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June 28, 2021

Honorable Mike McGuire
California State Senate
Capitol Building, Room 5061
Sacramento, CA 95814

RE: AB 361 (RIVAS) as amended May 10, 2021 – SUPPORT

Dear Senator McGuire:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports AB 361**. This bill is scheduled for hearing before Senate Governance and Finance Committee on July 1, 2021.

In light of a stay-at-home order and the need to keep individuals physically distanced from one another, Governor Newsom issued a number of subsequent executive orders (N-25-20, N-29-20, N-35-20) modifying the requirements of the Brown Act. AB 361 seeks to codify several provisions from within the executive orders.

AB 361 would allow local agencies to safely meet remotely during an emergency. The changes to law included in AB 361 are what have allowed local agencies to continue to operate while also complying with important public health directives issued by officials during the COVID-19 pandemic; by enshrining these provisions in statute, this bill ensures that local agencies would continue to be able to remain safe in future emergencies that threaten public health.

Some people with disabilities have expressed a desire to attend meetings virtually. It can be difficult for some with disabilities to travel and come into

buildings for some meetings. Some people with mobility disabilities have talked about attending events virtually, including work, has helped some in the community maintain full time jobs.¹ The disability community has been detrimentally harmed by the COVID-19 pandemic. Many people with disabilities are immunocompromised and in order to stay safe have had to stay in their homes during the entire pandemic. Being able to attend meetings and work from home has been very helpful to people who need those types of protections. From an equity perspective, it is crucial that disabled people, especially those who intersect with other races or are low income, have access to the internet.

This bill will include important safeguards that ensure public agency transparency and public access. For a public agency to utilize these provisions to meet remotely, a local agency must meet subsequent or concurrent to a proclaimed state of emergency or declared local emergency, and declare that the nature of the emergency would prevent them from safely meeting in-person. AB 361 would specifically prohibit local agencies from requiring members of the public to submit their comments in advance, guaranteeing that the public has the opportunity to observe and offer comment during the meeting.

For these reasons, DRC supports this bill. Please contact me if you have any questions about our position or if I can provide any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Harris". The signature is fluid and cursive, with a prominent initial "E" and a long horizontal stroke at the end.

Eric Harris
Director of Public Policy
Disability Rights California

cc: Honorable Members, Senate Governance and Finance Committee
Honorable Robert Rivas, California State Assembly
Julio Mendez Vargas, Associate Consultant, Office of Assembly
Member Rivas

¹ Working from Home Has Helped me Keep a Full-Time Job. June, 2021.
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