

## **Diocesan Policy on Political Activity on Church Property**

The Bishop's Office has issued the following warning:

Political endorsements may jeopardize churches' tax exempt status. With the presidential campaign season well underway, clergy and congregations need to be wary of endorsing or supporting campaigns for public office. Churches that participate or intervene in a political campaign on behalf of any candidate risk running afoul of the Internal Revenue Service's prohibition on 501c(3) [tax exempt] organizations' participation in political campaigns. If the IRS finds a church has engaged in prohibited political activity, it could seek the removal of the church's tax exempt status and assess taxes and penalties.

Please note the following from the IRS Revenue Ruling, 2007-41, 2007-25 I.R.B. (June 18, 2007): "The political campaign intervention prohibition is not intended to restrict free expression on political matters by leaders of organizations speaking for themselves, as individuals. Nor are leaders prohibited from speaking about important issues of public policy. However, for their organizations to remain tax exempt under section 501c (3), leaders cannot make partisan comments in official organization publications or at official functions of the organization."

The IRS has posted articles on political campaign restrictions at

<http://www.irs.gov/charities/charitable/article/0,,id=155030,00.html>.

This is now a serious threat, not a theoretical but un-enforced prohibition; the Internal Revenue Service is now rigorously enforcing this Federal law. The retired (very liberal) Rector of All Saints' Parish, Pasadena, California preached an anti-Republican-pro-Democrat sermon during the last presidential election, and the Parish lost its tax exempt status. (As the former Diocesan Treasurer reminded the clergy several years ago, "This is a privilege and generous gift, not a constitutional right; and it can be withdrawn at any time.") It is being equally enforced against both liberals and the "Religious Right."

At St Paul's, what this means in practice is that we cannot permit political signs to be posted and/or remain on Parish property (as happens every election day as we are next door to two polling places) nor can political flyers be put in Rotunda mailboxes or posted Parish House bulletin boards, or petitions be circulated on Parish property, nor may the St Paul's Community Services Corporation agencies or the Parish mailing list be used to send out any political material. This is as true of local elections, referenda, etc. as it is of state and national elections or pending legislation.