

California Arts Council

Bylaws

Adopted December 13, 2024



DEFINITION OF TERMS

“Council” is defined as 11-member body of appointees.
“Agency” is defined as California Arts Council staff.

CALIFORNIA ARTS COUNCIL

The California Arts Council exists under California General Government Code, Chapter 9. Article 8750-8756 (Dixon-Zenovich-Maddy California Arts Act of 1975).

COUNCIL MEMBERS

Nine Council Members are appointed by the Governor, one by the Senate President pro Tempore, and one by the Assembly Speaker.

Five of the eleven members shall hold office for four years, four shall hold office for three years, and two shall hold office for two years. Gubernatorial appointees require Senate confirmation. The Council will have a Chair, a Vice Chair, and may have other officers it may need.

The Council Members will perform the following duties:

- Represent the people of the entire state of California and act as delegates of all geographic areas, arts disciplines, institutions, and communities.
- Encourage artistic awareness, participation, and expression among the people throughout California.
- Establish and approve policy regarding the Council's programs and allocations in accordance with state and federal laws and regulations.
 - Agency Director and staff abide by the policies set by the Council regarding programs, procedures, and allocations.
- Advise the Governor and the Legislature on matters of Council policy, in consultation with the Director.
- Review its policies, local assistance budgets, and programs biannually, at minimum.
- Attend and be prepared for regularly scheduled and special meetings of the Council and, upon request of the Chair, other meetings, events, forums, or seminars that further Council objectives.
- Actively acquaint themselves with the arts in California to the greatest extent possible, without incurring any additional expenses to the agency.

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- Upon appointment, complete all mandatory State trainings, including agency-led Racial Equity training, and familiarize themselves with the Bagley-Keene Open Meeting Act and Robert's Rules of Order for meeting procedures.
 - Inform the Chair and the Director of any activities wherein they act in an official capacity representing the Council, including written correspondence, which shall be forwarded to the Chair and Director.
 - Abide by the state's conflict of interest policy.
 - Treat fellow Council members and agency staff with respect and decorum.
 - May recommend potential Council members to the Governor and/or the Speaker and President Pro Tempore

THE CHAIR

The following applies to the Chair of the California Arts Council:

- Elected by the Council in December and begins their term in January.
- Presides at Council meetings and activities and uses Robert's Rules of Order as the basis to conduct Council meetings.
- May call a Special Meeting as permitted by Government Code Section 11125.4.
- Establishes and upholds decorum to foster and facilitate discussion during council meetings.
- Serves, in partnership with the Vice Chair and Director, to lead the Council and set agendas for Council meetings.
- Assigns committee roles for all Council members in consultation with the members and outlines recommended assignments for the year.
- Serves as the sole spokesperson for the Council to the press.
- Establishes and maintains working relationships with the Governor and staff, Senate President pro Tempore, Assembly Speaker, and other stakeholders.
- Obtains authorization of the Council as a whole, before committing the Council to any action outside of those approved with votes.
- Establishes and appoints standing committees and ad hoc committees as necessary.

THE VICE CHAIR

The following applies to the Vice Chair of the Council:

- Elected by Council in December and begins their term in January.
- Carries out the duties of the Chair with the powers and duties prescribed by these Bylaws, when the Chair is absent.
- Fulfills other duties as assigned by the Chair

MEETINGS

The following applies to the Meetings of the Council:

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- Held at the call of the Chair no more than eight times each calendar year.
 - Must be preceded by at least ten days public notice, except as permitted by Government Code Section 11125.3.
 - Must have a quorum, consisting of a majority of the Council members, in order to transact business.
 - Must be held in various places throughout the state so as to encourage broad and diverse attendance.
 - Are subject to the Bagley-Keene Open Meeting Act.
 - The agenda of a meeting of more than one Committee or of a majority of the Council members must be posted and the meeting must be open to the public.
 - If more than one Committee wishes to meet, the members of one of these Committees will have discussion and voting power. The members of the other Committees may participate in the discussion but may not vote.
 - Time for public comment may be limited by time per speaker or by time per issue, but not by time for the public comment section of the agenda.
 - The Chair shall preside at all meetings. In the absence of the Chair, the Vice Chair shall preside at meetings.
 - The Council members may participate in the meeting by teleconference as long as each Council member can be heard and can hear everyone else.
 - The expectation is that Council members attend each council meeting in person.
 - To participate in a Council meeting remotely, Council members must notify the Chair and CAC Executive Director no less than 30 days in advance of the meeting to ensure quorum can be established.
 - The Council members may vote by teleconference in any manner that the Council determines suitable.
 - Meetings shall be conducted in accordance with rules, procedures and protocols established by the Council.

