



## GOVERNMENT RELATIONS *and* COMMUNITY RELATIONS

April 7, 2016

Honorable Shirley Weber  
Chair of the Elections and Redistricting Committee  
Capitol Office  
P.O. Box 942849, Room 3123  
Sacramento, CA 94249-0079

Re: **Opposition to AB 1828 (Dodd) Kopp Act Amendments: Negative Impact on Nonprofit Organizations and Their Donors.**

Dear Chair Weber;

As proposed, AB 1828 (Dodd) presumes that a donation or behested payment to any nonprofit organization (including in-kind goods and services) influences the vote of the State Controller (“Members”) in decisions on tax matters brought to the Board of Equalization (Board) by a donor to the nonprofit. The measure’s presumption is that behested payments of any amount may and can influence the vote of Members of the Board, but not those of the Governor, Legislators, Judges, and Commissioners, neither of which is true. By expanding the application of the criminal sanctions of the Quentin L. Kopp Conflict of Interest Act of 1990, and not including other governmental agencies and legislative offices, is discriminatory in nature.

This measure would create a reporting fiasco for all nonprofits, their donors, sponsors, and Board Members. A donation of any amount to a nonprofit organization from any employee of a company or taxpayer now considered an “agent, party, or participant” with a case that might come in front of the Board one year before or one year after the donation, must be reported. A Board member is required then, to return a behested payment or “contribution” in order to avoid being disqualified from voting on a matter, the nonprofit would then be forced to return the money to the donor as well. From a practical standpoint, this places an enormous administrative, as well as economic, burden on the nonprofit – both in terms of reporting and in terms of discouraging donors.

Furthermore, the bill’s language adds additional reporting obligations onto private entities and individuals who seek to make behested payments to support worthy causes, even after their receipt of a decision on an adjudicatory matter they have had before the Board. It “post-regulates” a taxpayer’s donations long after their matter has been adjudicated by the Board.

This bill is particularly burdensome to nonprofits that serve minority and underserved communities. These nonprofits often rely on elected officials, church leaders, unions, and civil rights organizations for support. Do in part to a lack of social networks and connections, ethnic minority fundraisers are suffering and by effectively prohibiting Board Members from serving on nonprofit boards and commissions, the bill would exacerbate their plight to find sources of funding.



**GOVERNMENT RELATIONS *and* COMMUNITY RELATIONS**

To consider a new law that segregates the Board, its Members, and the State Controller – and imposes requirements that are tantamount to a prohibition of the same rights and privileges enjoyed by the Legislature, Governor, Judges, and Commissioners, based on unsubstantiated allegations – is discriminatory, hypocritical, and will impose an administrative and financial hardship on the nonprofits and ultimately the communities we jointly represent. It is for these reasons that I respectfully request that you oppose this legislation.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'VG' or similar initials, written in a cursive style.

Victor Griego  
Diverse Strategies for Organizing

cc	Governor Jerry Brown	State of California
	Senate President Kevin De Leon	California State Senate
	Assembly Speaker Anthony Rendon	California State Assembly
	Elections & Redistricting Vice Chair Matthew Harper	California State Assembly
	Assembly Member Travis Allen	California State Assembly
	Assembly Member Richard Gordon	California State Assembly
	Assembly Member Evan Low	California State Assembly
	Assembly Member Kevin Mullin	California State Assembly
	Assembly Member Adrin Nazarian	California State Assembly