



Voter Engagement for Florida Nonprofits

FNA encourages nonprofits to be involved in advocacy and lobbying activities as permitted by the law. Nonprofits are great partners in civic engagement of all kinds, including voter engagement. But when it comes to elections, there are some things that are not legal for nonprofits to do, and others that will need to be handled with caution.

Why should your organization participate in voter engagement activities and legal candidate interactions?

- Voting is a right and key to a healthy democracy.
- Nonprofits are trusted by the communities in which they work, and can provide non-partisan information to help those who are eligible exercise their right to vote.
- More voters means better representation of those who live in a community.

It is vitally important that nonprofit organizations follow the law and be non-partisan in their work, especially in election season. This document provides an overview of how your organization can do both. However, this is not legal advice for your organization - you should always seek out legal counsel if you have questions about your activities.

NOTE: *Florida laws affecting third-party voter registration and civic engagement groups were enacted in 2023 and have implications for nonprofit organizations, which are marked below with "UPDATE" below.*

If you are a 501(c)(3) public charity:

DON'T

501(c)(3) organization should never do the following:

- **Endorse candidates (explicit or implicit)**
- **Give money to a candidate, political party, or PAC**
- **Form a PAC**
- **Rate or rank candidates on who is most favorable to your issue(s)**

DO

The following activities are allowed by 501(c)(3) public charities:

- **Voter registration activities** - Nonprofits engaging in voter registration activities must first register with the state of Florida as a [Third-Party Voter Registration Organization \(3PVRO\)](#). All activities should all be conducted in a non-partisan manner and in accordance with Florida law. All eligible individuals must be given equal opportunity to register, regardless of their political affiliations. Offering many types of incentives, including financial compensation, for registering [are not allowed under federal law](#).
UPDATE: Florida law requires that individuals handling voter registration applications have not been convicted of a felony violation and are US citizens (the citizenship portion is not in effect at this time because it has been [preliminarily enjoined by the Northern District of Florida, US District Court](#).)
- **Get-out-the vote efforts** - This includes ride to the polls programs. They should all be conducted in a non-partisan manner and in accordance with Florida law. Make sure your organization's insurance program covers the use of staff and/or volunteers' cars for this purpose and are themselves licensed and insured in accordance with Florida's requirements.
- **Voter education activities** - This includes information about the importance of voting, voting process, candidate forums, and the publication of voter education guides, carried out in a non-partisan manner. This includes avoiding bias toward any candidate or political party and must allow equal opportunities for all candidates to participate.
- **Attend candidate events** - When you are attending on behalf of the nonprofit organization, ask the same questions related to your mission of each candidate in the race. Make sure your questions do not imply a “correct” answer. Remain non-partisan both in practice and in appearance.
- **Issue advocacy** - nonprofits can engage in issue advocacy, advocating for or against specific policies or issues (although in some cases, this may be considered lobbying). However, you must avoid explicit endorsement or opposition of specific candidates or political parties.
- **Share information or research with all candidates equally**
- **Take a position on ballot measures or referenda** - since ballot measures are legislation, are not proposed by a specific political party, and are decided by the voters, public charities can support or oppose them. **UPDATE:** nonprofits must adhere to [state](#) and local regulations on signs and comply with placement and removal requirements.

PROCEED WITH CAUTION

If your organization is going to engage with the following, please be careful:

- **Assist with mail-in voting** - nonprofits assisting voters with mail-in or Vote-by-Mail ballots are primarily limited to providing information on how to request one. You should not request a ballot on behalf of a voter or return their ballot by mail on their behalf. You should instead focus on educating constituents about self-tracking their ballots and using their local [Supervisor of Elections](#) office for support. **UPDATE:** Requests for Vote-by-Mail ballots expire after the end of the calendar year for the next ensuing regularly scheduled general election. For more information, [click here](#).
- **Take a position on a legislative issue close to an election** - If you are going to do so, be sure it is an issue that you have previously been involved with and/or is directly related to your mission. It should also be tied to the timing of a legislative vote or decision so that it can't be construed as being related to the election. If it is an issue that distinguishes the candidates (i.e. they have been campaigning on opposing sides of the issue), you'll want to steer clear of it.
- **Participate in or co-sponsor events or programs that are closely aligned with a particular political party** - Some topics and events are more closely associated with one political party or the other (e.g. National March for Life, Indivisible Groups). Although there may not be a direct association with a candidate or political party, therefore it may not be expressly prohibited, it is important to remember that perception of your participation may be interpreted as political support by your clients, donors, volunteers, or others involved with your organization. It is generally better to stay away from activities that put your political neutrality to question.
- **Rent your facility to a candidate or political party for a private event** - This is allowed only if it is a normal activity for your organization; the space is rented on a first-come, first-served basis; and the candidate or political party pays the normal fees you would charge anyone else.

For more information, visit [Florida Nonprofit Alliance's Elections page](#).

Florida Nonprofit Alliance (FNA) is a statewide coalition of nonprofits focused on research, collaboration and advocacy. FNA's mission is to serve as the state's collective voice, respected advocate, effective connector, and powerful mobilizer for the nonprofit sector.

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