AB 2855 is excessive, burdensome and unnecessary. It overreaches in two ways:

- It would require all charities to include a “prominent link” to the Attorney General’s website on their website home page, AND
- It would require that any “document produced by, or on behalf of, a charity for the solicitation for charitable purposes” must include a link to the Attorney General’s website.

Taken together, AB 2855 would require every charity to include what amounts to a “warning label” on their website and nearly every document they produce directing donors and others to the state’s top law enforcement’s website. Every invoice from a preschool, every invitation to a pancake breakfast, every email with a “donate now” link, every letter about symphony tickets, every newsletter, flyer, and so forth, from any nonprofit would be affected. It’s also problematic for online services such as Facebook, Instagram and Twitter where users do not control the headings or the order of what is displayed. Out of state charities may have a very difficult time customizing the content of their emails to Californians who are on their lists.

Mandating content in this way would be expensive and burdensome, and would detrimentally interfere with nonprofits’ ability to communicate with their constituents and the public.

When they say charity, what does that include?

Here’s how the California Attorney General defines a charity: “If the organization is classified as a California nonprofit public benefit corporation or has received federal tax exemption under Internal Revenue Code section 501(c)(3), it is a charity. Under the traditional common law definition, charitable purposes include relief from poverty, advancement of education, religion and other purposes beneficial to the community.” This includes food banks, community arts organizations, pet rescue groups, community foundations and others.

But shouldn’t nonprofits be transparent?

Of course. In fact, California nonprofits are already required to disclose financial information, salaries, programmatic accomplishments, percentages spent on fundraising and on administration, and much more. The federally required documents are readily available to the public free at www.guidestar.org. The California Attorney General provides easy online access to the California forms of nonprofits and a notice of whether a nonprofit is up-to-date on all its filings. In fact, the analysis of the bill conducted by the policy committee notes multiple disclosures already required including tax-exempt status and percentages of requested gifts that would be tax-deductible as well as limitations on fundraising expenses. This bill adds unnecessary requirements which impugn an already highly transparent community.

CalNonprofits supports transparency and disclosure that is meaningful and we support strong enforcement. Of the four bills referenced in the AB 2855 policy committee analysis, CalNonprofits supported three.

CalNonprofits worked with Assemblymember Irwin and Attorney General Harris on last year’s AB 556 which strengthened disclosure requirements for charity fundraisers and established a longer statute of limitations for enforcement against fraud.

Similarly, CalNonprofits worked with Assemblymember Feuer on AB 2327 and did not oppose its enhanced penalties for violations of the Nonprofit Integrity Act and designation of AG authority to suspend charitable registrations of organizations in violation.

CalNonprofits also supported SB 2015 by Senator Sher in 2000 which increased the AG’s enforcement reach including imposition of late fees, suspension, revocation and ability to impose criminal penalties against charities for violations of the Uniform Supervision of Trustees for Charitable Purposes Act.

How much will AB 2855 cost California?

This bill would be expensive for the State of California. The Office of the Attorney General would be tasked with turning AB 2855’s vague requirements into regulations, enforcing those regulations by monitoring the websites and solicitations of the more than 70,000 charities in California alone, not to mention nonprofits from anywhere in the world who solicit donations from supporters residing in California. Also, since AB 2855 raises constitutional issues, the AG’s Office will have to defend the state in likely litigation. All this could add up to a hefty price tag for the state and taxpayers. And of course AB 2855 saddles all of the state’s charities - big, medium and small - with a harmful and confusing disclosure requirement, adding to their costs of doing business and taking time and resources away from their delivery of services to Californians in need or in crisis and jeopardizing donations thanks to AB 2855’s suggestion of wrong-doing by conscientious organizations.

Who opposes AB2855?

More than six hundred organizations oppose AB 2855, including the United Ways of California, California State Parks Foundation, State Humane Association of California, the Nature Conservancy, the Humane Society of the United States, League of California Community Foundations, Habitat for Humanity, California Association of Museums, California Professional Firefighters, California Arts Advocates, the American Heart Association, California Association of Food Banks and California’s leading grant-making associations.