STRATEGIC PLAN

The Council shall establish, maintain, and regularly update a strategic plan which shall set forth the following:

- Clearly stated goals and objectives with a timeline.
 - A delineation of the broad programs and activities required in order to achieve Council objectives.
 - An implementation plan with benchmarks for the Council to discuss and evaluate.
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- In developing the Strategic Plan, persons may be designated as advisors and advisory groups may be created. Advisor and advisory group input will be reported at each Council meeting; committees will make recommendations to full Council, not set policy; and all policy votes and decisions will be in public.

COMMITTEES

The following applies to the Committees of the Council:

- Each committee shall have a charge, which shall include its objective(s), its proposed work schedule, reporting deadlines and termination date.
- Each committee will report out to the full Council at least twice per year to share updates and decisions.
- Committee members shall be responsible for implementation of all committee assignments.
- All Committees are subject to the Bagley-Keene Open Meeting Act.

Standing Committees of the California Arts Council:

- Allocations
- Equity
- Executive
- Governance
- Legislative
- Nominating
- Programs Policy
- Strategic Framework

POLICY

Policy recommendations may come from any Council member.

- Council policies establish and approve policy regarding the Council's programs and allocations in accordance with state and federal laws and regulations.
 - All policies shall be in writing and shall set forth clearly and concisely the policy objectives and the designation of responsibility for enactment of the policy.
 - Copies of all policies adopted by the Council shall be distributed to each member and be available to the public.
- State Policy includes the California Arts Council's enabling legislation and all applicable state laws, rules and regulations.
- Council members shall approve all policy statements at meetings with a quorum present.

PROGRAM DEVELOPMENT AND IMPLEMENTATION

Programs supported by local assistance funds shall be developed in accordance with established Council policies. Programs shall be

	<p>implemented by staff, under the direction of the Executive Director and staff.</p> <p>The Council shall approve financial assistance as contained in the programming guidelines.</p> <p>Council members shall not, jointly and/or separately, attempt to approve the granting of funds to any person or organization outside the policies and procedures established by the Council.</p>
<p>CONFLICT OF INTEREST, APPEARANCE OF CONFLICT OF INTEREST, AND CODE OF RESPONSIBILITY</p>	<p>Council members shall be subject to the California State Ethics and Conflict of Interest Code, and any rules adopted by the Council.</p> <p>Council members shall file the Statement of Economic Interest form 700 annually as required by law.</p> <p>Council members shall not be present nor participate in any communication or discussion with any other council member nor vote on any matter involving an individual or organization with which there is an association as board member, officer, advisory panel, or staff, salaried or volunteer, or where there is, or has been, any economic interest for twelve months prior to the discussion or vote.</p> <p>Council members shall excuse themselves from the discussion and vote on any matter where an outside observer might have reasonable cause to believe the Council member might not be impartial, whether positively or negatively, on behalf of the issue or entity.</p>
<p>SEEKING AND RECEIVING GIFTS</p>	<p>Council members shall adhere to and abide by all relevant provisions of the regulations of the Fair Political Practices Commission.</p>
<p>WHAT CONSTITUTES A GIFT</p>	<p>Council members shall not seek gifts, gratuities, or gratis admission to programs, events or performances for which the public is charged a price for admission or at which a meal is provided (or other things of value) from any CAC grant applicant, nor shall Council members request of any grant applicant anything that would have the appearance of impropriety.</p> <p>In the event of the unsolicited receipt and use of something described in the preceding paragraph for use by an individual Council member or his or her spouse or immediate family member, such receipt and/or use shall constitute receipt of a gift under the regulations of the Fair Political Practices Commission, the State Franchise Tax Board, and the Internal Revenue Service. Reporting receipt of such a gift shall be the obligation of the Council member.</p>
<p>WHAT DOES NOT CONSTITUTE A GIFT:</p>	<p>Tickets/passes to programs, events, performances, lunches/dinners or otherwise, provided to Council member(s), their spouses and/or immediate family, in conjunction with a request by the Director and/or</p>

