

SB 274 (Wieckowski)

Digital Records Request

BACKGROUND

In 1953, the California Legislature passed the Brown Act to ensure transparency in local governments and guarantee the public's right to participate in meetings of local legislative bodies. The Act was in response to local legislative bodies holding secret meetings that made it difficult for the public to know what was happening in their community and to hold their members' actions accountable. An important provision of the Brown Act required notices of the time, place and subject matter of upcoming meetings to be posted in public 72 hours before a meeting. The law also required local agencies to mail agenda packets to the public if requested.

PROBLEM

The problem is that the Brown Act only requires local agencies to mail agenda packets to the public if requested. This leads to several problems. Mail can be quite slow and items might be delivered after the meeting has concluded. Some jurisdictions mail items via certified mail, a process that requires the requester to be physically present to sign for the delivery. This method can effectively push the delivery date out further if the requester has other obligations during the day such as work or school. Lastly, local agencies are able to charge for the service cost of mailing out agenda packets. This is an unnecessary burden considering there are quicker and inexpensive ways of delivery such as email.

THIS BILL

SB 274 will make it easier, faster, and cheaper for the public to receive agenda packets by requiring local agencies to email such items if a person requests it by email.

This change is common sense considering local agencies will email agenda packets to their own board members but often times insist on sending those same items to members of the public via mail.

Local agencies are already required to make agenda packets available in appropriate alternative formats, other than mail, to persons with a disability when requested. This includes email as an alternative way.

The point of the Brown Act is to make it possible for the public to participate in an open and transparent government. It is time to adjust a nearly 70-year-old law to conform to modern day practices.

SUPPORT

Los Angeles Sunshine Coalition (Sponsors)