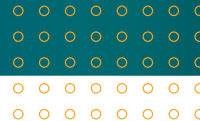


Healthcare District Reminders for 2026



Best Best & Krieger LLP is a full-service law firm with nearly 250 attorneys in offices across the West Coast and Pacific Northwest, and in Washington, D.C. We deliver timely and service-oriented solutions to complex legal issues facing California healthcare districts. Our experienced healthcare and public agency attorneys regularly counsel healthcare districts about governance and operations matters, as well as a wide range of transactions. The following are standard and new public agency governance reminders for healthcare districts that may be helpful in 2026.

1. Nov. 3, 2026, General Election (Elections Code §§ 10510 and 10403)

The election of successor board members for directors whose terms will expire in December after the general election will be consolidated with the California general election on Nov. 3, 2026, and conducted in accordance with the district's applicable election method, such as at-large or by-zone elections. The 25-day filing period for board candidates to file declarations of candidacy will open on July 13, 2026 (113 days before the election) and close at 5:00 p.m. on Aug. 7, 2026 (88 days before the election). Aug. 7, 2026, is also the deadline for the board to pass resolutions to place measures on the ballot to be consolidated with the general election. Contact your local county elections office to obtain additional information about district election procedures, applicable zones or seats and specific county deadlines.

2. Public Agency Roster (Gov. Code § 53051)

Districts must have a Statement of Facts — Roster of Public Agencies Filing form on file with the Secretary of State and the county clerk. The filing must be updated within 10 days after any change (e.g., new board member).

3. Oath of Office (Gov. Code § 1363)

Every board member must have an Oath of Office on file with the district, with copies given to the county clerk if required (the county elections department usually provides the form).

4. Brown Act Copy for New Board Members (Gov. Code § 54952.7)

Districts must provide a copy of the Brown Act to each person elected or appointed to serve as a member of the district's legislative body. Districts should document when the copy was provided.

5. Form 700 / Statement of Economic Interests (Gov. Code §§ 87200, 87500)

New board members, and other district officials, employees and consultants designated in the district's Conflict of Interest Code or otherwise required to file under Gov. Code § 87200, must file Form 700 Statements of Economic Interests as required by law. Assuming-office statements are generally due within 30 days after assuming office, annual statements are generally due by the date specified in the district's Conflict of Interest Code, and leaving-office statements are generally due within 30 days after leaving office. Effective Jan. 1, 2026, public officials who manage public investments must file with the FPPC through the FPPC's electronic filing system, rather than filing only with the district.

6. Ethics and Fiscal/Financial Training (Gov. Code §§ 53234-53235.2, 53238-53238.4; FPPC Reg. § 18371)

Board members must complete two hours of ethics training every two years. Effective Jan. 1, 2026, SB 827 also requires fiscal and financial training for board members and certain other district officials and employees, and expands certain

ethics-training requirements to department heads and similar administrative officers. New board members and other newly covered officials generally must complete required training within six months of assuming office or beginning service. Districts should provide information about available training annually, maintain training records for at least five years, and, beginning July 1, 2026, post clear instructions and contact information on the district's website for requesting those records. BBK offers ethics and fiscal/financial training resources, including webinar training.

7. Sexual Harassment Training (Gov. Code §§ 12950.1, 53237)

Most public employees — supervisory (which includes board members) and nonsupervisory — must receive sexual harassment training every two years. New nonsupervisory employees are required to undergo such training within six months of hire, and new supervisory employees are required to undergo such training within six months of assuming such a position. Board members and supervisory employees must receive two hours of training and nonsupervisory employees must receive one hour of training. The district should update its records as needed (attendance dates, trainer) and maintain the records for at least five years, because they are subject to public disclosure. BBK offers sexual harassment avoidance training in person, via webinar or video conference, and the recording from the firm's annual [Labor & Employment Update webinar](#).

8. Compensation Reports (Gov. Code §§ 53891, 53893, and 53908)

Annual compensation disclosure reports for the previous year covering officials and employees must be filed online with the State Controller no later than April 30 of every year. The reports must be posted on the district's website in a "conspicuous" location or by providing a link to the Controller's compensation website.

9. Reimbursement Reports (Gov. Code § 53065.5)

Reports disclosing each reimbursement to officials and employees for an "individual charge" of \$100 or more (e.g., one meal, one day's lodging, transportation, a registration fee) must be published and made available for public inspection at least annually by a date determined by the district.

10. Financial Transaction Reports (Gov. Code §§ 53891, 53891.1, and 53893)

Districts must file annual financial transaction reports with the State Controller within seven months after the close of the fiscal year. Reports must be posted on the district's website in a conspicuous location or made available as hard copies upon request. Districts should follow the State Controller's current special district financial transaction reporting instructions.

