

OVERVIEW: ENGAGING WITH PUBLIC OFFICIALS

In an election year, it is essential that nonprofit staff are familiar with the legal limitations and restrictions on their organizations' involvement with candidates for public office and elections. This overview is intended to provide guidance on how your organization can effectively navigate these issues while you continue to advocate for policy, systems, and environmental change.

Below are three overarching takeaways to keep in mind:

1. We're deep into election season, from the Presidential election to a slew of local campaigns, so it's important for all of us to know the do's and don'ts of working with elected officials and candidates for public office. Section 501(c)(3) nonprofit organizations are prohibited from taking any actions that indicate support for, or opposition to, a candidate for public office. During election season, 501(c)(3) organizations can continue to advocate for public policy change, and can play important roles in educating the public about candidates and encouraging people to vote. But staff must remember to avoid any actions, either in their professional or personal capacity, that could suggest their organization supports or opposes a candidate for public office.
2. Relationships with lawmakers and other public officials are important to achieving your organization's goals. In general, it is useful to invite these officials to your organization's events. However, having a candidate participate in your event could create the perception of an endorsement by your organization, so you need to proceed carefully. Your event must satisfy the IRS rules regarding candidate appearances. The context must make it clear that your organization is not indicating support for any particular candidates. When making decisions on candidate involvement, talk to a lawyer with expertise in these issues.
3. The IRS recognizes that section 501(c)(3) organizations have the right to weigh in on public officials' actions, even during election season. To determine whether communication is allowable issue advocacy, or whether it is prohibited electioneering, the IRS has [outlined the factors](#) it will consider, including the proximity to an election, whether the issue in the communication is one that divides the candidates in the election, and whether the timing of the communication coincides with a non-electoral event beyond the organization's control.



For more detailed information, [please click here](#) for additional resources.