	<p>Chair, for the Council member to represent the agency at such event, performance, lunch/dinner or otherwise shall not be considered a gift to said Council member(s). Tickets/passes provided to a Council member, his or her spouse and/or immediate family, for an event at which the Council member has an official or ceremonial role shall not be considered a gift to the Council member. Council member(s) invited to perform an official and/or ceremonial role shall notify the Chair and Director of such invitation.</p>
USE OF COUNCIL APPOINTMENT	<p>Council members should be alert to avoid any actions which could possibly be interpreted as a use of Council appointment to attain personal financial gain, favors, or special treatment, or act in any way which furthers the economic interests of an organization or person with which they are affiliated in any way.</p>
FUTURE AFFILIATIONS	<p>Once appointed, the Director and Council members are requested, during the term of their service, not to join the boards of or initiate affiliations of a policy-making or financial nature with actual or potential applicant organizations.</p>
ACTING WITHOUT SELF-INTEREST	<p>Council members shall make every reasonable effort to act without self-interest or without serving the self-interest of fellow Council members, recognizing that loyalties to a particular geographic area, arts discipline, institution, or specific interest group must be subordinated to the broader purposes of acting in the best interest of the entire arts field.</p>
RESPONSIBILITIES OF DIRECTOR	<p>The Director shall call the Conflict of Interest Code, Appearance of Conflict of Interest, and Code of Responsibility to the attention of all Council members upon appointment to the Council.</p>
REIMBURSEMENT FOR COUNCIL MEMBERS	<p>Council members are entitled to \$100 per Council meeting. Council members shall be reimbursed for eligible expenses incurred to:</p> <ol style="list-style-type: none"> 1. Attend regular and special meetings of the Council and its committees; or 2. Attend special activities/events approved in advance by the Chair and Director. <p>In the event the Chair and/or Director desire a Council member to represent the agency at a specific event, meeting, performance, lunch/dinner or otherwise to be held in the state, the Chair and/or Director will first make such request of the Council member(s) living in the immediate geographical area of opportunity unless said representation would be within the province of a specific committee chaired by a Council member outside said immediate geographical area; or, in the discretion of the</p>

Chair and/or Director, the agency would be best represented by a specific Council member.

All out of state travel is subject to prior approval by the Chair, Director, and the Governor's office in accordance with governing rules and procedures.

REIMBURSEMENT OF EXPENSES

Council members shall be reimbursed for eligible expenses incurred using budgetary limitations as established by the state and the agency budget. To receive reimbursement, Council members shall file, within 90 days of incurring the eligible expense, an itemized expense form with the agency's administrative Executive Director. Reimbursement shall be made in accordance with state governing regulations. The agency will make every attempt to issue authorized reimbursement within 30 days of receipt from the Council member.

TRAVEL AND EXPENSE BUDGET

The Agency budget shall include an amount sufficient to cover the cost of authorized and eligible Council member reimbursable travel and other expenses as reasonably projected by the Chair in consultation with the Director on an annual basis. Said travel budget line item within the agency's budget shall be within the requirements of the Department of Finance and other control agencies, based on the operational needs and requirements of the agency.

REPRESENTATIVE ROLE IN RELATIONSHIP TO THE GOVERNOR AND THE GOVERNOR'S OFFICE

Council members, at the request of the Chair and/or Director, may actively participate in the promulgation and advocacy of positions regarding legislation affecting the arts, to the extent permissible under all applicable state laws, rules, regulations and the policies of the legislature and the office of the Governor. The Director and Director of Legislative Affairs shall advocate on behalf of the agency and the health of the arts, including advocacy in favor of specific legislation, to the extent permissible under all applicable state laws, rules, regulations and the policies of the legislature and the office of the Governor.

AMENDMENTS TO BYLAWS

Proposed amendments should be presented to the Governance committee and then presented to the Council at the next public Council meeting.

All amendments will be voted on in public Council meetings. Amendments to the original amendments require a simple majority vote.

The adoption of the original amendment to the Bylaws will require 2/3 of the votes cast.

**PARLIAMENTARY
AUTHORITY**

On all matters of procedure not otherwise covered by the provisions of these Bylaws, *Roberts' Rules of Order (Newly Revised)* shall be the official guide.

The following content will not be included in the amended bylaws. It includes sections that were removed and will be included in the Council handbook in order to keep the bylaws focused and also ensure that Council members have access to all relevant information.

The Director

The following applies to the Director of the Agency:

- Appointed by, serves at the pleasure of, and reports to the Governor and Governor's office.
- Works in cooperation with the Chair and Vice Chair of the Council.
- Responsible for the management and administration of the agency staff and the implementation of Council policy.
- Establishes and maintains working relationships with the Governor and Governor's Office, Legislature and all national and state agencies, institutions, associations and entities working with the Agency to develop programs and implement the direction of the Agency.
- May recommend potential Council members to the Governor and/or the Speaker and President pro Tempore.
- Assigns staff to all Council committees.
- Implements Council approved policies and develops operational policies.
- Must act in compliance with the "Incompatibility Statement" in California Government Code Section 19990.

