

Legislative Contacts by Members of Non Profit Organizations

Some have voiced concerns that legislative contacts by non-profits might be lobbying, therefore illegal.

Those efforts do constitute lobbying, but they are not illegal. The law is quite clear that a limited amount of lobbying is allowed by tax-exempt, nonprofit (501(c)(3)) organizations.

Any 501 (c)(3) organization can lobby as long as the lobbying is not a "substantial" part of the activities of the organization. The test generally is based on a percentage of expenditures.

In order to have certainty about the legality of its activities, TfSP filed a form with the Internal Revenue Service that establishes a specific limit for lobbying activities. Pursuant to that 501 (h) election, TfSP legally can devote up to 20% of its expenditures to lobbying activity in any particular year.

Lobbying by volunteers, such as the board or members, doesn't count against the cap. So, once TfSP gets word to you, you, as an individual, are free to contact your legislator. If you want to read more about lobbying and nonprofit organizations see <http://www.clpi.org/>.