

## **PERMITTED ADVOCACY vs PROHIBITED LOBBYING**

If your museum qualifies for tax exemption under Section 501(c)(3) of the Internal Revenue Code, you probably have in your articles of incorporation something like the following sentence: "The corporation shall not engage in lobbying, propaganda, the support of or opposition to political candidates, or other such activity or transaction prohibited by the provisions of Section 501(c)(3) of the Internal Revenue Code as amended" If it is not in your articles, your organization is bound by the Code provisions anyway.

What can your organization, and its representatives, do that will not be in conflict with this prohibition? The following activities may be carried on by a nonprofit organization and its representatives without violating the restrictions of the Internal Revenue Code:

Sending direct mail to members informing them of pending legislation.

Inviting legislators to be present for social or special functions.

Sending news clippings or other informational material about the organization to lawmakers.

Using organization facilities for public debate on public policy questions provided that if public officials are invited, all affected public officials are included in the invitation.

The following activities may be performed provided the nonprofit organization does not dedicate a substantial part of its resources to such activities and if such activities are not a key part of the organizations program:

Participating in larger alliances for the benefit of museums or particular kinds of museums in general.

Having members who are involved, as individuals, in political campaigns.

Communicating with local, state, or national, lawmakers on matters considered to be important to the museums purpose.

Advocating a position or urging actions via the organization's printed material on matters affecting the museum.

Urging its members to support or oppose legislation affecting the museum or the museum's interests,

A 501(c)(3) organization, or a person acting as a representative of that organization, may not:

Endorse or oppose a candidate for public office or contribute money to such a campaign.

Use the organization's facilities on behalf of any candidate.

Raise funds for any candidate.

### **LEGAL NOTICE**

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