CONCURRENCE IN SENATE AMENDMENTS
AB 2221 (Irwin)
As Amended August 27, 2026
Majority vote

SUMMARY

Updates and clarifies the regulatory framework governing online charitable fundraising.

Senate Amendments

1) Change the trigger in the provision that deems registration automatically approved from 10 days to 15 days. Delay operation of this and related provisions until January 1, 2028.

2) Restore language in existing law that enables charitable fundraising platforms and platform charities to determine a charity′s good standing by relying on electronic lists published by the Franchise Tax Board or the Attorney General.

3) Allow a charitable fundraising platform or platform charity to comply with specified disclosure requirements by providing a conspicuous hyperlink if the solicitation is for donations of no more than $10.

COMMENTS

Background. AB 488 (Irwin), Chapter 616, Statutes of 2021) expanded statutory provisions governing the Attorney General′s (AG) supervision of charities to include a new regulatory framework specific to charitable fundraising platforms and platform charities. AB 488 was the product of extensive, multi-year legislative efforts, culminating in its passage in 2021. The bill became operative in 2023, and the AG adopted implementing regulations in 2024.

This bill, which is sponsored by CalNonprofits, and supported by other nonprofit associations and online platforms that participate in fundraising, follows on the heels of the Privacy and Consumer Protection Committee′s Outcomes Review hearing on AB 488, in which several frustrations – particularly with relation to the lack of adequate safeguards in the process for removing entities from ″good standing″ status – were expressed by stakeholders in relation to the bill′s implementation.

To address those challenges, the bill would, among other things: ensure that charities lose good standing status only after a final cease and desist order, suspension, or revocation by the Department of Justice; add flexibility for platforms with respect to alternative dispositions of donations when the intended recipient charity is not in good standing; mandate online filing and payments; establish tiered notice-and-cure procedures for delinquencies and registration deficiencies, during which entities may remain in good standing; deem registrations approved automatically after 15 days if no deficiencies are identified within that time period; and mandate administrative hearings before suspensions, revocations, and cease and desist orders.

According to the Author

AB 2221 is the latest step in an eight-year effort to update and modernize California′s online charitable giving laws. While implementation of AB 488 (2021) has been largely successful, issues remain. For example, some charities were removed from digital fundraising platforms due to minor clerical errors, preventing them from raising funds during critical periods. In addition, certain policy issues left to the regulatory process have created challenges for both charities and fundraising platforms. AB 2221 addresses these issues to help complete the modernization of the law.

Arguments in Support
CalNonprofits, the sponsor of this bill, writes:

> California′s Registry processes are out of step with the rest of the country, and AB 2221 proposes to improve state law to align with national standards and end the unconstitutional restrictions currently stifling charitable operations. AB 2221 provides a necessary correction, shifting the DOJ′s focus away from administrative minutiae and toward violations that actually threaten public trust. Under the current approach, nonprofits are trapped in a cycle of months-long delays associated with simple ministerial paperwork—a status quo that is both unsustainable and detrimental to the nonprofit sector′s health. Despite much appreciated efforts by the DOJ to modernize the Registry, we remain very concerned with the Registry′s response times, customer service, and adverse impacts on nonprofits from delayed and time-consuming processing of annual renewals and initial registrations. We urge you to champion this systemic change to ensure California can finally balance rigorous asset protection with a thriving, compliant nonprofit community.

Arguments in Opposition
None on file.

FISCAL COMMENTS

The Senate Appropriations Committee analysis states ″[e]stimated $830,000 in FY 2026-27 to the Charitable Trusts Section of DOJ for limited-term, increased workload and an external consultant to maintain the online filing service. These services would be to assist a person or entity that is required to file registration, reporting, or other submissions with the registry (Registry of Charitable Trusts Fund).″

VOTES:

ASM PRIVACY AND CONSUMER PROTECTION: 15-0-0
YES: Bauer-Kahan, Macedo, Bryan, DeMaio, Hoover, Irwin, Lowenthal, McKinnor, Ortega, Patterson, Pellerin, Petrie-Norris, Ward, Wicks, Wilson

ASM APPROPRIATIONS: 15-0-0
YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 73-0-7
YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

ABS, ABST OR NV: Arambula, Bauer-Kahan, Chen, Gabriel, Celeste Rodriguez, Ta, Wicks

SENATE FLOOR: 39-0-1
YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
ABS, ABST OR NV: Reyes

UPDATED

VERSION: August 27, 2026

CONSULTANT: Josh Tosney / P. & C.P. / (916) 319-2200 FN: 0004519