

## ITEM 5

### LEGISLATIVE UPDATE

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

#### **SB 799 State government: local costs<sup>1</sup>**

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.

Existing law provides for the reimbursement of local agencies and school districts for costs mandated by the state, as provided, and requires the Commission on State Mandates to hear and decide upon a claim by a local agency or school district that the local agency or school district is entitled to be reimbursed for those costs. Existing law declares that these provisions “shall provide” the sole and exclusive procedure by which a local agency or school district may claim reimbursement for costs mandated by the state.

This bill would make a nonsubstantive change to the provision that makes the declaration described above: “This chapter provides the sole and exclusive....”

#### **AB 964 Commission on State Mandates: state mandates<sup>2</sup>**

SB 964 was introduced by Assembly Member Hadwick on February 20, 2025, and may be heard in committee March 23, 2025.

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, at its sole election, to allow a local agency or school district to offset any reduced reimbursement, as prescribed, or to remit funds to the Controller.

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<sup>1</sup> See [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260SB799](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB799) for more information.

<sup>2</sup> See [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB964](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB964) for more information.

### **AB 1452 State Mandates: claims<sup>3</sup>**

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.

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: teleconferencing<sup>4</sup>**

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.

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 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 delete the January 1, 2026 repeal date, thereby authorizing the above-described additional, alternative set of teleconferencing provisions indefinitely.

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<sup>3</sup> See [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB1452](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB1452) for more information.

<sup>4</sup> See [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260SB470](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB470) for more information.

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 delete the January 1, 2026 repeal date, thereby authorizing the above-described alternative set of teleconferencing provisions for multimember state advisory bodies indefinitely.

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 repeal those provisions.

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 codes<sup>5</sup>**

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 Committee on Judiciary and may be heard in committee on March 24, 2025.

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.

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<sup>5</sup> See [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB1170](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB1170) for more information.