

What's wrong with AB 2855?

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 redirecting 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.L.E.N. Inc. AANHCP-Association for the Advancement of Natural Horse Care Practices AAUW Monterey Peninsula Branch Academic Foundation for International Cultural Exchange Access ACROSANCT Acterra Actors and Others for Animals Adam Leventhal Memorial School & Museum (Adam's Forge) Adopt a Family Foundation Adopt A Family of Marin AgLantis 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 of Arizona Nonprofits Aly & Izy Foundation American Canyon Family Resource Center American Friends of the Ariela Foundation (Ariela U.S.) 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 Center 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 Bourne and Associates Boys & Girls Club of Stanton Breast Cancer Resource Center Bright Moments Preschool and Family Center Cabrillo 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 ChangeLab 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

Choix Vocational Services Chooda Chrvsalis Citadel Ministries, Inc. City Garage Theatre Coachella Valley Repertory Theatre Coastal Kids Home Care Collabria 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 Connecticut Connuity 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 Française de Sacramento El Dorado County Historical Society El Sereno Bicentennial Committee Elk Altar Society, Inc. EmpowerTech Environmental Defense Center Environmental Defense Fund Environmental 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/Delta Chapter

Firefighters Burn Institute First Place for Youth Fiscal Strength for Nonprofits Flying Needles Quilters' Guild Focus Forward Folsom'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 Hunger Action LA Icthus International Inc. Idaho Nonprofit Center Idyllwild 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 Pemphigus Pemphigoid 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 Kélan 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 Cameron Holland Leadership Education for Asian Pacifics, Inc. LeadingAge California Leah's Pantry Legal Aid Association of California Les Figues 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 Livermore 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 Madrone Hospice Inc Maine Association of Nonprofits MAMMIE Foundation Mammoth 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 Systems 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 Ranch 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 Neuropathy Action Foundation NeuroSprina 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 Oparc **OPCC & Lamp Community Operation SafeHouse** Orange County Asian and Pacific Islander Community Alliance (OCAPICA) Orange County 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 Pacifica'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 Pilgrim 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. Project High Hopes Project Inform Prospera Community Development Providers' Council Massachusetts PRT Randall Museum RARE Science Rebuilding Together Silicon Valley Recovery Café San Jose Redbud Audubon Redwood Arts Council Redwood Bluegrass Associates Redwood Cove Community Center, Inc. Redwood Parks Association Redwood Region Audubon Society reEvolution Farms Regional Task Force on the Homeless Richmond Area Multi-Services, Inc. (RAMS) Ride To Walk Rio Hondo Community Dev. Organization Ritter Center **Riverside Museum Associates** Rock School Scholarship Fund Rockwood Leadership Institute Role Players Ensemble Rona Barrett Foundation RootDown LA, A project of Community Partners Rossi LLP Certified Public Accountants Ruwach En Jasmine, Inc. Sacramento Area Bicycle Advocates Sacramento International Gay & Lesbian Film Festival Sacramento Splash Sacred Fools Theatre Company San Diego Association of Geologists San Diego Earth Day San Diego Electric Railway Association, Inc. San Diego Guild of Puppetry, Inc. San Diego Hua Xia Chinese School San Diego Museum of Man, Mingei International Museum San Diego Youth Symphony and Conservatory San Francisco Playhouse San Francisco SAFE, Inc. San Francisco SPCA San Gabriel Valley Habitat for Humanity San Joaquin River Stewardship Program San Jose Institute of Contemporary Art San Jose Musical Theater San Ramon Historic Foundation Sanchez Art Center Santa Anita Family Service Santa Barbara City College Foundation Santa Clara City Library Foundation & Friends Santa Clarita Valley Concert Band Save Mount Diablo School of Unity and Liberation Scleroderma Foundation of Southern California Scotts Valley Educational Foundation SCRAP Sea Save Foundation Seacology Seniors Council of Santa Cruz & San Benito Counties Serving People in Need (dba SPIN) SF-Marin Food Bank Sickle Cell Disease Foundation of CA Side Street Projects Sierra Expeditionary Learning School Sierra HOPE Sierra Nevada Children's Services Sierra NonProfit Services Silicon Valley Council of Nonprofits Sing for America Slavic Chorale Social Justice Learning Institute

