



Donors Forum of Chicago

Strengthening philanthropic and nonprofit partnerships

Permissible Activity During an Election Cycle

Nonprofits can and should play an active role during elections, particularly by educating and activating voters. However, with important local, state and federal elections coming up this fall, nonprofits should take the time to remind their staff about appropriate activity during a political campaign or at any other time.

Some important tips:

- Nonprofits are allowed to engage in voter education, voter registration, and get-out-the-vote activities **as long as the activities are nonpartisan**. This means that a nonprofit cannot show or state a preference for or against a particular candidate or candidates, a particular political party, or candidates or parties who have taken particular positions.
- Working for the election of a particular candidate, whether at the federal, state or local level, is strictly prohibited for 501(c)(3) organizations and is cause for the organization to lose its tax-exempt status.
- Employees, members or officers of 501(c)(3) organizations are not prohibited from participating in a political campaign, provided that they say or do everything as a private citizen and not as spokespersons for the organization or while using the organization's resources.

Examples of activities that are permissible for 501(c)(3) organizations:

- Nonpartisan voter registration drives that educate the public about the importance of voting. These activities cannot be biased for or against any candidate or party.
- Educating all candidates and political parties about your organization's issues.
- Inviting candidates to meetings or to public forums sponsored by the nonprofits. The invitation must be extended to "all serious candidates."

Examples of activities that *are not* permissible for 501(c)(3) organizations:

- Endorsing or opposing a candidate.
- Making any campaign contribution.
- Coordinating activities with a candidate.

For more information on election activity please see:

- "Voter Education By Charities During a Political Campaign," by Charity Lobbying in the Public Interest, www.clpi.org. This two-page fact sheet covers the basics of election activity. http://www.clpi.org/ed_activities.html CLPI also offers a tutorial on federal law governing voter and candidate education: http://www.clpi.org/electoraladvocacy_tutorial.html
- "Election Dos and Don'ts for 501(c)(3)s", by the Independent Sector. <http://www.independentsector.org/programs/gr/electiondosandonts.html>
- "Playing by the Rules," a handbook on voter participation and education work for 501(c)(3) organizations by Caplin & Drysdale. http://www.independentsector.org/programs/gr/Playing_by_the_Rules.pdf