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### Legislative Campaign Dos and Don'ts

There is one thing on the agenda between now and November elections . . . CAMPAIGNS! Term limits have essentially resulted in the retirement of former legislative champions. This is a turning point in and out of the Legislature, so it is paramount to be involved. Know your legislator!

#### **GOALS:**

1. Create new legislative champions
2. Determine where the candidates stand on the issues
3. Educate candidates, Senators and Representatives about your program needs
4. Oppose proposed constitutional amendments on November's ballot that restrict the legislature's ability to appropriate dollars

Section 501(c)(3) states that a charity may not intervene (directly or indirectly) in a campaign for or against a candidate for public office. Penalties for violating this provision include:

- Loss of tax-exempt status
- 10% tax on their political expenditures, and
- 2.5% personal tax on charity officers, directors, or similar managers who knowingly create political expenditures

Usually, only blatant offenders are pursued, but it is important to know what you can and cannot do during a political campaign.

#### **DO:**

- Host candidate debates: you must invite all candidates, questions should be asked by a nonpartisan person or panel, and topics should cover a broad range of issues of interest to the public
- Publish Voter Guides which give positions of incumbents and candidates on various election issues. Do not comment on or indicate any preference for one candidate over another. Make sure the range of issues on the voter guide are as broad as possible.
- Create Candidate questionnaires: must be sent to all candidates, all responses must be published without editing (so limit response length when requesting), and questions must not indicate a bias toward the organization's preferred answer.
- Conduct Get-out-the-vote Campaigns: must be neutral, should be aimed at traditional disenfranchised voter groups
- Make Personal Campaign Interventions: leaders of charities can support or oppose candidates if they do so in their private capacity, even if they mention their charity job title while campaigning.

- Continue issue advocacy year 'round and over the long term, rather than starting or stopping just before and just after elections.

**DON'T:**

- Make official public statements in the name of the charity either supporting or opposing a candidate.
- Provide direct financial support from the charity to the candidate or a political action committee (PAC).
- Conduct voter registration drives in a biased or partisan manner designed to help or hinder any particular candidates.
- Publish partisan or biased summaries of the voting records of candidates so as to indicate to the public which candidates are considered favorable or unfavorable.
- Provide to a candidate or a PAC at less than fair market value any of the charity's resources (e.g. use of office equipment, meeting rooms, mailing lists, or staff assistance).
- Rent the charity's facilities or mailing list at fair market value to one candidate but refusing to rent the facilities or list to any other competing candidates.
- Speak out publicly for or against one or more issues just prior to a particular election in which those very issues are key aspects of the candidates' campaigns.
- Use certain derogatory words or catch phrases in relation to a campaign.