Establishing Legislation:

GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]

(Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 1. GENERAL [8000 - 8899.95]

(Division 1 enacted by Stats. 1943, Ch. 134.)

CHAPTER 9. Art [8750 - 8756]

(Chapter 9 repealed and added by Stats. 1975, Ch. 1192.)

8750.

The Legislature perceives that life in California is enriched by art.

The source of art is in the natural flow of the human mind. Realizing craft and beauty is demanding, however, the people of the state desire to encourage and nourish these skills wherever they occur, to the benefit of all.

(Repealed and added by Stats. 1975, Ch. 1192.)

8751.

(a) There is in the state government an Arts Council which shall be composed of 11 members. On or before January 10, 1979, the Speaker of the Assembly and the Senate Rules Committee shall each appoint one member to represent the general public. Prior to appointing the remaining nine members, the Governor shall request and consider recommendations from organizations representing the arts community and when making his appointments shall give consideration to the various arts disciplines and ethnic and geographic parts of the state. All appointments made to the council by the Governor shall be subject to confirmation by the Senate.

(b) Five of the eleven members shall hold office for four years, four shall hold office for three years, and two shall hold office for two years. Terms of office shall be determined by lot at the first meeting of the council after January 1, 1979.

(c) Nothing in this section shall prevent the reappointment or replacement of any individual presently serving on the existing Arts Council unless such person has already served for more than four consecutive years as a member of the California Arts Council or Arts Commission.

(d) In January of each year, the members of the council shall select a chairperson. Members of the council shall receive one hundred dollars (\$100) per meeting and shall be reimbursed for necessary traveling and other expenses incurred in the performance of official duties.

(Repealed and added by Stats. 1978, Ch. 1356.)

8751.5.

If any member of the council is an employee, member, director, or officer of any arts organization that has applied to the council for a grant, such member shall not communicate with any other member of the council or any member of an advisory panel regarding such grant application and such member shall not be present when such is considered by the council or panel.

(Added by Stats. 1975, Ch. 1192.)

8752.

The council shall meet at the call of the chairperson no more than eight times each calendar year. Unless there are extraordinary circumstances, all meetings are to be preceded by at least eight days public notice, and shall be held in various places throughout the state so as to encourage broad and diverse attendance.

(Amended by Stats. 1978, Ch. 1356.)

8753.

The council shall:

- (a) Encourage artistic awareness, participation and expression.
- (b) Help independent local groups develop their own art programs.
- (c) Promote the employment of artists and those skilled in crafts in both the public and private sector.
- (d) Provide for the exhibition of art works in public buildings throughout California.
- (e) Enlist the aid of all state agencies in the task of ensuring the fullest expression of our artistic potential.
- (f) Adopt regulations in accordance with the provisions of the Administrative Procedure Act necessary for proper execution of the powers and duties granted to the council by this chapter.
- (g) Employ such administrative, technical, and other personnel as may be necessary.
- (h) Fix the salaries of the personnel employed pursuant to this chapter which salaries shall be fixed as nearly as possible to conform to the salaries established by the State Personnel Board for classes of positions in the state civil service involving comparable duties and responsibilities.
- (i) Appoint advisory committees whenever necessary. Members of an advisory committee shall serve without compensation, but each may be reimbursed for necessary traveling and other expenses incurred in the performance of official duties.
- (j) Request and obtain from any department, division, board, bureau, commission, or other agency of the state such assistance and data as will enable it properly to carry on its power and duties.
- (k) Hold hearings, execute agreements, and perform any acts necessary and proper to carry out the purposes of this chapter.
- (l) Accept federal grants, for any of the purposes of this chapter.
- (m) Accept only unrestricted gifts, donations, bequests, or grants of funds from private sources and public agencies, for any of the purposes of this chapter. However, the

council shall give careful consideration to any donor requests concerning specific dispositions.

(n) Establish grant application criteria and procedure.

(o) Award prizes or direct grants to individuals or organizations in accordance with such regulations as the council may prescribe. In awarding prizes or directing grants, the council shall notify the offices of the legislators in whose district the recipient resides.

(p) Have the authority to appoint peer review panels whenever necessary. Each member of a peer review panel may, at the discretion of the council, receive a per diem and honorarium for each day of service and be reimbursed for necessary travel and other expenses incurred in the performance of official duties.

(Amended by Stats. 2018, Ch. 869, Sec. 1. (AB 2456) Effective January 1, 2019.)

8753.5.

The council shall not make any grants or fund any program which has not been established pursuant to the powers granted by this chapter or the California Creative Workforce Act of 2021 (Article 4 (commencing with Section 14240) of Chapter 4 of Division 7 of the Unemployment Insurance Code).

