

May 11, 2016

The Honorable Lorena Gonzalez
Chair, Assembly Appropriations Committee
State Capitol
Sacramento, CA 95814

RE: Opposition to AB 2855 (Frazier) – as amended on April 7, 2016

Dear Assemblywoman Gonzalez,

As charity leaders, we write to express our ongoing opposition to AB 2855 by Assemblymember Jim Frazier, which would require every charity seeking funds to support their work to include on their web sites and *any document* a charity produces which includes fundraising language to include a link to the Attorney General's web site.

While the web site disclosure requirement in subsection (a) is burdensome, expensive, duplicative, confusing and likely both unconstitutional and unenforceable, the "any document" requirement in subsection (b) is all those things on steroids.

The AG's office is already communicating this information to the public – their web site is the first listing in a Google search for "California charities." Burdening nonprofits in and beyond California with required speech on "any document" which seeks donor support to simply advertise what the public can easily find is unnecessarily punitive without serving any compelling public interest. Imagine all the "documents" that non-profit organizations create to solicit funds to support their mission-based work: signs on coin collection jars, private letters to individual donors, billboards and other large-scale outdoor advertisements, flyers posted in laundromats, neighborhood association newsletters, to name just a few. And AB 2855's provisions would apply to any charity – regardless of where they are based – that solicits donations from Californians. So, every inbound piece of mail from any charity in the world would have to include this unnecessary disclosure. The additional cost of including this provision on "any document" would be extraordinary.

Here are some of the concerns voiced by California nonprofit organizations to California Association of Nonprofits (CalNonprofits) to AB 2855, as amended on April 7, 2016:

- *For a small organization like the Lodi Art Center including this information on all postcards, brochures, postcards, emails would be excessively difficult. We are run exclusively by volunteers our budget is small, the possibility of errors is probably not just possible.*
- *We take our role as stewards of our donors' and taxpayers' money very seriously and strive for utmost transparency in our communication of our community impact and use of financial resources. This bill puts a significant burden on all nonprofit organizations, but particularly small organizations that already struggle with the legal requirements for financial and outcome reporting with the state and our funders.*
- *While they are nonprofits that are not ethical, the VAST majority are doing excellent work on a shoestring (or less) budget. There are already a number of ways potential donors can find financial information. This bill will only serve to keep the good nonprofits from being properly funded to serve those in need.*
- *This bill would be a disaster for nonprofits and creates a poisonous image. Donors need to be encouraged not warned. The vast majority of nonprofits get by on so little. That their*

heroic efforts on behalf of the public good would be undermined because of the rare incidents of unscrupulous behavior of the few would be tragic. Punish those who abuse the public trust, not those who work for it.

- *I am supportive of creating greater transparency for donors but do not see this bill as achieving that goal.*
- *The burdens placed on small, nonprofits by the requirements of this bill, would create an extreme burden and hardship on our volunteer staff. Compliance with this bill takes away from our time and resources to the detriment of the student musicians we serve.*

California's nonprofit organizations are trusted and relied upon by millions of citizens who rely on them to provide critical services in their communities.

We urge you to vote NO on AB 2855.

Respectfully,



Jan Masaoka
CEO, California Association of Nonprofits

cc: Assemblyman Jim Frazier
Members of the Assembly Appropriations Committee
Jennifer Fearing, Sacramento Advocate, California Association of Nonprofits

Joined in opposition by the following 647 charity leaders and their organizations (sorted by city):

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Mike Bober
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Pet Industry Joint Advisory Council
Alexandria, VA

Sherry Tennyson
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American Canyon Family Resource Center
American Canyon, CA

Janice Reyes
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Aspire Creative Arts Program
Anaheim, CA

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The Foraker Group - Alaska's State Nonprofit
Association
Anchorage, AZ

Joan And Don Neptune
Stillwater Cat Haven
Anderson, CA

Shirley Baskin
Bay Valley Conference
Antioch, CA

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Apple Valley, CA

Elizabeth Matsumoto
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Corporation
Arcata, CA

Aristea Saulsbury
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Arcata, CA

David Garcelon
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Arcata, CA

Vikki Spruill
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Arlington, VA

Robert Reich
Executive Director
Arts Council of Placer County
Auburn, CA

Susan L. ("Tink") Miller
Placer Independent Resource Services
Auburn, CA

Nell Edgington
President
Social Velocity
Austin, TX

Gail Fornasiere
Director of Marketing and Public Relations
Catalina Island Museum
Avalon, CA

Hemanta Mungur
Avenal Community Health Center
Avenal, CA

Barbara Vadnais
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Alliance Against Family Violence and Sexual
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Bakersfield, CA

Julie Johnson
Executive Director
Bakersfield SPCA
Bakersfield, CA

David Kennemer
Associate Executive Director
New Advances for People with Disabilities
Bakersfield, CA

Della Hodson
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United Way of Kern County
Bakersfield, CA

Paul Doepel
Valor Residential & Educational Services
Bakersfield, CA

Abel Guzman
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Youth 2 Leaders Education Foundation
Bakersfield, CA

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Organizations
Baltimore, MD

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Organizations
Baton Rouge, LA

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Benicia Historical Museum
Benicia, CA

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Berkeley, CA

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Berkeley Student Cooperative
Berkeley, CA

Susan Rutherford
Executive Director
DEAF Media, Inc.
Berkeley, CA

Susan Henderson
Executive Director
Disability Rights Education & Defense Fund
Berkeley, CA

Gina Moreland
Executive Director
Habitot Children's Museum
Berkeley, CA

Jamie Greenblatt
Managing Director
Inferno Theatre
Berkeley, CA

Edward Church
Institute for Environmental Entrepreneurship
Berkeley, CA

Duane Silverstein
Executive Director
Seacology
Berkeley, CA

Bari Scott
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SoundVision Productions
Berkeley, CA

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Program Manager
Sustainable Agriculture Education (SAGE)
Berkeley, CA

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West Edge Opera
Berkeley, CA

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Carlsbad, CA

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Mario Aguilar
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Chula Vista, CA

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