



April 7, 2016

The Honorable Shirley Weber
California State Legislature
Chair – Committee on Elections and Redistricting
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0079

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

Dear Chairwoman Weber:

This letter is to request your intentional and passionate opposition to SBA1828 (Dodd) Kopp Act Amendments because of the negative impact this bill will have on non-profit organizations. AB 1828 will severely impede partnerships with non-profits in events that educate and empower families and individual who need jobs, affordable housing and other opportunities for advancement.

The bill could negatively impact numerous events that have a governmental, legislative, and charitable purpose: such as the Career Pathway to Success, Nonprofit Seminars, International Symposiums, Campaign Against Poverty Initiative, Connecting Women To Power Conferences, Career Development Program and Workshops, State Job Fairs, Pathway to Success events, Senior Citizen Empowerment Conferences, and the College Grant & Scholarship Program, etc. In addition to potential partnerships with organizations like the National Association of Women Business Owners (NAWBO) that seeks to partner with the Board of Equalization in monthly and annual education events .In effect, this bill would severely restrict the public service of those assisting with or participating in events with nonprofits, community-based organizations, civil rights groups, etc. in the underserved and minority communities throughout this state, due to language that will add egregious reporting obligations onto nonprofits and all their donors, including individuals who may be members of your organization, making a donation or behest payment of any amount – even \$1.

Thus, AB 1828 will create a “reporting nightmare” for all nonprofits and individuals by requiring detailed tracking and reporting of every business and individual (employee) who donates to a

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nonprofit organization in support of an event with a governmental, legislative, or charitable purpose as described in the bill. If this bill passes, a donation or a sponsorship, i.e. a behest payment, of even \$1 – in cash or in kind – to a nonprofit, including a \$1 donation from any employee, must be reported to the Board – and will impact who can vote on any adjudicatory matter concerning that donor from one year before to one year after the donation. Express language in the bill “post-regulates” all donors and their donations long after a matter has been adjudicated by the Board, thereby imposing a tremendous and unfair burden on each of your members and all taxpayers and businesses. Failure of any donor to report would be an illegal act, making law violators of honest businesses and individual employees who try to support worthy nonprofit organizations.

Because of its draconian restrictions, the bill will also impede the ability to: help present and promote California nonprofit seminars, provide minority and underserved communities with access to educational and contract opportunities with the State, and provide job fairs for young people seeking employment opportunities with the State. This bill seriously restricts effective promotion and presentation of educational seminars with nonprofits, and discourages collaborative events to help seniors and assist low-to-moderate income families in accessing the California and Federal Earned Income Tax Credit programs that help reduce poverty in communities and stimulate the economy.

The author of the bill states that there is no evidence of any illegal act, wrongdoing, or misconduct by the Board; however, he bases the bill on three irrational paranoias:

- Contributions by businesses to nonprofits (which already face competitive and complicated processes to obtain donations) somehow influence the vote on matters before the Board of Equalization, and
- Only the Board of Equalization should be subject to burdensome reporting standards, while the author’s own involvement in nonprofits – helping them raise millions of dollars – as well as that of other Legislators and elected officials, are not reported, and
- A news article citing a conspiracy theory about millions in behest payments by the Legislature, Governor, Judges, Commissioners and other elected officials is a sound foundation for formulating this new law.

The author is relying on one recirculated article by a BNA reporter that was legally and factually incorrect. The fact is that working with nonprofits on charitable and educational events involving behest payments to the nonprofit does not influence decisions in tax matters on a business’s donations to a charitable or governmental event. Rather, the Legislature and the Governor enact tax laws and exemptions applicable to businesses and individuals, which the

Board is required to implement and apply in tax cases. The property tax rule discussed in the

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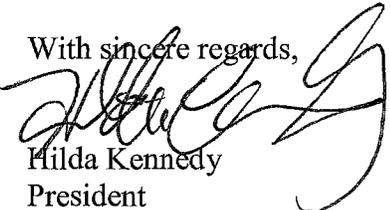
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article was a misconstrued example, as the Board simply clarified the Legislature's tax exemption law upon the recommendation of the Board's Legal Counsel.

