

Minnesota Participation Project: Election Cycle Dos and Don'ts for 501(c)(3)s

Some would argue that charitable 501(c)(3) organizations are the “sleeping giants” of the democratic process. These community organizations have credibility, trust, and access to potential voters who are often disengaged from the electoral process. As such, they can be the catalyst for a dramatic increase in voter participation through legal, permissible, nonpartisan voter mobilization activities-- voter registration, voter education, and get-out-the-vote (GOTV).

This handout gives a basic overview of what is and is not permissible voter mobilization activity for 501(c)(3) nonprofits. This sheet is not intended to replace legal counsel obtained by your agency; however, it can help you generate some ideas about how your organization will get involved.

Things you CAN do as a 501(c)(3) organization:

- Conduct voter registration and nonpartisan get-out-the-vote (“GOTV”) efforts.
 - ✓ Drives must be designed to educate the public about the importance of voting.
 - ✓ Activities cannot be biased for or against any candidate or party.
 - ✓ Nonprofits can target areas in nonpartisan ways. For instance, nonprofits may target low-turnout areas, low-income populations, minority populations, and students.
 - ✓ Nonprofits may target registration and turnout efforts to the areas or people they serve.
- Educate the public on issues and encourage participation in the political process.
- Educate all candidates and political parties on your issues.
- Conduct or participate in a nonpartisan candidate forum. The forum must be open to all candidates, be run in a balanced way, and include a broad range of nonpartisan questions for the candidates.
- Make presentations on your organization’s issue to platform committees, campaign staff, candidates, media, and the general public.
- Work on behalf of a ballot measure.
- Continue your normal lobbying on issues.
- Rent or sell mailing lists to candidates at fair market value, if made available to all candidates.

Things you CANNOT do as a 501(c)(3) organization:

These restrictions in no way prohibit officers, members, or employees from participating in a political campaign as private citizens.

- Endorse or oppose a candidate—implicit or explicit. Contribute money, time, or facilities to a candidate.
- Coordinate activities with a candidate.
- Restrict rental of your mailing list and facilities to certain candidates.
- Set up, fund, or manage a Political Action Committee (PAC), established under section 527 of the tax code mainly for electoral activity.

**The Minnesota Participation Project is an initiative of the Minnesota Council of Nonprofits (MCN)
For more information, please contact MCN at 651-642-1904 or visit www.mncn.org**