

# California Commission on Aging

2880 Gateway Oaks Drive, Suite 390 | Sacramento, CA 95833  
(916) 419-7591 | CCoA@cco.ca.gov | www.ccoa.ca.gov

GAVIN NEWSOM, Governor

**Executive Director**  
Karol Swartzlander

The Honorable Bill Dodd, Chair  
Senate Committee on Governmental Organization

March 24, 2023

Re: SB 544 (Laird) Bagley-Keen Open Meeting Act: teleconferencing.....SUPPORT

Dear Chair Dodd,

I am writing on behalf of the California Commission on Aging (CCoA) in enthusiastic support as the organizational sponsor of SB 544 (Laird) Bagley-Keen Open Meeting Act: teleconferencing.

CCoA is established in State statute as an independent advisory body and principal advocate before the Governor, the Legislature, and State and federal agencies on behalf of California's older adults. Commission members represent the State's cultural and geographic diversity, including professional expertise within and outside of the field of aging.

CCoA complies with the Bagley-Keene Act of 1967, officially known as the Bagley-Keene Open Meeting Act, a provision of the California Constitution that declares that "the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny."

While the basis of the 1967 Act still stands today, to promote accountability, accessibility, and transparency of government activities, to protect the rights of residents while affording them the amplest opportunity to participate in State government deliberations, how such activities occur has changed with the advancement of technology.

Currently Bagley-Keene:

- Allows for remote "teleconference" participation by members of a board or commission, but it requires a quorum of the members of the state body to be in attendance at the primary physical meeting location, and members of the state body participating remotely shall not count towards establishing a quorum.
- Requires that all meeting notices must be made public and include the addresses of every teleconference location (the personal home or hotel addresses of each attending commissioner) and posted on the meeting agenda.
- Allows the public the right to enter into remotely participating members' private residences (residences that may not meet Americans with Disabilities Act (ADA) requirements), even when the public could otherwise access the meeting virtually, through electronic online means or by telephone.

In March 2020, the Governor issued an Executive Order, EO-N-29-20, authorizing the use of virtual meetings, thus ensuring state business continued during the COVID-19 pandemic. What started as a public safety stopgap has revealed that virtual meetings promote meeting attendance by the appointed members and increase public participation.

SB 544 will increase transparency and promote public participation in State government by expanding the pool of candidates interested in serving. Older adults and individuals with disabilities are no longer barred from attending meetings or participating in State government simply because they are limited from attending physically. SB 544 will also remove impediments for low-income, rural California residents, and caregivers who cannot or find it challenging to travel to one physical location.

SB 544 eliminates the requirement that a member of the state body be physically present at the location identified as the primary physical meeting location and instead allows for commission staff to be physically present in the meeting room open to the public.

SB 544 removes the requirement that addresses of every teleconference location be made public and that a quorum can only be established in one physical location.

With the flexibilities allowed under the Governor's Executive Order, the California Commission on Aging has realized increased member participation, more public comments, more stakeholder attendance, a decrease in travel costs, and improved organizational efficiency. Other State boards and commissions have also reported similar benefits and better outcomes.

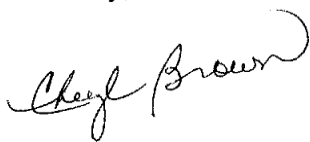
In a 2021 report, "The Government of Tomorrow: Online Meetings," the Little Hoover Commission highlighted survey results of various state boards and commissions that met remotely during the pandemic. Some of the benefits reported:

- Over 90 percent of surveyed agencies reported reduced costs due to remote meetings.
- Approximately half of the agencies reported better attendance by commission members.
- One-third of agencies responded that they are meeting more often due to their ability to meet remotely.
- Roughly half of the agencies who utilize witnesses reported that securing high-quality speakers was easier.

Senate Bill 544 modernizes the teleconferencing stipulations in the Bagley-Keene Open Meeting Act, promoting equity and participation of the public through virtual meetings while safeguarding the private residences of participating members of state bodies. Simply put, this bill will enable more Californians to have their voices heard because the barrier of physical proximity has been removed.

CCoA is pleased to partner with Senator Laird as the organizational sponsor of SB 544 and asks for your support as the Senate Governmental Organization Committee Chair. If you have any questions, please contact me or Karol Swartzlander, CCoA Executive Director, at [karol.swartzlander@cco.ca.gov](mailto:karol.swartzlander@cco.ca.gov).

Sincerely,



Cheryl Brown, Chair  
California Commission on Aging

cc: Senator Laird