

Want to Conduct or Fund a Voter Registration Drive?

What Nonprofits and Foundations Need to Know

Let's dispel some myths: nonprofit organizations, including foundations, have many opportunities to ensure that their communities are well-represented at the ballot box. Yes, there are rules for conducting and funding voter registration drives, but nonprofits don't need to avoid these activities. Rather, it is important to understand the rules so you can plan your activities this election season.

Registering people to vote on a nonpartisan basis is an appropriate voter education activity for 501(c)(3) public charities. The voter registration drive must be designed solely to educate the public about the importance of voting and must not show any bias for or against any candidate or party. In addition, voter registration drives funded by private foundations are more tightly restricted under section 4945(f) of the Internal Revenue Code, but are still permissible in many instances.

The following charts are designed to help get you started in understanding what's possible.

For 501(c)(3) public charities planning to engage in voter registration:

DO	DON'T
<p>Do keep your voter registration activities nonpartisan, making sure your activities do not attempt to influence the outcome of a candidate election.</p>	<p>Do not plan, begin, or increase voter registration activities in order to influence which candidates or parties win an election for public office.</p>
<p>Do ensure that any coordination of voter registration activities with other 501(c)(3) organizations remains neutral about which candidate or party wins an election.</p>	<p>Do not coordinate your voter registration drive with any candidate or party. Do not collaborate with nonprofits that are trying to influence which candidate or party wins an election.</p>
<p>Do focus your voter registration activities on community members or clients with whom your organization already engages in its programs or advocacy work.</p>	<p>Do not prioritize outreach to certain demographic populations because they are more likely to vote for a particular candidate.</p>

DO

Do encourage people to vote by mentioning critical issues involved in the election, as long as you select and discuss the issues in a way that does not encourage people to vote for a particular candidate or party. For example, this statement would be relatively low risk: “We want our government to hear about the needs of the elderly. Register and vote.” It highlights an issue, but in a neutral way.

Do engage community members in neighborhoods or regions where your staff and volunteers live, where your organization’s offices are located, or where you plan to do more work in the future.

Do focus on populations that have been historically underrepresented at the polls (young people, low-income community members, people who have completed their criminal sentence and are now eligible to vote, homeless individuals, people with disabilities, etc.).

Do urge voters to support or oppose a ballot measure (and count it against your organization’s [annual lobbying limit](#)). Public charities can target outreach efforts in areas where voters are likely to be on your side in the ballot measure campaign, and you can use slogans that reflect your stance on the ballot measure.

DON'T

Do not mention critical issues involved in an election in order to encourage people to vote for candidates who agree with your views. Even if you are simply trying to motivate people to vote, could your slogan or messaging be seen as biased for or against a candidate or party? For example, consider this example: “Our government has been ignoring the needs of the elderly. Register and vote.” This statement appears to criticize a sitting policymaker or political party and may be seen as a call to change leaders — and as opposition to a particular candidate or party.

Do not conduct outreach in certain neighborhoods or regions because people in those areas are more likely to vote for a particular candidate or party.

Do not reach out to specific underrepresented populations because you believe they are more likely to vote for a particular candidate or party.

Do not criticize or praise any candidate or party.

Do learn the voting rights laws in your state. See our [State Law Resources](#) for more information about voter registration in many states.

Do not assume that voter registration rules are the same from state to state.

Do, if you are carrying out voter registration as part of a campaign to support or oppose a ballot measure, learn [IRS rules for 501\(c\)\(3\) public charities that engage in ballot measure advocacy](#). In addition, most states also regulate ballot measure activities under their campaign finance laws, so see our [State Law Resources](#) for more information.

Do not forget to check the IRS lobbying rules and your state's ballot measure campaign finance rules if you are carrying out voter registration as part of a campaign to support or oppose a ballot measure.

Do offer food, swag, or other gifts to everyone who passes by your voter registration location, whether or not they register to vote (if you choose to offer anything).

Do not offer incentives only in exchange for individuals registering to vote. Do not give out anything of value only if people register for a specific party or promise to vote for a certain candidate or party.

Do offer to provide a free ride to the polls on election day.

Do not offer free rides to the polls just to people whom you think will vote for a certain candidate or party.

For foundations planning to support voter registration:

DO

DON'T

Private Foundations

Do fund organizations that register voters. The best practice is to give general support grants. If you would like to earmark grants for voter registration drives, make sure you fulfill the requirements of section 4945(f) of the Internal Revenue Code. Please see our factsheet, [Voter Registration Rules for Private Foundations](#), for more information.

Do not earmark grants for "voter registration drives" unless you meet the requirements of 4945(f).

DO**DON'T****Public Foundations**

Do fund organizations that register voters.

Do not include prohibitions against voter registration activities in your grant agreements.

Do register voters, following the best practices above.

Do not avoid engaging in voter registration. Grantees often take their cues from their funders; by talking about your voter registration activities, you are modeling great opportunities for your grantees and partners.

Most of the best practices in this 501(c)(3) voter registration guide also apply to 501(c)(3) get-out-the-vote (GOTV) efforts. For example, non-partisan voter registration guidelines (targeting, messaging, etc.) are also helpful guidelines for GOTV. One difference is that all 501(c)(3) organizations, including private foundations, can engage in GOTV campaigns. (See above regarding limitations for private foundations that fund voter registration drives.)

This is a critical time for nonprofits to work to ensure that the electorate reflects America's increasingly diverse communities. Contact Bolder Advocacy for more best practices for planning and funding voter registration and GOTV activities or reference the following BA guides:

[The Rules of the Game: A Guide to Election-Related Activities for 501\(c\)\(3\) Organizations](#) for more information about 501(c)(3) public charities' rights and responsibilities regarding voter registration.

[Investing in Change: A Funder's Guide to Supporting Advocacy](#) for more information about funders' rights and responsibilities regarding how to support organizations that engage in voter registration.



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