

Election 2026: How Nonprofits Can Help Protect the Voices of Democracy

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Key Points for Today

- 501(c)(3) can and should engage in issue advocacy
 - Some lobbying
 - Influencing Constitutional Amendments is lobbying or education
- 501(c)(3) prohibits efforts to support or defeat a candidate
- IRS rules are not the same as WI lobbying or campaign finance rules, which may require registration and reporting
- 501c3s can facilitate voting in many ways, including:
 - Voting information
 - Rides to the polls
 - Election protection volunteering

- **No, Political:** 501(c)(3)s cannot promote, attack, support or oppose a candidate for public office:
 - No political signs, endorsements, contributions;
 - No reposting on social media
 - No recruiting for GOTV for a candidate
 - No letting candidates use phones for free for a phone bank
 - No website links to candidate info
- **Yes, Advocacy:** 501(c)(3)s can and must convince, educate, explain, persuade, support, on issues
 - Focus on outcomes you seek through policy or community conditions, not the people

**Advocacy:
Issues,
Not Candidates**

- Advocacy or lobbying communication can become “political” when it:
 - Identifies or targets one particular candidate
 - Occurs only during an electoral campaign and is targeted at voters
 - E.g., Is not part of an ongoing advocacy campaign
 - Shows a candidate’s position to distinguish the candidate from others
- May be Ok to criticize sitting elected officials, if the organization has a history of doing so
- Advocating to influence votes on Constitutional Amendments is lobbying

**Advocacy:
Issues,
Not Candidates**

- If advocate for vote “yes” or “no,” that’s lobbying and counts against 501c3 limits
- If advocate for vote “yes” or “no,” may have to register and report under Wisconsin campaign finance laws
 - A referendum committee is defined as an entity that:
 - (1) Has the major purpose of making expenditures to support or defeat a referendum, as specified in the entity’s organizational or governing documents, the entity’s bylaws, resolutions of the entity’s governing body, or registration statements filed by the entity; **or**
 - (2) Uses more than 50 percent of its total spending in a 12-month period on expenditures made to support or defeat a referendum.
 - If have aggregate activities over \$10,000 (i.e., contributions made, contributions accepted, disbursements made, and obligations incurred) to influence referendum vote in calendar year, must register.
- If not a committee, your work may be reported as a contribution to an existing committee

**Advocacy:
Ballot
Initiatives
Are
Lobbying,
Not Political**

Educate on Issues, Not Candidates

Educate the Public

- Do: Candidate forums & voter guides (correctly)
- Do: Share information with the media
- Do: Distribute survey results
- Do: Provide information to anyone who asks about issues or voting
- Do: Provide candidates with information
- Do: Track and publish legislative records
 - Without comment

Educate on Issues, Not Candidates

- Educate Candidates on Issues
 - **Do:** Meet with the candidates to educate them on issues
 - **Do:** Share information on communicating with certain audiences with the public so candidates can benefit from it
 - **Do Not:** Ask candidates to sign a pledge of support
 - **Do Not:** Limit training to particular candidates or party affiliation
 - **Do Not:** Give them inside info that isn't available to the public



Educate your stakeholders on voting

- **Do:** Promote voting as the voice of democracy
- **Do:** Educate about issues that could be affected
- **Do Not:** Tell them to vote for a particular candidate



**Facilitate
Voting**

- **Do:** Provide information on voting
 - **Registration:** Ask if they're registered to vote and provide information about how to register on Election Day
 - **Absentee ballots**
 - **Voter ID:** Explain the documentation that is needed to register and to vote
- **Do:** Publicize important dates re: voting

**Facilitate
Voting**

- **Do:** Ask about barriers and help remove them
- **Do:** Offer rides to the polls
 - Specific exception under state bribery law
- **Do Not:** Offer anything of value in return for voting
 - No food or beverages, gift cards or other incentives
 - Don't accept \$5000 from the President!

**Facilitate
Voting**

- Good resources:
- My Vote: <https://myvote.wi.gov/en-us/Voter-Deadlines>
 - Polling location
 - Important dates:
- **October 14, 2026**- Deadline to [Register by Mail](#)
- **October 14, 2026**- Deadline to [Register to vote online.](#)
- **October 30, 2026 @ 5:00 p.m.**- Deadline to Register in Your Municipal Clerk's Office
- **November 3, 2026** - from 7:00 a.m.-8:00 p.m. Register to Vote at Your Polling Place

**Facilitate
Voting**

- Voter ID: <https://elections.wi.gov/voters/photo-id/photo-id-bring-it-ballot>
- Registration information: <https://elections.wi.gov/Register>

**Facilitate
Voting**

- Wisconsin employees are entitled to **up to three consecutive hours** off work during polling hours.
 - Employee must request time off before election day
 - Employer may designate when time off is taken. Not required to pay for the time off, but cannot penalize employees for taking it
 - Employees have no similar right to serve as registered poll workers, but employers are free to offer them the time off.
- Prior to election day, review internal policies and any collective bargaining agreements, which may offer more generous time off for voting than Wisconsin law.
 - Employers with out-of-state employees should also review the voting laws in states where they have employees, as other states have different voting requirements which can include paid time off and specific voting notices.

Facilitate Voting: Employer Responsibilities

Other Ways to Help

- Election Protection
 - Observation – League of Women Voters
<https://my.lwv.org/wisconsin/about/employment-and-volunteer-opportunities-league>
- Virtual trainings on October 13 and 21
- Election protection hotline: **866-OUR-VOTE (866-687-8683)**

Political Involvement of Staff as Individuals

- Staff can endorse and volunteer for candidates as an individual
 - **Caution:** Executive Director closely associated with an organization
- Use of personal computer vs. work computer
- Use of Facebook/Twitter and other social media

More Resources

Wisconsin Elections Commission

- Call or email questions
 - 1-866-VOTE-WIS (1-866-868-3947)
 - elections@wisconsin.gov

Wisconsin Disability Vote Coalition

- <https://disabilityvote.org>
- Disability Rights Wisconsin voter hotline: [844-347-8683](tel:844-347-8683)

Thank You

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