

WE BIKE, WE VOTE >>>

MOST BIKING AND WALKING ADVOCACY ORGANIZATIONS ARE REGISTERED AS NONPROFITS. BUT WHEN IT COMES TO ELECTIONS, THE TWO MAIN TYPES OF LEGAL NONPROFIT – 501(C)(3) AND 501(C)(4) – COME ALONG WITH VERY DIFFERENT PERMITTED ACTIVITIES.



501 (C)(3)

NONPROFIT ORGANIZATION



LOBBYING FOR OR AGAINST LEGISLATION LIMITED

Lobbying can be up to 20% of a 501(c)(3) public charity's expenditures or 3 - 5% of its activities

GOVERNMENT RELATIONS

CRITICIZE SITTING ELECTED OFFICIALS ON ISSUES OK

- Attack personal characteristics..... NO
- Attack their status as a candidate..... NO



PARTICIPATING IN ELECTIONS



EDUCATE CANDIDATES ON ORGANIZATION'S ISSUES OK

- MUST offer information to all candidates
- MUST choose races for nonpartisan reasons

DISTRIBUTE A CANDIDATE SURVEY OK

- MUST Invite all candidates to respond
- MUST ask about a broad range of issues through open-ended questions
- Use answers to hold winner accountable once they're in office..... OK
- Ask candidates to sign a pledge..... NO

ENDORSE >> NO



- Compare organization's position to that of a candidate..... NO
- Connect organization's criticism of a sitting public official to voting in an election..... NO
- Publicize partisan messages..... NO
- Post partisan messages on social media..... NO

501(C)(3)'S CAN'T RETWEET, SHARE OR LINK TO PARTISAN MESSAGES

VOTER EDUCATION

DISTRIBUTE VOTER GUIDES TO THE PUBLIC

- May set out candidate's views on a broad range of issues..... OK
- Compare candidates' views to organization's views..... NO
- Endorse candidates..... NO

SPONSOR A DEBATE OK

- All candidates invited
- All candidates given equal opportunity
- Cover a broad range of issues



GET OUT THE VOTE

NONPARTISAN VOTER PROTECTION, GET OUT THE VOTE, VOTER REGISTRATION, VOTER EDUCATION OK

- Register voters where most members live
- Educate people on where & when to vote



VOTE

MONEY IN ELECTIONS

CAMPAIGN CONTRIBUTIONS

NEITHER MONETARY NOR IN-KIND

MAY NOT FUND INDEPENDENT EXPENDITURES IN SUPPORT OF OR AGAINST ANY CANDIDATE

MAY NOT ESTABLISH OR PAY FOR A CONNECTED POLITICAL ORGANIZATION

- Cannot establish a PAC
- Can fund a ballot measure committee
- Can establish a separate 501(c)(4)

This is an overview of the rules governing the election activities of 501(c)(3)'s and 501(c)(4)'s and is not meant to be a definitive guide for all relevant policies.

NONPROFIT ORGANIZATION

501 (C)(4)



LOBBYING FOR OR AGAINST LEGISLATION UNLIMITED

GOVERNMENT RELATIONS

CRITICIZE SITTING ELECTED OFFICIALS OK

- Attack personal characteristics..... OK
- Attack their status as a candidate..... OK



PARTICIPATING IN ELECTIONS

DISTRIBUTE A CANDIDATE SURVEY OK

- All viable candidates invited to respond..... OK
- Cover a broad range of issues..... YES
- Score and compare answers..... OK
- Use as a basis for endorsing..... OK
- Ask candidates to sign a pledge..... OK

EDUCATE CANDIDATES ON ORGANIZATION'S ISSUES OK

- May pick and choose candidates
- May choose races for partisan reasons

ENDORSE >> YES



- Compare organization's position to that of a candidate..... OK
- Connect criticism of a sitting public official to voting in an election..... OK
- Publicize endorsements..... OK
- Post partisan messages on social media..... OK
- 501(c)(4)'s can support/oppose candidates but it cannot be the primary purpose... OK

501(C)(4)'S CAN RETWEET, SHARE AND LINK TO PARTISAN MESSAGES

VOTER EDUCATION

DISTRIBUTE VOTER GUIDES TO THE PUBLIC

- Guides may set out candidate's views on a broad range of issues..... OK
- May compare candidates' views to organization's views..... OK
- May endorse candidates..... OK



SPONSOR A DEBATE OK

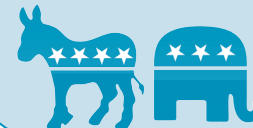
- Cover a broad or narrow range of issues



GET OUT THE VOTE

PARTISAN VOTER PROTECTION, GET OUT THE VOTE, VOTER REGISTRATION, VOTER EDUCATION OK

- Registration drives where likely supporters will be
- Access and use partisan voter lists



VOTE

MONEY IN ELECTIONS

CAMPAIGN CONTRIBUTIONS

PERMISSIBLE IN SOME STATES PROHIBITED FOR FEDERAL ELECTIONS

MAY ESTABLISH OR PAY FOR A CONNECTED POLITICAL ORGANIZATION

- For example, found a PAC and pay its administrative and fundraising costs
- Can establish a separate 501(c)(4)

MAY FUND INDEPENDENT ADS OR OTHER EXPENDITURES IN SUPPORT OF OR IN OPPOSITION TO A CANDIDATE