For more information, contact Nancy Berlin, Policy Director, CalNonprofits
213.500.2274 nancyb@calnonprofits.org
These organizations have voiced their opposition to AB2855:

18 Reasons
18th Street Arts Center
24th St Theatre
42nd Street Moon
A THOUSAND JOYS, INC.
A Vision of Health
A.L.E.E.N, Inc.
AAHHC-Association for the Advancement of Natural Horse Care Practices
AAUW Monterey Peninsula Branch
Academic Foundation for International Cultural Exchange
Access
ACROSANCT
Acetra
Actors and Others for Animals
Adam Leventhal Memorial School & Museum (Adam's Forge)
Adopt a Family Foundation
Adopt A Family of Marin
Agilantis
ALAMEDA HOMELESS NETWORK
Midway Shelter Alliance for Nonprofit Excellence
Alcohol & Drug Awareness Program
Ali Akbar College of Music
All of Gods Children Group Home
All Peoples Community Center
Alliance for Nonprofit Excellence
Alliance for Arizona Nonprofits
Aly & Izy Foundation
American Canyon Family Resource Center
American Friends of the Ariela Foundation (Ariela U.)
American Outreach Foundation
American River Natural History Assoc.
American Society for the Prevention of Cruelty to Animals (ASPCA)
American Society on Aging
American Sports Institute
Anaerobe Society of the Americas
Angels Nest TLP
Animal Friends Rescue Project
Animal Welfare Assistance Group
Antenna Theater
ARCC Foundation
Arkansas Nonprofit Alliance
Art Foundation of Desert Hot Springs
Arts Alliance of Three Rivers
Arts Council of Placer County
Arts for LA
Arts for Oakland Kids
Arts Orange County
Asian Art Museum of San Francisco
Asian Pacific Community Fund
Asian Pacific Environmental Network (APEN)
Asian Women’s Shelter
Aspire Creative Arts Program
Association of California Symphony Orchestras
Association of Certified Fraud Specialists
Audubon California
Autism Advocates in Action Support Group
Autism Deaf Empowerment Advocacy Foundation
Avenal Community Health Center
Awaken Arts
Axis Advocacy
Bakersfield SPCA
Balboa Park Cultural Partnership
Bay Area Biotechnology Education Consortium
Bay Area Discovery Museum
Bay Area Justice Funders Network
Bay Area Nonprofits
Bay Area Women’s Sports Initiative
Bay Valley Conference
Bay-Friendly Landscaping & Gardening Coalition
Benicia Historical Museum
Berkeley Organizing Congregations for Action
Berkeley Student COOP
Big Sur Health Center
Black Arts Los Angeles, Inc.
Blood Centers of California
Bolsa Chica Land Trust
Boys & Girls Club of Stanton
Breast Cancer Resource Center
Bright Moments Preschool and Family Center
Cabritro Festival of Contemporary Music
CAHM (Community Alliance for Healthy Minds)
California Aquatic Therapy & Wellness Center, Inc, DBA Pools of Hope
California Arts Advocates
California Association for Micro Enterprise
Opportunity
California Association of Alcohol and Drug Program Executives, Inc.
California Association of Museums
California Association of Nonprofits (CalNonprofits)
California Association of Private School Organizations
California Bicycle Coalition
California Budget & Policy Center
California Center for Economic Initiatives
California Church IMPACT
California Coalition for Youth
California Conference for Equality and Justice
California Council of Land Trusts
California Grand Jurors’ Assoc.
California Health Advocates
California Hepatitis C Task Force, Inc.
California Historic Route 66 Association
California Interfaith Power & Light
California Invasive Plant Council
California Land Stewardship Institute
California Museum of Art at Thousand Oaks
California NOW
California Partnership to End Domestic Violence
California Professional Firefighters
California ReLeaf
California State Alliance of YMCAs
California State Parks Foundation
California State University at Fresno
California Symphony
California Wilderness Coalition
Californians for Alternatives to Toxics
Californians for the Arts
Canopy
Carden School of Sacramento
Care of the Soul Foundation, Inc.
Carlsbad Community Gardens Collaborative
Casa Major, Inc.
Catalina Island Museum
Catholic Big Brothers Big Sisters, Inc.
CEDARS of Marin
Center for Community Solutions
Center for Creative Land Recycling
Center for Human Services
Center for Living and Learning
Center for Non-Profits
Center for Nonprofit Advancement
Center for Policy Analysis
Center for Sierra Nevada Conservation
Center for Volunteer & Nonprofit Leadership
Center on Juvenile and Criminal Justice
Central Coast Alliance United for a Sustainable Economy (CAUSE )
CFIDS & Fibromyalgia Self-Help Program
Chamberlain’s Children Center
ChargeLab Solutions
Channel Islands Chamber Orchestra
Chanticleer
Charles M. Schulz Museum and Research Center
