



## **WHAT IS LEGAL AND ILLEGAL GIVEN THE IRS RESTRICTIONS ON 501(C)(3) ORGANIZATIONS**

### **Pastors/Churches Can:**

- Preach on moral and social issues.
- Encourage civic involvement.
- Engage in voter registration, voter identification, get out the vote and voter education activities, but avoiding promoting/endorsement of any candidate or particular political party.
- Distribute voters educational material (e.g. voter guides), as long as it does not favor a particular candidate or political party.
- Invite and conduct candidate issue forums, where each qualified candidate is invited and provided an equal opportunity to address the congregation.
- Invite candidates or elected officials to speak at church services.
- Pastors may individually and personally endorse candidates for political office.
- A list of members of the church congregation may be provided to candidates for use in seeking support or raising funds only if rented at fair market value.
- Pastors and other like-minded individuals may establish a political action committee, but be very careful that the committee is separate from the church and does not use the assets of the church.
- A Pastor may allow his name to be used as a supporter of a candidate in the candidate's own advertisements. The Pastor may be identified as a Pastor of a particular church for identification purposes only and the endorsement has to be by the Pastor individually and not by the church.
- Church facilities may be used by political candidates on the same basis that civic groups are allowed (i.e. if civic group is required to pay a rent, then the political candidate should be charged the same.)
- A church or pastor is free to state the position of a candidate on moral and social issues and may comment on that position from a biblical perspective.
- A pastor may state the impact of a law or proposition and comment on its consistency, or lack thereof, with Biblical teachings.

### **Pastors/Churches Cannot:**

- Endorse candidates on behalf of the church.
- Use church funds or services to contribute directly to candidates or political committees (e.g. mailing lists or office equipment.)
- Permit distribution of materials that favor any candidate or political party on church premises.
- Use church funds to pay fees for political events.
- Set-up a political committee on behalf of the church that would contribute funds directly to political candidates.
- Allow candidates to solicit funds while speaking in a church.
- Engage in significant lobbying efforts on behalf of the church for the passage of any law or proposition.

**Please contact us with any questions:  
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