Social Velocity

South Hayward Parish Southeast Symphony Association, Inc. Southern California Center for Nonprofit Management Spay Neuter Action Project SPCA for Monterey County Special Kids Foundation, Inc. Spirit Awakening Foundation Spirit House Center for Attitudinal Healing Spirit of America St. Helena Montessori School St. John Boys Home, Inc. St. Joseph Center STAND! For Families Free of Violence Stewards of the Coast and Redwoods Stillwater Cat Haven Stirling City Historical Society Storyteller Children's Center Sudara Freedom Fund Sunny Hills Services Sunset Hall Susan G Komen Los Angeles County Susan G. Komen Orange County Sustainable Agriculture Education (SAGE) Sustainable Fairfax Sweetwater Collaborative Symphony of the Redwoods Tarzana Treatment Centers, Inc. Tastemakers of Change Teacher Resource Center of the North Bay Teen Esteem Temecula Valley Players Tenderloin Neighborhood Development Corporation (TNDC) The Arc and United Cerebral Palsy California Collaboration The 15 Association, Inc The 418 Project The American Lung Association in California The Bolsa Chica Land Trust The Bridge School The Cancer Resource Centers of Mendocino County The Carmel Foundation The Cedars of Marin The Center for Harm Reduction Therapy The Center for Healthy Generations The Center for the Arts The Down Syndrome Connection of the Bay Area The Eel River Multigenerational Center The Foraker Group - Alaska's State Nonprofit Association The Gamble Institute The GRYD Foundation The Haggin Museum The Humane Society of the United States The Huntington The Jonas Project The Laguna Seca Automotive Museum Foundation The Learning Oasis The Multi-Generational Center The Museum of the City of San Francisco The Nature Conservancy The Network of Care The Nonprofit Association of Oregon The OMI Cultural Participation Project The Peninsula College Fund The PIMCO Foundation The Place Within Counseling Folsom The River Otter Ecology Project

Society for Art Publications of the Americas

South Carolina Association of Nonprofit

Solano Symphony Orchestra

Sonoma Ecology Center

SoundVision Productions

South County Collaborative

Sons of Charity Inc.

Organizations

The Soldiers Project The Specialists Guild The Taylor Family Foundation The TLC Foundation for Body-Focused Repetitive Behaviors The Trust for Public Land The Ventura County Arts Council The Volunteers of The Burbank Animal Shelter The West Sacramento Historical Society Theatre Bay Area Theoretical and Applied Neurocausality Laboratory Three Rivers Historical Society Tour-Mate Systems Training Toward Self Reliance, Inc. Transformational Living Homes, Inc Transition House Traverso Santana Design Tree Musketeers Tri-City Hospital Foundation Tri-Valley Haven Trinity CHANGE, Inc Trips for Kids Triumphant Life Trust South L.A. Tulare City Historical Society/Tulare Historical Museum Tustin Preservation Conservancy TV Santa Barbara Uncommon Good Union Station Homeless Services United Way of Kern County United Way of the Wine Country United Ways of California University Heights Library Task Force Urasenke Foundation of California Utah Nonprofits Association Valor Residential & Educational Services VCEB Via International Villa Esperanza Services Visions Unlimited, Inc. Voices for Progress Volunteer Council of the East Bay (VCEB) VolunteerMatch Volunteers of America Colorado Branch Warrior Films Washington Nonprofits We Are the Next We Care A Lot Foundation Weingart Foundation West Edge Opera West Oakland Environmental Indicators Project West Virginia Nonprofit Association Whole Systems Learning Wilcox Foods Wildling Museum Wisconsin Nonprofits Association Woman Within Western USA Women Organizing Resources, Knowledge and Services (WORKS) Women's Economic Ventures Woodland Youth Services World of Children Wright's Adolescent Development Center Inc. WYLD Wyoming Nonprofit Network Xelay foundation Yolo County Historical Society Young People's Symphony Orchestra Young Spirit Foundation Youth 2 Leaders Education Foundation Youth Policy Institute Youth Speaks, Inc. YWOV Zero Breast Cancer Zoological Society of San Diego