



## Partisan Electoral Activity

*What is it and what can you do?*

Elections provide an opportunity for individuals and organizations to engage in partisan electoral activity to influence who makes the policy decisions that affect their lives, their livelihood, and their community.

An activity is considered partisan electoral activity if it is conducted to influence the election, selection, nomination, or appointment of any individual to a federal, state, or local public office; to an office in a political organization; or as a delegate or elector for President or Vice-President. For example, communications that contain “express advocacy” – those phrases that urge the election or defeat of a clearly identified candidate or when looked at as a whole, considering its proximity to an election, could only be interpreted by a reasonable person as urging the election or defeat of a candidate – are partisan electoral activities. Lobbying, including ballot measure activity, is generally not considered to be partisan electoral activity.

### Examples of Express Advocacy:

*Smithfield for Congress*  
*Vote for the Environment*  
*Another Voter for Davis*  
*Anybody but Jackson*  
*Butler 2016*

Different types of organizations are permitted to conduct different kinds of electoral activity. Some organizations and activities are required to report more information or comply with more rules than are others. This fact sheet lists a few types of organizations and provides examples of the kinds of partisan electoral activity each type is permitted to do under federal campaign finance laws<sup>1</sup>.

### 501(c)(4) Organizations may

- Establish and pay for the administrative and fundraising costs of a connected political action committee (PAC) also known as a “separate segregated fund.” (For more information see “Traditional PACs” below.)
- Rent a mailing list and facilities to selected candidates at fair market value.
- Endorse candidates; including communicating those endorsements to the press.
- Distribute voter guides that compare candidates on issues of importance to the organization.
- Fund independent expenditures<sup>2</sup> in support of or opposition to a candidate.
- Conduct voter registration and get-out-the-vote (GOTV) drives aimed at supporting a candidate.

<sup>1</sup> State laws vary and should be consulted before undertaking any state or local partisan electoral activity.

<sup>2</sup> For more information, see our fact sheet, [Independent Expenditures: What are they and what are the rules?](#)

In addition to the activities above, 501(c)(4) organizations that have members (as defined by the Federal Election Commission) may also conduct the activities below when communicating with their members. These member communications may be made either in coordination with a candidate, campaign, or party committee **or** independently (without the knowledge of or input by the candidate, campaign, or party committee).

Member organizations may communicate with their members about:

- Candidate endorsements,
- Supporting, volunteering for, contributing to, and/or voting for a candidate, and
- Making contributions to a connected PAC.

### **Traditional Federal PACs may**

- Endorse candidates; including communicating endorsements to the press.
- Host or cohost a public candidate forum or debate.
- Make direct and in-kind contributions to candidates, political action committees and political party committees.
- Host or sponsor candidate fundraising events.
- Fund independent expenditures in support of or opposition to a candidate.

### **Super PACs (aka Independent Expenditure Only PACs) may**

- Endorse candidates; including communicating endorsements to the press.
- Fund independent expenditures in support of or opposition to a candidate.

### **Individuals may**

- Make personal candidate endorsements.
- Volunteer for a candidate's campaign, a PAC, or a political party.
- Encourage others to vote for a candidate.
- Make direct and in-kind contributions to candidates, PACs, and political party committees.
- Host or sponsor candidate fundraising events.
- Fund independent expenditures in support of or opposition to a candidate.
- Vote.

*NOTE: Use of one's professional or volunteer affiliation in connection with an endorsement may be subject to an employer's or organization's internal policies, and, in some cases, provisions of the federal Hatch Act.*