m., -Monday February 16, 2026, 4:04 a.m.)
- (5) The first and last two days of Pesach, also known as Passover. (Wednesday, April 1, 2026 and Wednesday, April 8, 2026 and Thursday, April 9, 2026)
- (6) Rosh Hashanah. (the evening of Monday September 22, 2025 – Wednesday, September 24, 2025)
- (7) Yom Kippur. (the evening of Wednesday, October 1, 2025 – Thursday October 2, 2025)
- (8) Diwali. (Monday October 20, 2025)
- (9) Dussehra. (Thursday, October 2, 2025)