FEARLESS LOBBYING AND ADVOCACY

A LESSON TO ENCOURAGE ACTIVE PARTICIPATION IN LEGISLATIVE DISCOURSE

HOUSING ACTION ILLINOIS – OCTOBER 2016
2 WHAT DO YOU KNOW? WHAT HAVE YOU HEARD?

• LOBBYING, POLITICAL ACTIVITY, ADVOCACY and THE IRS

• HALLOWEEN, ELECTIONS and THE STATE BUDGET OH MY!
3 POLITICAL ACTIVITY

- DO NOT ENGAGE IN POLITICAL CAMPAIGN ACTIVITY
- DO ENGAGE IN NONPARTISAN POLITICAL ACTIVITY
- FIRST AMENDMENT RIGHTS ARE SECURE
WHAT IS LOBBYING?

- LOBBYING IS
  - DIRECT LOBBYING or
  - GRASSROOTS LOBBYING
DIRECT LOBBYING

• A COMMUNICATION OR ACTIVITY,
• DIRECTED AT A LEGISLATOR, THEIR STAFF OR OTHER GOVERNMENTAL EMPLOYEE WHO PARTICIPATES IN FORMULATION OF LEGISLATION,
• REFER TO AND
• EXPRESSES VIEW ON SPECIFIC LEGISLATION
GRASSROOTS LOBBYING

- A COMMUNICATION OR ACTIVITY,
- DIRECTED TO THE GENERAL PUBLIC,
- REFERS TO AND
- EXPRESSES VIEW ON SPECIFIC LEGISLATION AND
- INCLUDES A CALL TO ACTION
7 THIS IS NOT LOBBYING

- PROVIDING TECHNICAL ADVICE TO LEGISLATIVE BODY OR COMMITTEE IN RESPONSE TO A REQUEST
- MAKING NONPARTISAN ANALYSIS, STUDY OR RESEARCH AVAILABLE
- EXAMINATIONS OR DISCUSSIONS OF BROAD SOCIAL OR ECONOMIC PROBLEMS
- SELF DEFENSE EXCEPTION
- UPDATING MEMBERS ON STATUS OF LEGISLATION WITHOUT A CALL TO ACTION
LOBBYING TESTS

• SUBSTANTIAL TEST

• EXPENDITURE TEST - CLEAR AND FEARLESS
SUBSTANTIAL TEST

• NO SUBSTANTIAL PART OF ACTIVITIES MAY BE LOBBYING
• HOW MUCH IS SUBSTANTIAL?
• WHAT COUNTS? WHO KNOWS?
• IT IS VAGUE AND FRIGHTFUL
EXPENDITURE TEST

• TIRED OF COMPLAINTS, CONGRESS PASSES SECTION 501(h)
• NOT APPLICABLE TO CHURCHES OR PRIVATE FOUNDATIONS
• CLEAR GUIDELINES
• FEARLESS LOBBYING
## YOU CAN SPEND MORE THAN YOU THINK

<table>
<thead>
<tr>
<th>If the amount of exempt purpose expenditures is:</th>
<th>Lobbying nontaxable amount is:</th>
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<tr>
<td>$\leq$ $500,000$</td>
<td>20% of the exempt purpose expenditures</td>
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<tr>
<td>$&gt;$ $500,000$ but $\leq$ $1,000,000$</td>
<td>$100,000$ plus 15% of the excess of exempt purpose expenditures over $500,000</td>
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<tr>
<td>$&gt;$ $1,000,000$ but $\leq$ $1,500,000$</td>
<td>$175,000$ plus 10% of the excess of exempt purpose expenditures over $1,000,000</td>
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<tr>
<td>$&gt;$ $1,500,000$ but $\leq$ $17,000,000$</td>
<td>$225,000$ plus 5% of the exempt purpose expenditures over $1,500,000</td>
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<tr>
<td>$&gt;$ $17,000,000$</td>
<td>$1,000,000$</td>
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APPLICATION OF LOBBYING TESTS

• DO ONLY GOOD, NFP SPENDS $500,000/YEAR TO MAKING SURE SERVICE DOGS ARE AVAILABLE FOR PEOPLE IN NEED. THERE IS LEGISLATION PENDING TO CLOSE ALL SERVICE DOG TRAINING PROGRAMS AND D.O.G, NFP ASKS VOLUNTEERS TO MAKE PHONE CALLS TO LEGISLATORS TO VOTE NO ON THE LEGISLATION AND ASKS CONSTITUENTS TO CONTACT THEIR LEGISLATORS. D.O.G. STAFF CREATE TALKING POINTS, POSTERS, COMPILE LISTS OF PEOPLE TO CALL AND HIRE A BUS TO TAKE PEOPLE TO LEGISLATURE. THE EMPLOYEE TIME AND COST IS 5% OF ANNUAL BUDGET.
REGISTRATION AS A LOBBYIST
FEDERAL, STATE AND LOCAL LAWS

- FEDERAL LOBBYIST REGISTRATION ACT
- ILLINOIS HAS LOBBYIST REGISTRATION ACT
- CHECK WITH COUNTY AND CITY TO SEE IF THERE ARE LOBBYING REGISTRATION REQUIREMENTS
JUST DO IT

• LOBBY WISELY AND FEARLESSLY
• PAY ATTENTION TO
  • EXPENDITURES
  • FUNDING CONTRACTS
  • REGISTERING AS A LOBBYIST
ADVOCACY

• MAKE YOUR VOICE HEARD!

HELP POLICYMAKERS FIND SOLUTIONS!

• EDUCATE LEGISLATORS ABOUT THE EFFECT OF A POLICY

• EMAIL, CALL OR VISIT LEGISLATORS TO DISCUSS ISSUES EFFECTING CONSTITUENTS OR ORGANIZATION
FEARFUL, FEARLESS AND WISE

- Do not support or oppose candidates for public office
- Do engage in nonpartisan political activity
- Do lobby on behalf of your organization and its constituents
- Understand the lobbying tests and make the wise choice
- Advocate!
RESOURCES

• ALLIANCE FOR JUSTICE- www.afj.org

• BOLDER ADVOCACY - http://www.bolderadvocacy.org/

• Internal Revenue Service


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