History has proven that it is effective and efficient to help present free educational, employment, and business development seminars and events through partnerships with civil rights groups, nonprofits, and community-based nonprofit organizations – for those who are less fortunate and cannot afford the expensive counterparts to these efforts. As such, the restrictions in this bill will be particularly burdensome on nonprofits who serve minority and underserved communities, where they do not have the benefit of corporate executives and celebrities to donate and serve as support.

We firmly believe that for non-profits like ours and those that we serve with, this bill would have a negative and devastating impact. We would humbly ask that you consider opposing AB 1828 and sharing your opposition with your colleagues on the Committee on Elections and Redistricting. With the shrinking resources already available to non-profits, we certainly hope that the legislature would not add another blow with this kind of legislation.

With sincere regards,



Hilda Kennedy

President

AmPac Tri-State CDC, Inc.

NAWBO-CA President Elect



April 7, 2016

The Honorable Cheryl Brown
47st Assembly District
California State Legislature
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0047

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

Dear Assembly Member Brown:

This letter is to request your intentional and passionate opposition to SBA1828 (Dodd) Kopp Act Amendments because of the negative impact this bill will have on non-profit organizations. AB 1828 will severally impede partnerships with non-profits in events that educate and empower families and individual who need jobs, affordable housing and other opportunities for advancement.

The bill could negatively impact numerous events that have a governmental, legislative, and charitable purpose: such as the Career Pathway to Success, Nonprofit Seminars, International Symposiums, Campaign Against Poverty Initiative, Connecting Women To Power Conferences, Career Development Program and Workshops, State Job Fairs, Pathway to Success events, Senior Citizen Empowerment Conferences, and the College Grant & Scholarship Program, etc. In addition to potential partnerships with organizations like the National Association of Women Business Owners (NAWBO) that seeks to partner with the Board of Equalization in monthly and annual education events .In effect, this bill would severely restrict the public service of those assisting with or participating in events with nonprofits, community-based organizations, civil rights groups, etc. in the underserved and minority communities throughout this state, due to language that will add egregious reporting obligations onto nonprofits and all their donors, including individuals who may be members of your organization, making a donation or behest payment of any amount – even \$1.

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Because of its draconian restrictions, the bill will also impede the ability to: help present and promote California nonprofit seminars, provide minority and underserved communities with access to educational and contract opportunities with the State, and provide job fairs for young people seeking employment opportunities with the State. This bill seriously restricts effective promotion and presentation of educational seminars with nonprofits, and discourages collaborative events to help seniors and assist low-to-moderate income families in accessing the California and Federal Earned Income Tax Credit programs that help reduce poverty in communities and stimulate the economy.

The author of the bill states that there is no evidence of any illegal act, wrongdoing, or misconduct by the Board; however, he bases the bill on three irrational paranoias:

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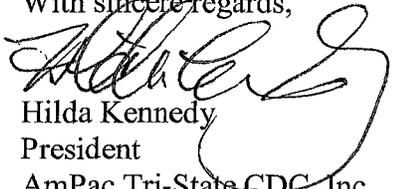
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Board is required to implement and apply in tax cases. The property tax rule discussed in the article was a misconstrued example, as the Board simply clarified the Legislature's tax exemption law upon the recommendation of the Board's Legal Counsel.

History has proven that it is effective and efficient to help present free educational, employment, and business development seminars and events through partnerships with civil rights groups, nonprofits, and community-based nonprofit organizations – for those who are less fortunate and cannot afford the expensive counterparts to these efforts. As such, the restrictions in this bill will be particularly burdensome on nonprofits who serve minority and underserved communities, where they do not have the benefit of corporate executives and celebrities to donate and serve as support.

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With sincere regards,



Hilda Kennedy
President
AmPac Tri-State CDC, Inc.
NAWBO-CA President Elect

C: Assembly Member Shirley Weber, Chair, Committee on Elections and Redistricting

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April 7, 2016

The Honorable Chris Holden
41st Assembly District
California State Legislature
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0041

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

Dear Assembly Member Holden:

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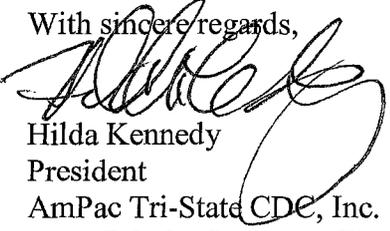
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