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Public Law Update - New Parental Leave Rights for City Council Members

Governor Newsom approved Assembly Bill (AB) 2134 on August 24, 2026, providing parental leave rights to city council members. Government Code Section 36513 provides that if a city council member is absent without permission from all regular city council meetings for 60 consecutive days their office becomes vacant. If the city council meets monthly or less frequently than monthly, this is extended to 70 days.

AB 2134 requires cities to establish a process for a city council member to notify the city clerk or another designated official, in writing, that they are taking parental leave due to the birth of a child or the placement of a foster or adoptive child with the city council member. To protect their individual privacy, the process established by the city shall not require the council member's declaration to be made at a public meeting. The council member can take up to 12 weeks of parental leave, or more if the city's parental leave policy for city employees provides for a longer parental leave period. Missed council meetings during the council members declared parental leave do not count toward the number of allowed absences for each council member under Section 36513.

AB 2134 includes a declaration of statewide concern, making the Government Code Section 36513, as amended by AB 2134, applicable to general law and charter cities.