

## **BROWN ACT**

### **Regular & Special Meetings**

There are two essentials for an open and public meeting. One is effective notice; whether the meeting is open or not is academic if no one knows about it. The other is an agenda which adequately describes the items to be considered.

Every meeting of the legislative body of a local agency—including advisory committees, commissions or boards, as well as standing committees of legislative bodies—must have public notice and a written agenda. The specifics vary by type of meeting.

#### **Regular Meetings**

Legislative bodies must set the time and place for their regular meetings by ordinance, resolution, bylaws or similar formal rule for conducting business. Advisory committees or standing committees may but need not require regular meetings by their own rules. Meetings of these latter two categories of bodies for which an agenda is posted 72 hours in advance are considered a regular meetings.

An agenda must be posted at least 72 hours before a regular meeting in a location freely accessible to members of the public. It shall state the meeting time and place and must contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.

Brief descriptions of agenda items were first required in 1987. A letter placed in the Senate Daily Journal explained that the intent was for agendas to contain sufficient descriptions . . . to enable members of the general public to determine the general nature of subject matter of each agenda item, so that they may seek further information on items of interest. It is not the purpose of this bill to require agendas to contain the degree of information required to satisfy constitutional due process requirements. There remained some disagreement over the detail necessary in an agenda. The 1994 amendments revised the section to specify that a brief description generally need not exceed 20 words.

With three exceptions (see the end of this chapter), no action or discussion can take place on an item not on the posted agenda. However, there can be brief responses to questions, or some other limited, routine comments, also as discussed at the end of this chapter.

## **Special meetings**

The presiding officer or a majority of a legislative body, including an advisory or standing committee, may call a special meeting at any time. For the majority to act, there is implied authority for them to communicate to determine if they want to call a special meeting.

Written notice must be sent, and received by, each member of the legislative body (unless waived in writing by that member) and to each local newspaper of general circulation, and radio or television station which has requested such notice in writing.

The notice must state the time and place of the meeting, and all business to be transacted or discussed. It must be posted at least 24 hours prior to the special meeting in a site freely accessible to the public. Media notice must be delivered by personal delivery or any other means which ensures receipt, at least 24 hours before the time of the meeting. The body cannot consider business not in the notice.

More about the Brown Act can be found by [clicking here](#).