Children of Shelters
Childrens Playtime Productions
Chimineas Ranch Foundation
Chinese Performing Arts of America
Choir Vocational Services
Chooza
Chrysalis
Citadel Ministries, Inc.
City Garage Theatre
Coachella Valley Repertory Theatre
Coastal Kids Home Care
Collaboria Care
Colorado Nonprofit Association
Community & Employment links
Community Action Agency of Butte County, Inc.
Community Action North Bay
Community Alliance with Family Farmers
Community Counts Inc.
Community Housing Partnership
Community Initiatives
Community Memorial Museum of Sutter County
Community Partners
CompassPoint
Computer History Museum
Concerned Off-Road Bicyclists Association
Connect Health Care
Connect Community Nonprofit Alliance, Inc.
Conservation Corps of Long Beach
Contra Costa Youth Council
Cope Family Center
Council on Foundations
Courage Campaign Institute
Craft and Folk Art Museum
Creating Communities that Work
Creative Connections Inc.
Croatian Cultural Center
CSU, Fullerton Pollak Library
Curtain Call Theatre at The Russian River
Dance Resource Center
Davis Community Meals
DEAF Media, Inc.
Del Norte Child Care Council
Del Norte Senior Center, Inc.
Delaware Alliance for Nonprofit Advancement
Descanso Gardens Guild, Inc.
Disability Rights Education & Defense Fund
Dragon Productions Theatre Company
DrawBridge
Dublin Historical Preservation Association
Earth-Spirit, Inc
EarthShare California
Ecology Center
Education Francaise de Sacramento
El Dorado County Historical Society
El Sereno Bicentennial Committee
Elk Altar Society, Inc.
EmpowerTech
Environmental Defense Center
Environmental Defense Fund
Enviromental Working Group
Epic-Environmental Protection Information Center
Eth-Noh-Tec Kinetic Story Theater
Exceptional Needs Network
Exhibit Envoy
Exploratorium
F.I.S.H. of Santa Rosa
Fairfax-San Anselmo Children’s Center
Faith in Action of Solano County
Faith in Action: Interfaith Volunteer Caregivers of Solano County
Fallbrook Citizens’ Crime Prevention Committee
Fallbrook Child Development Center
GANAS & TEEN GANAS Mentoring Programs
Families ACT!
Family Promise of San Gabriel Valley
Farms to Grow Inc.
Feeding His Lambs, Inc
Fighting Back Partnership
Filipino American National Historical Society
Sacramento/DeIta Chapter
Firefighters Burn Institute
First Place for Youth
Fiscal Strength for Nonprofits
Flying Needles Quilters’ Guild
Focus Forward
Folson’s Hope
Food for People
Food For Thought
Forefront
Foundation for Performing Arts Center Pacific Grove, Inc.
Foundation for Successful Solutions
Foundation for Sustainable Development
Four Paws To Freedom
Fresno Food Commons
Fresno Free College Foundation/ KFCF FM
Friends of the Creeks
Friends of the Hayfork Park
Friends of the San Diego Library Rancho Bernardo Branch, Inc.
Furry Friends Food Relief
Gateway Connections
Gavin Buchanan Memorial Foundation
Gifted Homeschoolers Forum
Girl Scouts of Greater Los Angeles
Girl Scouts of Orange County
Glenwood Dads Club
Global Citizen Year
GOALS
Gold Country Medical History Museum
Golden Gate National Parks Conservancy
Good Karma Bikes
Grand Performances
GRCN Connecting Communities, Inc.
Group Home Specialists
GSA Network
GSBF Bonsai Garden at Lake Merritt
Habitot Children’s Museum
Hawaii Alliance of Nonprofit Organizations
Health Connected
Health Projects Center
Healthy Adventures Foundation
Hendy Woods Community
Hermosa Beach Education Foundation
Hershey Cause Communications
HIP Housing
Historic Old Sacramento Foundation/Sacramento History Museum
HOPE Connection
Hope Counseling Services
Hope for Santa Maria
Hope House for the Multiple-Handicapped, Inc.
Hope of the Valley Rescue Mission
Hopkins Bank and Orchestra Boosters
Housing California
Housing Resource Center of Monterey County
Human Investment Project (HIP) Housing
Humboldt Bay Housing Development Corporation
Humboldt Educare Preschool
Humboldt Recovery Center, Inc.
Humboldt Skatepark Collective
Hungry Action Systems
Icthus International Inc.
Idaho Nonprofit Center
Idylwild Help Center
Impact Foundry
Imperial Valley Food Bank
Independent Transportation Network Monterey County
Infectious Disease Association of California
Inferno Theatre
Inland Temporary Homes
Institute for Environmental Entrepreneurship
The David Brower Center
Institute for Wildlife Studies
International Association Mentors of Peace
International College of Holistic Studies
International Pempigos Pempgoide Foundation
ISAAC
Janis Brewer Consulting
JC Positive, Inc.
Jericho Road Pasadena
Jonas Salk Legacy Foundation
Joshua Home: An LGBTQ Safe Haven
Kalolo Ministries Tanzania LTD
Kara
KEET TV
Kelian Resources
