

POLITICAL ACTIVITIES OF PASTORS: WHAT IS PERMISSIBLE AND WHAT IS FORBIDDEN

NOTE

These do's and don'ts summarize the requirements of the Federal Election Campaign Act and the Internal Revenue Code as they apply to churches and pastors. These guidelines should not be construed as legal advice regarding your particular situation. The Attorney General's Office cannot give legal advice to private individuals. Churches and pastors may obtain legal advice, free of charge, regarding their particular situation from the Alliance Defense Fund, an organization devoted to preserving religious liberty. Toll-free: 800-TELL-ADF (835-5233)

DOS AND DON'TS

Pastors, as individuals, have the same rights as all other American citizens to involve themselves in political activity. Pastors thus have much greater latitude to involve themselves in political activities than does a church.

Pastors are concerned about the legal effects of political activity on themselves and their churches. Churches are exempt from federal tax only so long as they do not intervene in political campaigns. Federal election law also places restrictions upon political activities regarding federal candidates by individuals and entities, particularly corporations, both profit and non-profit. The scope of proper political activity varies from case to case, but the following do's and don'ts are applicable in many cases.

The following general rules should guide a pastor regarding personal political activities:

- (1) A pastor may individually and personally endorse candidates for political office.
- (2) A church may not endorse candidates for political office, and a pastor may not endorse candidates on behalf of the church.
- (3) A pastor may allow his name to be used as a supporter of a candidate in the candidate's own political advertisements. In this connection, the pastor may be identified as pastor of a particular church, if it is indicated that this is for identification purposes only and if it is indicated that the endorsement is by the pastor personally and not by the church.
- (4) Churches may engage in non-partisan voter registration, voter identification, get out the vote, and voter education activities so long as such activities are not intended at the supporters of any particular candidate or political party.