

ASSEMBLY BILL

No. 1050

Introduced by Assembly Member Low

February 26, 2015

An act to amend Section 13923 of the Government Code, relating to state employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1050, as introduced, Low. State employees: charitable deductions.

Existing law authorizes the California Victim Compensation and Government Claims Board to approve plans for payroll deduction from the salaries or wages of state officers and employees for charitable contributions to the agency handling the principal combined fund drive in any area. Existing law also authorizes the board to approve requests of charitable organizations to receive designated deductions if the charitable organization qualifies as an exempt organization under both state and federal income tax laws. Existing law requires a charitable organization approved by the board to certify under penalty of perjury that it is in compliance with the Fair Employment and Housing Act.

This bill would require the charitable organization to annually provide the board with a written nondiscrimination policy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13923 of the Government Code is
2 amended to read:

1 13923. (a) The board may approve plans for payroll deduction
2 from the salaries or wages of state officers and employees under
3 subdivision (f) of Section 1151 for charitable contributions to the
4 agency handling the principal combined fund drive in any area.
5 The board shall establish necessary rules and regulations, including
6 the following:

7 (a)

8 (1) Standards for establishing what constitutes the principal
9 combined fund drive in an area.

10 (b)

11 (2) A requirement that the agency to receive these contributions
12 shall pay, for deposit in the General Fund, the additional cost to
13 the state of making these deductions and remitting the proceeds,
14 as determined by the Controller.

15 (c)

16 (3) A requirement that the agency to receive these contributions
17 shall pay, for deposit in the General Fund, the board’s cost to
18 administer the annual charitable campaign fund drive. This amount
19 shall be determined by the board and may be appropriated in
20 support of the board as reimbursements to Item 8700-001-0001 of
21 the annual Budget Act.

22 (d)

23 (4) Provisions for standard amounts of deductions from which
24 each state officer or employee may select the contribution that he
25 or she desires to make, if any.

26 (e)

27 (5) A prohibition upon state officers or employees authorizing
28 more than one payroll deduction for charitable purposes to be in
29 effect at the same time.

30 (f)

31 (6) A provision authorizing the Controller to combine in his or
32 her records deductions for employee association dues, if authorized,
33 and charitable deductions, if authorized.

34 ~~The~~

35 (b) *The* board, in addition, may approve requests of any
36 charitable organization qualified as an exempt organization under
37 Section 23701d of the Revenue and Taxation Code, and ~~paragraph~~
38 ~~(3) of subsection (c) of Section 501~~ 501(c)(3), of the Internal
39 Revenue Code of 1954, which *that* is not an affiliated member

1 beneficiary of the principal combined fund drive to receive
2 designated deductions from the principal fund drive.

3 ~~The~~

4 (c) (1) *The* principal combined fund drive agency, any charitable
5 organization ~~which~~ *that* is an affiliated member beneficiary of the
6 principal combined fund drive, and any charitable organization
7 approved by the board to receive designated deductions on the
8 payroll authorization form of the principal fund drive, shall certify
9 under penalty of perjury to the board that it is in compliance with
10 the Fair Employment and Housing Act, Part 2.8 (commencing
11 with Section 12900), as a condition of receiving these designated
12 deductions.

13 (2) *The charitable organization shall annually provide the board*
14 *with the written nondiscrimination policy of the organization.*

15 ~~The~~

16 (d) *The* principal combined fund drive shall obtain from the
17 board the list of approved nonaffiliated beneficiaries, eligible for
18 designated deductions in its approved drive area, and shall provide
19 this information to each employee at the time of the principal fund
20 drive. The principal combined drive agency shall provide a
21 designation form for the employee to indicate those amounts to
22 be contributed to affiliated and nonaffiliated beneficiaries. The
23 designation form shall consist of a copy for each of the following:
24 (1) the employee, (2) the employee's designated beneficiary
25 agency, and (3) the principal combined fund drive agency. The
26 principal combined fund drive agency shall pay the amount
27 collected for the employee designated beneficiary agency less the
28 amount necessary to reimburse the principal combined fund drive
29 agency for fundraising and administrative expenses. The fee
30 charged for fundraising and administrative cost reimbursement
31 shall be determined by the board, published in campaign literature
32 and made available to the employee during the solicitation process.

33 ~~Nothing~~

34 (e) *Nothing* contained in this section shall preclude a principal
35 fund drive agency from giving a percentage of the undesignated
36 funds to charities ~~which~~ *that* are not members of the agency
37 handling the principal drive, or honoring an employee's designated
38 deduction to any charitable organization.

O