

Political Activity Guidelines For Parish & Church Organizations



An Election-Year Resource From



How Does the Church Work to Influence Public Policy?

When justice and the common good require it, the Church expresses its official position on select public policy matters through the Minnesota Catholic Conference (MCC). MCC public policy staff lobby and advocate on behalf of the Catholic bishops of Minnesota on issues of concern to the Church. The Catholic bishops are the “conference” and guide the work of MCC staff; the bishops also visit with elected officials to communicate their public policy concerns.

As a general matter, clergy and laity have distinct roles in bringing the Gospel into public life. “The direct duty to work for a just ordering of society is proper to the lay faithful.” Therefore, MCC also provides information and resources to help faithful citizens engage their elected officials to promote the common good.



Why is Some Activity Prohibited?

Because of its tax-exempt status, the Church, along with its parishes and ministries, is subject to rules regarding political activity.

Any individual or group acting in an official Church capacity must conform to laws and regulations that govern tax-exempt organizations.



Although the Church may engage in a wide array of educational programming related to public policy questions, including issue-related advocacy activity, it may not be involved in partisan political candidate or campaign activities, including making endorsements of candidates or political parties, or using Church funds to support candidates.



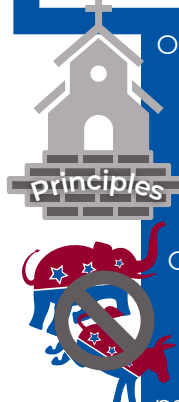
The primary responsibilities of bishops in public life, together with priests and deacons, and assisted by religious and lay leaders of the Church, are to:

- teach fundamental moral principles that help Catholics form their consciences correctly
- provide guidance on the moral dimensions of public decisions
- encourage the faithful to carry out their responsibilities in political life



Often, fulfilling these responsibilities will entail offering educational and catechetical programming in parishes. In doing so, the Church's leaders, parishes, and Catholic organizations should avoid partisan political campaign activity so as to not endanger the Church's tax-exempt status. Furthermore, this limitation on its public expression—one that is also self-imposed—is guided by prudence.

The Church seeks to be principled, never partisan, to offer a more credible witness of the Gospel to a wider audience in the community.



The Internal Revenue Service (IRS) reported that during the 2004 election cycle, it found some level of prohibited political activity in nearly 75 percent of the cases reviewed. The IRS has provided an extensive amount of guidance on its website, including practical examples, for churches and religious organizations that wish to avoid prohibited activities.²

If a parish or a Church organization violates the law, the IRS may revoke the parish's or Church organization's tax-exempt status temporarily or permanently. The IRS may also assess additional penalties and taxes on any funds that they believe the Church, parish, or Church organization spent on prohibited political activities.



To learn more about the work of the Minnesota Catholic Conference and to join the Catholic Advocacy Network, scan the QR code or text CAN to +16519987322.

What Activity is Prohibited?

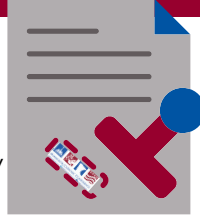


The guiding principle for parishes is that they may not intervene in political candidate campaigns. Therefore, any partisan political or electioneering activity is prohibited.

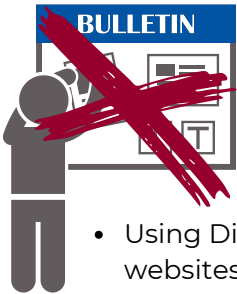
A common concern that arises during political campaigns is the distribution of voter information materials prepared by outside groups. Catholic organizations should be wary of outside groups seeking to distribute voter education or election-related materials on Church property or at official Church functions. Often, the groups preparing these materials are not subject to the same restrictions as the Church.

Any materials not approved by the Minnesota Catholic Conference or your Diocese should not be distributed.

The Church and her parishes and ministry organizations are also prohibited from, among other things, the following types of activities:



- Endorsing or opposing candidates for elected office³
- Preparing or distributing campaign literature or materials that favor or oppose a specific candidate or political party
- Using Diocesan or parish bulletins and websites to support, promote, endorse, or oppose any particular political party or candidate⁴
- Giving Church money or support to candidates for political office or to officeholders



This information is intended to provide general guidance only. Contact your diocesan attorney with specific questions or concerns. More extensive information, including hypothetical fact patterns on a variety of related issues, is also available from the United States Conference of Catholic Bishops Office of General Counsel.⁷

¹ *Forming Consciences for Faithful Citizenship* No. 16, quoting *Deus Caritas Est* No. 29.

² <https://www.irs.gov/pub/irs-pdf/p1828.pdf>

³ Individual church or ministry staff are not legally prohibited from supporting candidates or participating in political campaigns. The diocese, ministry, or parish may have its own rules about staff participation in partisan political campaign activity.

⁴ Criticizing or thanking elected officials for specific legislative actions outside of the election season (typically, before the candidate filing period has ended and during the legislative session) is not normally considered political campaign intervention. Ultimately, such activity will be judged on a "facts and circumstances" test.

⁵ USCCB Candidate Forum Tips: <https://www.usccb.org/resources/tips-conducting-candidate-forums> and Minnesota Catholic Conference Candidate Townhall Resources: <https://www.mncatholic.org/townhall>

⁶ IRS Revenue Ruling 2007-41 (6/30/2002) <https://www.irs.gov/pub/irs-drop/rr-07-41.pdf>

⁷ https://www.usccb.org/about/general-counsel/upload/2020-07-21-poli_activity_lobby_guide.pdf

What Activity is Permitted?



The Church has a right and responsibility to weigh in on public issues. As Catholics, we are called to work for policies that protect the poor and vulnerable and uphold life at all stages.

To that end, parishes and Church organizations are allowed to participate in the following types of activities:

- Advocacy for or against ballot initiatives such as constitutional amendments
- Advocacy for or against specific local, state, and federal legislation, such as responding to an email from the Catholic Advocacy Network
- Distributing materials related to specific issues that do not reference candidates or parties
- Participating in non-partisan voter registration efforts or get-out-the-vote drives
- Organizing issue-specific letter-writing campaigns or lobby day events
- Sponsoring public voter education forums on specific issues, including candidate forums⁵

Issue Advocacy vs. Political Campaign Intervention⁶

According to the IRS: "Section 501(c)(3) organizations may take positions on public policy issues, including issues that divide candidates in an election for public office." However, the IRS cautions that issue advocacy can turn into prohibited campaign intervention if the message favors or opposes a candidate. Candidates can be identified by name or by reference, but in the end, the IRS notes it will consider "all the facts and circumstances" to determine "if the advocacy is political campaign intervention."

The IRS lists seven factors that determine whether issue advocacy results in partisan intervention in an election:

- one or more candidates for public office is identified
- the statement expresses approval or disapproval for one or more candidates' positions and/or actions
- the statement is made close to election day
- there is or is not a reference to an upcoming election or voting
- the issue "has been raised as an issue distinguishing candidates for a given office"
- the communication "is part of an ongoing series of communications by the organization on the same issue that are made independent of the timing of the election"
- the timing is "related to a non-electoral event"

A warning states that an issue advocacy communication "is particularly at risk of political campaign intervention when it makes reference to candidates or voting in a specific upcoming election."