Ballot Measure Advocacy for Nonprofits

TAKING A STAND IN 2018

Presented by Nonprofit VOTE
About Nonprofit VOTE

Founded in 2005, Nonprofit VOTE partners with America's nonprofits to help the people they serve participate and vote.

We are a leading source of nonpartisan training, materials and other resources for nonprofits doing voter engagement work.

For more information, visit us online at www.nonprofitvote.org
Agenda

• What are ballot measures?
• What are 501(c)(3) organizations allowed to do
• Direct Lobbying limits
• Stories from the field: Ballot measure advocacy in Arizona
• Ideas for taking action
• Q&A
What is a Ballot Measure?
Kellie Dupree
Director of Partnerships and Training
Who Can Do Them?
Who Can Do Them?

• 501 (c)3s can – and should – work on behalf of measures.

• This work is considered “direct lobbying.”
Direct Lobbying

• A communication that’s about a ballot measure

• Activities where the primary purpose for the activity is to get the measure on the ballot – including prep work

• General public issue education and advocacy is NOT considered direct lobbying

• Direct lobbying counts towards the 501(H) expenditure test
Direct Lobbying- What Limits?

• Determined by IRS
  • Insubstantial Part
  • 501 (H) election test
    • Based on fiscal year c3 expenditures
    • Concrete definitions-dollar based limits for direct lobbying
      • 20% of the first $500,000 of an annual budget
      • Larger c3 organizational budget, H Election % drops!
  • TALK TO YOUR LAWYER!
Quadrant Tool

Direct Lobbying (c3 under limit; c4)

Campaign Preparation

Ballot Qualification & Running Campaign

Preparing the Troops and Issue Battlefield

Issue Advocacy and GOTV

General Advocacy (c3 outside direct lobbying limits)

Before Election Cycle

Election Cycle
<table>
<thead>
<tr>
<th>Develop c3/c4/c5 infrastructure/coordinating tables</th>
<th>Develop shared database</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue-specific Legal research Drafting Ballot Initiative Qualification fights/defense Initiative Specific Training Public Opinion Polling - Message Volunteer recruitment Paid and earned media on measure Signature gathering Decline to sign/Think Before Ink Targeting Fundraising Voter Contact/Persuasion /GOTV List sharing</td>
<td></td>
</tr>
<tr>
<td>Public Opinion Polling – Issue General public education Membership – Base building Skill training Leadership development Issue research Earned media on issue Coalition building Opposition and self-research</td>
<td></td>
</tr>
<tr>
<td>Membership – Base building outreach Membership education Some fundraising GOTV – membership</td>
<td></td>
</tr>
</tbody>
</table>
Stories from the field: AZ
Success in AZ

- Prop 206 Minimum Wage and Paid Time Off Initiative - 2016
  - Incrementally increase state minimum wage to $12 by 2020
  - Requires businesses to offer paid sick and safe leave
- Importance for Nonprofits
  - Economic “Stability” for families
- Election Results:
  
<table>
<thead>
<tr>
<th>Result</th>
<th>Votes</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>1,465,639</td>
<td>58.33%</td>
</tr>
<tr>
<td>No</td>
<td>1,046,945</td>
<td>41.67%</td>
</tr>
</tbody>
</table>
Ideas for Action
Coalitions

• Bringing groups together for a unified message
  • “Yes on 206”
• Strength in numbers

• Keep in mind:
  • Capacity to work on issues
  • Staying on message
  • Not all aligned groups will support the effort
  • Know the opposition
Publicize your position

• Traditional media
  • Write an op-ed
  • Put out a press release
  • Take interviews for local media

• Your existing communication channels
  • Social media
  • Newsletters/e-blasts
  • Add to meeting agendas

• Canvassing the neighborhood