(Amended by Stats. 2021, Ch. 767, Sec. 2. (SB 628) Effective January 1, 2022.)

8753.6.

(a) The California Arts Council Contribution and Donations Fund is hereby created in the State Treasury to receive funds pursuant to subdivision (m) of Section 8753. Notwithstanding Section 13340, the moneys in the fund are continuously appropriated, without regard to fiscal years, to the Arts Council for the purposes of this chapter.

(b) Any moneys in the Art Council Donations Account in the Special Deposit Fund shall be transferred to the California Arts Council Contribution and Donations Fund.

(Amended by Stats. 2015, Ch. 303, Sec. 187. (AB 731) Effective January 1, 2016.)

8754.

The Governor shall appoint a director for the Arts Council. The council may delegate to the director the responsibilities for carrying out council policy.

The director shall assist the council in the carrying out of its work, be responsible for the hiring of council staff, including, but not limited to, deputy directors, be responsible for the management and administration of the council staff, and perform other duties as directed by the council.

(Amended by Stats. 2017, Ch. 21, Sec. 6. (AB 119) Effective June 27, 2017.)

8755.

Upon nomination by the council, the Governor may grant special recognition to any citizen with exceptional talent who has made a unique contribution to the cultural or artistic heritage of the State of California.

(Repealed and added by Stats. 1975, Ch. 1192.)

8755.5.

The executive or principal office of the Arts Council shall be located in the County of Sacramento. The council may establish one or more secondary offices in other locations within the state if it determines that such office or offices are needed to properly carry out the provisions of this chapter.

(Added by Stats. 1976, Ch. 169.)

8756.

This chapter shall be known and may be cited as the Dixon-Zenovich-Maddy California Arts Act of 1975.

(Repealed and added by Stats. 1975, Ch. 1192.)

Disability Accommodations included in the Bagley-Keene Act

GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]

(Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15986]

(Division 3 added by Stats. 1945, Ch. 111.)

PART 1. STATE DEPARTMENTS AND AGENCIES [11000 - 11898]

(Part 1 added by Stats. 1945, Ch. 111.)

CHAPTER 1. State Agencies [11000 - 11148.5]

(Chapter 1 added by Stats. 1945, Ch. 111.)

ARTICLE 9. Meetings [11120 - 11133]

(Article 9 added by Stats. 1967, Ch. 1656.)

11123.1.

All meetings of a state body that are open and public shall meet the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(Amended by Stats. 2021, Ch. 615, Sec. 161. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

11125.

(f) The notice shall be made available in appropriate alternative formats, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof, upon request by any person with a disability. The notice shall include information regarding how, to whom, and by when a request for any disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires these aids or services in order to participate in the public meeting.

(Amended by Stats. 2002, Ch. 300, Sec. 2. Effective January 1, 2003.)

11125.1.

(a) Notwithstanding Section 7922.000 or any other provisions of law, agendas of public meetings and other writings, when distributed to all, or a majority of all, of the members

of a state body by any person in connection with a matter subject to discussion or consideration at a public meeting of the body, are disclosable public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be made available upon request without delay. However, this section shall not include any writing exempt from public disclosure under Section 7924.100, 7924.105, 7924.110, 7924.510, or 7924.700 of this code, any provision listed in Section 7920.505 of this code, or Section 489.1 or 583 of the Public Utilities Code.

(b) Writings that are public records under subdivision (a) and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person. These writings shall be made available in appropriate alternative formats, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof, upon request by a person with a disability.

(e) Nothing in this section shall be construed to prevent a state body from charging a fee or deposit for a copy of a public record pursuant to Section 7922.530, except that no surcharge shall be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The writings described in subdivision (b) are subject to the requirements of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall not be construed to limit or delay the public's right to inspect any record required to be disclosed by that act, or to limit the public's right to inspect any record covered by that act. This section shall not be construed to be applicable to any writings solely because they are properly discussed in a closed session of a state body. Nothing in this article shall be construed to require a state body to place any paid advertisement or any other paid notice in any publication.

(f) "Writing" for purposes of this section means "writing" as defined under Section 7920.545.

(Amended by Stats. 2021, Ch. 615, Sec. 162. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

11131.

No state agency shall conduct any meeting, conference, or other function in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135, or that is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. As used in this section, "state agency" means and includes every state body, office, officer, department, division, bureau, board, council, commission, or other state agency.

(Amended by Stats. 2007, Ch. 568, Sec. 32. Effective January 1, 2008.)

(Added by Stats. 1987, Ch. 1320, Sec. 4.)

11133.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

Please note: PDF remediation in progress, final accessible version to follow