

ITEM 8
LEGISLATIVE UPDATE
2021 LEGISLATION

AB 1013 State mandates: claims

AB 1013 was introduced by Assembly Member Lackey on February 18, 2021.

The California Constitution requires, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, 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 amend Government Code section 17564 to lower the minimum claim amount to \$900.

On March 4, 2021, the bill was referred to the Assembly Committee on Local Government.

The member's office could not be reached for comment, however, this bill contains the same language as the member's 2020 spot bill, AB 2395 State mandates: claims, which staff tracked last year.

AB 885 Bagley-Keene Open Meeting Act: teleconferencing

AB 885 was introduced by Assembly Member Quirk on February 17, 2021.

The Bagley-Keene Open Meeting Act (Bagley-Keene Act), requires, with specified exceptions, that all meetings of a state body, as defined, be open and public, and all persons be permitted to attend any meetings of a state body, except as provided. The Bagley-Keene Act, among other things, requires a state body that elects to conduct a meeting or proceeding by teleconference to make the portion of the meeting that is required to be open to the public audible to the public at the location specified in the notice of the meeting. This bill would require a state body that elects to conduct a meeting or proceeding by teleconference to make the portion that is required to be open to the public both audibly and visually observable. This bill would also require a state body that elects to conduct a meeting or proceeding by teleconference to post an agenda at the designated primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting and participate and requires that at least one of the members be present at the primary physical location of the public meeting.

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.

On March 25, 2021, the bill was referred to the Assembly Committee on Governmental Organization. Commission staff will continue to monitor for any legislation that affects the mandates process.