



Using Social Media to Promote Voting

Guidance for 501(c)(3) Organizations

Nonprofits increasingly use social media to communicate with supporters and the public, attract new members, mobilize public opinion, and promote civic engagement. **The prohibition on nonprofits participating in partisan political activities is the same for social media as it is for any other type of communication.** You may encourage people to register and vote on a nonpartisan basis, but you may not use social media to indicate support for, or opposition to, candidates for public office.

Can I use my personal account to support candidates?

Individuals have a right to express preferences for or against candidates. This applies to their personal social media accounts. The exception would be if that account is primarily used by the individual or others as a communication vehicle for the nonprofit.

What about the Executive Director or CEO?

The chief executive officer of the nonprofit has the same rights of free expression as any other staff member, when not officially representing the organization. However, to the extent they are seen by stakeholders and constituents as representing the nonprofit, a CEO should exercise more restraint in what they say on the internet to avoid any appearance of partisanship.

What are guidelines for tagging, sharing or retweeting?

Don't use organizational accounts to tag, re-tweet, or share posts with political campaigns or partisan organizations that have endorsed candidates.

How about sharing content posted by a 501(c)(4) advocacy organization or other non-campaign organization whose primary purpose is other than electing candidates?

You may share content if the content shared is educational in nature and clearly nonpartisan. If you're not sure, it is always safer to share content, for example, from a 501(c)(3) nonprofit, educational source or public media outlet not affiliated with a partisan political campaign.

Is my nonprofit responsible for how our posts are shared?

No. You are not responsible for how and with whom others share your posts.

What about content posted by other users to our social media platforms? (Facebook page, twitter feed, etc.)

While you can't control what other people post to your wall or tweet at you, you can make a general disclaimer on your social media site that you're not responsible for opinions posted by people not under your employ. Create a policy for deleting partisan content or other types of posts (like unauthorized commercial activity).

Resources

Legal Tips on Using Social Media for Advocacy, Bolder Advocacy, www.bolderadvocacy.org/resource/tips-on-using-social-media-for-advocacy

Friends, Tweets, and Links: IRS Treatment of Social Media Activities by Section 501(c)(3) Organizations, Allen Mattison, The Exempt Organization Tax Review May 2011