

## **Lobbying as a § 501(c)(3) Organization: What counts?**

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§ 501(c)(3) Organizations may allocate up to 20% of their budget on lobbying under a § 501(h) election.

### **What is lobbying?**

- Two types of lobbying: direct and grassroots.

**Direct Lobbying:** communication with a legislator or member of an organization that expresses a view about specific legislation.

- Who is a legislator?
  - Members of the legislative body and his/her staff (local, state, or federal.)
  - Members of the organization
  - \*Does not include members of administrative bodies.
- What qualifies as communication?
  - a conversation (in person or by phone), letter, email, fax, or other creative mechanism to convey a message.

**Grassroots Lobbying:** communication with the public that expresses a view about specific legislation and includes a call to action.

- Who is “the public”?
  - The public includes anyone but a legislator or a member of an organization.
- What is a call to action?
  - Encouraging a recipient to call a legislator
  - Providing contact information
  - Providing a mechanism for recipient to contact legislator (post card)
  - Identifying a legislator who will vote on legislation as being opposed to or undecided.

### **What can you do that is not considered lobbying?**

- Produce a nonpartisan, informational analysis of an issue, which need not be neutral or objective, but which presents facts fully and fairly, is widely available, and does not include a call to action
- Have volunteers contact voters and/or legislators
- Contribute to policy development at a regulation level (through TDEC or otherwise)
- Respond to written request for information and/or technical assistance from legislators
- Discussion with government officials concerning legislation impacting an organization’s existence, powers, duties, tax-exempt status, or right to receive tax-deductible contributions
- Discussion of broad policy matters with the general public and government officials-- such as the digital divide-- even if legislation is pending

Check out <http://www.clpi.org/> for more information!