

# CalNonprofits

The voice for California's nonprofit community.

CALIFORNIA ASSOCIATION OF NONPROFITS





July 6, 2020 (updated July 13, 2020)

The Honorable Hannah-Beth Jackson  
Chair, Senate Judiciary Committee  
State Capitol  
Sacramento, CA 95814

**RE: Support for Assembly Bill 2936 – Supervision of Trustees and Fundraisers for Charitable Purposes Act: donor-advised funds (Wicks)**

Dear Chair Jackson,

As nonprofit leaders in California, we write to express our organizational support for Assembly Bill 2936 (Wicks), which will establish a classification, under Govt. Code §12586, for sponsoring organizations that maintain donor-advised funds (DAFs). The bill also includes definitions for “donor-advised funds” and for “sponsoring organizations” and affirms the authority of the California Attorney General to require reports from DAF sponsoring organizations.

DAFs have grown significantly over the past several years. The national share of total individual charitable giving contributed to DAFs increased from 4.4 percent in 2010 to 10.2 percent in 2017, with DAF sponsoring organizations holding more than \$110 billion in charitable assets. DAF sponsoring organizations affiliated with large Wall Street financial firms are now among the largest recipients of all charitable giving in the United States. Indeed, Fidelity Charitable receives more charitable contributions than any other “charity” and holds more than \$31 billion in net assets.

California forgoes a conservatively estimated \$340 million a year in General Fund revenue to provide charitable deductions for DAF contributions, without comparable benefit to the public. While DAF fundholders take an immediate tax deduction, DAF administrators can hold these funds indefinitely. Under existing California law, there is no guarantee that any DAF funds will reach charitable organizations.

It is difficult for California communities in need to see the billions of dollars being held in donor-advised funds without going to nonprofits. This result is particularly egregious given the COVID19 crisis and economic recession. Accountability for DAFs has never been more crucial than it is now.

We support AB 2936 because the bill is a good first step to increase DAF accountability so that California’s struggling communities and the nonprofits that serve them have greater access to the charitable funds that DAFs are holding.

For these reasons, we respectfully request that you support AB 2936. Thank you for your consideration.

Sincerely,

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