11. Annual Budget Details (Health & Safety Code § 32139(a))

Districts must adopt an annual budget in a public meeting by Sept. 1 that conforms to "generally accepted accounting and budgeting procedures for special districts."

12. Website Details (Health & Safety Code § 32139(b))

Districts must list all of the following on their websites:

- Annual budget;
- List of current board members;
- Information regarding public meetings;
- Recipients of grant funding or assistance provided by the district, if any;
- Policy for providing grants or assistance, if any;
- Audits of the district's accounts and records;
- Annual financial reports submitted to the State Controller;
- Municipal service reviews or LAFCO studies, if any; and
- Any other information the board deems relevant.

For certain required materials, districts may comply by posting a link to another government website that contains the information.

13. Grant Policies (Health & Safety Code § 32139(c))

Districts are required to adopt annual policies for providing assistance or grant funding. In practice, this means the policy should be reviewed and reapproved annually. If a district provides assistance or grants, the policy must include:

- A nexus between the assistance or grant funding and the district's mission;
- Requirements that a grant recipient must meet, such as grant contract terms and conditions, fiscal and programmatic monitoring by the district and reporting to the district;

- The district's plan for distributing grant funds for each fiscal year; and
- The process for providing, accepting and reviewing grant applications, including a prohibition against individual meetings regarding grant applications between a grant applicant and a district board member, officer, or staff member outside of the district's established awards process.

Guidelines for all of the following must be included:

- Awarding grants to underserved individuals and communities and the organizations that serve them;
- Evaluating the financial need of applicants;
- Considering the types of programs eligible for funding;
- Considering the circumstances under which grants may be provided to prior grant recipients; and
- Funding other government agencies and awarding grants to, and limiting funds for, foundations that are associated with separate grant recipients.

14. Annual Increases in Board Compensation (Health & Safety Code § 32103)

A healthcare district board generally serves without compensation unless, by majority-vote resolution, it authorizes compensation of up to \$100 per meeting for no more than six meetings in a calendar month. If the district compensates directors for more than five meetings in a calendar month, the board must annually adopt a written policy, supported by substantial evidence, explaining why more than five meetings per month are necessary for the effective operation of the district. The board may, by ordinance adopted under applicable Water Code procedures, increase the per-meeting compensation by no more than 5% annually. Directors also may be reimbursed for actual and necessary travel and incidental expenses incurred in district business, as approved by the board.

15. Official Correspondence (Gov. Code §§ 7525 et seq., 900 et seq.)

Note that a district should use its full, legal name in official correspondence and advertisements, or it might not receive the benefit of the tort claims presentation timelines. A court could find that a district's use of a trade name as opposed to its full, legal name might have contributed to a plaintiff's delay in filing a claim and relieve the plaintiff from the claim presentation requirements.

16. Surplus Land Act (Gov. Code § 54220 et seq.)

The Surplus Land Act requires local agencies, including districts, to evaluate surplus-land requirements before selling or leasing district-owned land. Before disposing of land, the board generally must declare the property to be either "surplus land" or "exempt surplus land" at a regular public meeting. "Surplus land" means land owned in fee simple by the district that is declared surplus and is not necessary for the district's use.

Districts have some flexibility in applying the Act because, for districts, "agency's use" may include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development, or use for the sole purpose of investment or generation of revenue, if the board takes action in a public meeting declaring that the use of the land will directly further the express purpose of the district's work or operations.

Because the Surplus Land Act can affect the timing and process for selling or leasing district property, districts should evaluate these requirements early when considering any disposition of district-owned land.

17. Open Meeting Laws and Social Media (Gov. Code § 54952.2)

Board members may communicate with the public outside of a meeting on social media platforms to answer questions, provide information or solicit information from the public regarding district business, provided that a board member may not (a) respond directly to another board member's communication, comment or post if the topic concerns district business or (b) discuss district business with a majority of members of the board. This includes commenting, reposting, sharing or using digital icons or reactions, such as a thumbs-up or an emoji.

18. Agenda Posting (Gov. Code § 54954.2)

Board agendas must be posted online and available through a prominent, direct link on the district's homepage. Additional technical requirements apply to online agenda posting. Districts also should keep website accessibility requirements in mind when preparing and posting agendas and board packets online. See "Website, Posted Documents and Mobile App ADA Compliance" below.

19. ADA Compliance for Board Meetings (Gov. Code §§ 54953.2, 54954.1, 54954.2, and 54957.5)

Board agendas should include a statement similar to the following to satisfy Americans with Disabilities Act requirements: “In compliance with the Americans with Disabilities Act, if you require special accommodations to participate in a board meeting, please contact the District at (---) --- at least 48 hours before the meeting.” Districts should also maintain a procedure for receiving and resolving reasonable accommodation requests, including requests related to remote meeting participation.

