

Congregations Can Support Ballot Initiatives that Benefit Working Families

Guidelines for 501(c)(3) Congregations & Organizations

501(c)(3)s public charities (including congregations) CAN and should actively support or oppose ballot initiatives. Supporting a ballot initiative is legally considered “direct lobbying” – a permissible activity within the generous limits allowed by federal law.

Remember These Key Points

▶ You CAN:

- **Gather signatures & organize volunteers** at your congregation to qualify initiatives for the ballot
- **Encourage your congregants/organization members to vote YES** on initiatives that will help working families in an upcoming election. This includes preaching, speakers at meetings, notices in congregational and organizational publications, etc. This is fully permissible through the election cycle.
- **Encourage the general public to vote YES** by speaking at public events like rallies and press conferences, writing letters to the editor, or lending your name to a list of endorsers
- **Educate your congregation/organization members and the general public on the positions of elected officials and candidates** regarding ballot initiatives. The law on this does become stricter in the two weeks before an election, so we suggest you do not mention names of candidates or elected officials during that time.
- **Ask about a candidate’s position on propositions** both in private and public forums, including debates organized by your church, non-profit, or non-partisan organizations.
- **Make money or in-kind donations** to a ballot initiative campaign, as long as your contributions constitute an “insubstantial part” of your overall budget. Tax practitioners recommend that contributions less than 5% of your budget are safe. Money spent speaking only to your members (i.e. printing a notice in a bulletin for services) does not count towards that total. Donations made by congregants themselves (i.e. through a special collection) do not count towards that total. Volunteer efforts do not count toward that total.

▶ You CANNOT:

- **Spend more than an “insubstantial part” of your budget** to support a ballot initiative. See the specific guidelines under “Make money or in-kind donations” above.
- **Tell people how to vote for a certain candidate** based on their position on a ballot initiative

▶ You SHOULD REPORT:

- **All expenditures, after you spend \$500 or more**, in advocating YES on initiatives to the general public, such as calling on citizens to vote YES on initiatives that benefit working families.
- **All expenditures, after you spend more than \$2000**, advocating YES on these initiatives to **your organization’s members**.

These expenditures should be reported to the Missouri Ethics Commission using a simple form downloaded from https://mec.mo.gov/MEC/Campaign_Finance/Forms.aspx > Non-Committee Expenditure Report <http://www.mec.mo.gov/WebDocs/PDF/Fillable/CampaignFinances/S1orS2.pdf>

This handout provides general guidelines only, and is intended to serve as an overview. Because the application of the law is fact-sensitive and context is critical, it should not be relied upon as legal advice. An organization should consult with an attorney to receive guidance on special rules governing its conduct.

For additional information contact the Alliance for Justice, which publishes plain language guides on non-profit advocacy topics, offers workshops, and provides technical assistance for non-profits engaging in advocacy: Phone 202-822-6070 | www.allianceforjustice.org