Kennedy King Memorial Scholarship Fund
Kentucky Nonprofit Network
Kidspace Children’s Museum
KidWorks Community Development Corporation
Kings Care-A Safe Place, Inc.
Klamath Forest Alliance
Klein and Roth Consulting
Krista Foster Homes
LA Harbor International Film Festival
LA Stage Alliance
LA’S BEST After School Enrichment Program
Ladybug Women's Ministries, Inc.
Lake County Arts Council
Lake County Theatre Company
Las Virgenes Educational Foundation
Latino Educational Fund
Law Office of Cameroon Holland
Leadership Education for Asian Pacifics, Inc.
LeadingAge California
Leah’s Pantry
Legal Aid Association of California
Les Fugíes Press
Liberty in North Korea
Library & Literacy Foundation for San Joaquin County
Life After Brain Injury
Life Charities, Inc. DBA Rescue Task Force
LIFE ElderCare
Lions Sight & Hearing Foundation of Southern CA
Listen for Life
Literacy Lab
Little Tokyo Service Center
Llamar Valley Performing Arts Center
Lodi Community Art Center
Long Term Care Ombudsman Services of San Luis Obispo County
Louisiana Association of Nonprofit Organizations
Los Angeles Metropolitan Churches
Los Ayudantes
Lukoff Consulting Services
Lummis Day Community Foundation
Madrona Manor Foundation
Maine Association of Nonprofits
MAMMIE Foundation
Mammuth Lakes Recreation
MapLight
Marin Villages
Marine Life Studies, Whale Entanglement Team (WET)
Maryland Association of Nonprofit Organizations
Mateel Community Center
Maturango Museum of Indian Wells Valley
McKinleyville Community Collaborative
Meals On Wheels of San Francisco
Meals on Wheels Santa Maria Valley
Mental Health LA
Michelle's Place Breast Cancer Resource Center
Michigan Nonprofit Association
Minnesota Council of Nonprofits
Mission Council
Mission Peak Wind Symphony
Mississippi Center for Nonprofits
Mizell Senior Center
Modesto Band of Stanislaus County (MoBand)
Montana Nonprofit Association
Monterey County Film Commission
Monterey Museum of Art
Mount Diablo Interpretive Association
Mountain Circle Family Services, Inc.
Mountain Racer Youth Alliance
Mountain Valley Elder Care
Movement Strategy Center
Museum of Teaching and Learning
Music in the Vineyards, Inc.
Napa Valley Bicycle Coalition
Napa Valley Community Housing
Napa Valley Genealogical Society
NAPAFASA
National Alliance on Mental Illness, Butte County
National Asian Pacific American Families Against Substance Abuse
National Center for Lesbian Rights
National Council of Nonprofits
National Eczema Association
National Health Foundation
National Parks Conservation Association
NEO Law Group
Net Impact
Neuraphy Action Foundation
NeuroSpring
New Advances for People with Disabilities
New Door Ventures
New Hampshire Center for Nonprofits
New Morning Youth & Family Services
New Spirit Charter Academy
New York Council of Nonprofits
NH Center for Nonprofits
NICOS Chinese Health Coalition
Nipomo Area Recreation Association
Nonprofit Association of the Midlands
Omaha NE Nonprofit Finance Fund
Nonprofit Coordinating Committee of New York
Nonprofit Finance Fund
Nonprofit Insurance Alliance Group
North Carolina Center for Nonprofits
North Coast Opportunities, Inc.
North Dakota Association of Nonprofit Organizations
North Peninsula Food Pantry & Dining Center of Daly City
Northern California Association of Nonprofits
Northern California Community Loan Fund
O’Hanlon Center for the Arts
Oakland Museum of California
Ojai Raptor Center
Oklahoma Center for Nonprofits
Older Women’s League Sacramento Capitol
OneJustice
Opac
OPCC & Lamp Community
Operation SafeHouse
Orange County Asian and Pacific Islander Community Alliance (OCAPICA)
Orange Country United Way
Orange County Women’s Chorus
Orchard Valley Fine Arts Foundation, Inc.
Our Healing Hearts
PA Association of Nonprofit Organizations
Pacific Asian Counseling Services
Pacific Battleship Center
Pacific Community Services, Inc.
Pacific Forest Trust
Pacific Resident Theater
Pacificica’s Environmental Family
Pasadena YouthBuild
Path of Life Ministries
PDAP of Ventura County, Inc.
Peace Development Fund
Peninsula Ballet Theatre
Peninsula Family Service
Pennsylvania Association of Nonprofit Organizations
People Acting in Community Together
Pesticide Action Network North America
Philharmonic Society of Orange County
Pilgrimage Terrace Homes
Pittsburg Community Theatre
Placer Independent Resource Services
Planes of Fame Air Museum
Playa Vista Job Opportunities and Business Services
Plumas County Museum Association, Inc.
Point Arena Lighthouse
Presidio Graduate School
Presidio Village Senior Housing Inc.
Private Citizen
Program for Torture Victims
Progressive Employment Concepts, Inc.