

California Native Plant Society

GUIDELINES ON LOBBYING, LEGISLATION, ELECTIONS, ETC.

Adopted December 1987

CNPS is a non-profit organization exempt from federal and state income taxation under S. 501-c-3 of the Internal Revenue Code. In return for its tax-exempt status, CNPS must conform with laws and regulations which limit its involvement in political and legislative activities. Adherence to these laws is crucial to maintaining our tax-exempt status.

1 . **Candidates for elected office:** Under both state and federal rules CNPS may not take part in elections, either partisan or non-partisan. We may not endorse candidates, oppose candidates, nor make financial contributions to candidates, either before or after their election.

2. **Influencing legislation:** Under regulations implementing IRC S. 501-c-3, no substantial part of the activities of an exempt organization may consist of attempts to influence legislation. What constitutes a "substantial part" is undefined, unless the evaluation is based on financial expenditures alone. Thus, some (insubstantial) amount of legislative activity, such as lobbying, letter writing, or signature gathering, is allowed under the regulations. "Substantial" is generally considered to be anything more than 5% of activities or income of an organization, though there are no direct rulings on the matter. Legislation includes referenda and initiatives.

3. **Expert testimony:** Testimony by CNPS officers or experts before legislative committees considering specific legislation might be considered attempts to influence legislation (allowed but limited, see par. 2), but it also may be considered an educational activity which carries out CNPS' purpose of educating the public about the needs of California's native flora. Thus, testimony regarding purposes or results of specific bills which are within CNPS' area of expertise is appropriate and not subject to the limits on influencing legislation.

Regulatory bodies which make rules, policies, or decisions are not considered legislative bodies. Therefore testimony before them or attempts to influence their decisions are not attempts to influence legislation and are not limited. This distinction is probably most important to CNPS in the land-use planning area.

4. **Appointments:** Appointments to regulatory bodies whose members are not elected by the public are not (technically speaking) political. CNPS support of candidates for appointment to such boards, based on their qualifications or expertise, does not violate the prohibition on participating in electoral politics.

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