Nonprofits and Elections
by Don Gomes, Executive Director, Utah Nonprofits Association

Are nonprofit organizations the “sleeping giants” of the democratic process? There’s much to support this idea. Credibility, trust, and access to potential voters who have often been underrepresented in the electoral process are strong credentials.

There are many legal, permissible, nonpartisan activities that nonprofits can engage in to mobilize, register, educate, and motivate voters.

Voting Turnout in Utah is Dismal!
There’s simply no other way to describe voter turnout in Utah. First, only 56.8 percent of eligible Utah residents are actually registered to vote.

In the 2006 statewide election, only 36.7 percent of registered Utah voters turned out. That ranks us 51st including all states and Washington, D.C. The National average was 47.8 percent.

More recently, in the June 2008 Primary Election, less than 8 percent of Utah registered voters cast ballots.

In checking election-day conditions, there were no reports of bombs, machine gun fire, traffic jams, or severe weather.

Nonprofit No-No’s for Elections
Nonprofit organizations can help, but be aware of limitations on involvement in elections and lobbying. The very status as a nonprofit can be jeopardized, even suspended. In some past cases, interpretation by the IRS of these restrictions has been somewhat narrow, some feel even politically motivated.

Regardless, there are basically three activities that are not permissible for 501(c)(3) nonprofit organizations:

- Endorse or oppose a candidate – implicit or explicit.
- Make any campaign contributions – time, money, or facilities.
- Coordinate activities with a candidate.

What Nonprofits Can Do
Just as with good accounting and financial management practices, nonprofits are cautioned to be familiar with what is and is not permissible for them to do relative to political campaigns. Debate them at will, but ignore them at your peril!

Here are some activities that are permissible for nonprofits:

- Provide voter education, registration, and get-out-the-vote activities.
- Educate candidates and even political parties about your organization’s issues.
- Invite candidates to meetings or hold a public forum sponsored by your organization. Important: The invitation must be extended to “all serious candidates.”
- Create a public policy agenda with your board to identify long-term changes to legislation that might benefit your issue or organization. It is important to not suspend public policy advocacy efforts in an election year.

Employees, members or officers of 501(c)(3) organizations can participate 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 organization resources.

Do Something!
There are no unimportant elections. The numbers, of course, indicate differences where presidential elections far outdraw local primaries, and gubernatorial races outpace isolated bond elections.
Nonprofits and the people they serve deserve quality service and quality elected leaders. Neither happens by accident. While election rules for nonprofits may seem vague, common sense is generally the best guide. The commitment to a good civil society, however, cannot be vague.

The steps are really quite easy:

- Know who the candidates are and what they stand for.
- Be sure to vote! Early voting and voting by mail make the process very convenient.
- Encourage others to vote.

Change will happen with or without us. Don’t be left out!

**Resources**

Here are some great sites to search for guidance and information:

- **Rules and Tips: Nonprofits Can Help America Vote**
- **IRS Revenue Ruling 2007-41**
- **Nonprofit Voter Engagement Network is a “one-stop-shop” for nonprofit voter engagement resources**
- **Election Year Activities and the Prohibition on Political Campaign Intervention for Section 501(c)(3) Organizations (IRS)**
- **Voter Mobilization: Engaging Nonprofits and Individuals in Democracy (Minnesota Council of Nonprofits)**
- **The Minnesota Participation Project**