20. Salary Approval (Gov. Code §§ 54953(d)(3), 54956(b))

Before taking final action on salaries, salary schedules or fringe benefits for local agency executives, department heads and similar administrative officers, the board must provide an oral summary during the open regular meeting at which final action will be taken. Final action regarding such compensation cannot occur at a special meeting. However, a special meeting can still be used to discuss the budget.

21. Website, Posted Documents and Mobile App ADA Compliance (28 C.F.R. Part 35, Subpart H; Gov. Code § 53087.8)

New federal ADA regulations will require public agencies to make much of their online content accessible to people with disabilities. For healthcare districts, this will likely affect not only district websites, but also agendas, board packets, reports, forms, PDFs, videos and other materials posted online. If a district uses vendors for its website, agenda management, online forms or other digital platforms, the district should coordinate with those vendors because the district remains responsible for accessibility compliance.

For special district governments, the current federal compliance deadline for web content and mobile applications to generally conform to Web Content Accessibility Guidelines (WCAG) 2.1 Level AA is Apr. 26, 2028. WCAG 2.1 Level AA is a technical accessibility standard. In practical terms, compliance may require features such as text descriptions for images, sufficient color contrast, captions for video content, keyboard accessibility, properly formatted headings and tables, readable PDFs, consistent navigation and compatibility with screen readers and other assistive technologies.

Certain limited exceptions may apply to specified archived, preexisting, third-party, individualized password-protected or social media content, but districts should consult legal counsel

and IT before relying on an exception. Districts should begin now by inventorying public-facing web content and posted documents, reviewing vendor contracts and capabilities, prioritizing frequently used or legally required materials, training staff who prepare online content and developing a digital accessibility plan before the compliance deadline.

22. Open Meeting Laws and Teleconferences (SB 707; Gov. Code §§ 54953, 54953.4, 54953.8-54953.8.7, 54954.2)

Before allowing a board member to participate remotely, districts should identify which Brown Act teleconferencing pathway applies, because each pathway has different notice, agenda, public access, quorum, disclosure, audio/visual and use-limit requirements.

The Brown Act provides several pathways for remote participation by board members. Under the traditional teleconference rules, a board member may participate remotely if the teleconference location is identified on the agenda, the agenda is posted at that location, the location is accessible to the public and the board satisfies the applicable Brown Act requirements.

A board member also may participate remotely under SB 707’s alternative remote-participation rules for expanded “just cause,” which now includes circumstances such as childcare or caregiving needs, contagious illness, certain physical or mental conditions, official travel, certain family medical needs or emergencies, and military service obligations. These rules are subject to applicable quorum, notice, public-access, disclosure, audio/visual, recordkeeping and annual-use limits. For example, a board member participating remotely for just cause generally must provide a general description of the circumstances requiring remote participation, participate through both audio and visual technology, and disclose whether any adults are present in the room at the remote location and their general relationship to the member.

Separate rules apply for teleconferencing during a proclaimed state or local emergency. In those circumstances, the board may be able to use alternative teleconferencing procedures if the applicable statutory requirements are met, including required findings and public remote access.

In addition, SB 707 permits a board member with a disability to participate remotely as a reasonable accommodation under applicable law, including the Americans with Disabilities Act. A board member participating remotely as a disability accommodation counts as participating in person for quorum purposes and generally must disclose whether any adults

are present in the room and their general relationship to the member, and participate by both audio and visual technology unless a disability-related need prevents visual participation.

23. Additional Duties of “Eligible Legislative Bodies” (Gov. Code § 54953.4)

Most healthcare districts may not meet the thresholds for an “eligible legislative body,” but larger districts should confirm whether these requirements apply before July 1, 2026.

A healthcare district with an internet website is an “eligible legislative body” if any of the following apply:

- Its boundaries include the entirety of a county with a population of more than 600,000 and the district employs more than 200 full-time equivalent employees;
- It has more than 1,000 full-time equivalent employees; or
- It has annual revenues exceeding \$400 million and more than 200 full-time equivalent employees.

Beginning July 1, 2026, eligible legislative bodies must, among other things, offer hybrid public access to open meetings unless an exception applies; adopt a policy addressing disruption of remote meeting services and efforts to restore service; provide an electronic system for requesting meeting agendas and meeting materials; maintain an accessible public-meetings webpage linked from the homepage; make reasonable outreach efforts to communities that do not traditionally participate in public meetings; and translate agendas and participation instructions into applicable languages. Additional requirements apply to call-in access, captioning when available, remote public comment and technology disruptions. These requirements are currently scheduled to sunset on Jan. 1, 2030, unless extended.

For more information about these requirements or assistance with implementing them, please contact [Alison Bassett](#).



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