

“Can We Say That?” Georgia Runoff Election

While the rest of the country typically slides into the holiday season following the November general elections, nonprofits operating in Georgia have to navigate an additional election season mixed with twinkle lights, a terrifying spike in COVID infections, and celebrations that look different than years past. That’s because Georgia law requires runoffs for any general election when the winner fails to reach 50% of the total votes. This year Georgia voters will determine the winner of runoffs for some state and local offices in December and, in January, vote for both of Georgia’s US Senators — the outcome of which will determine which party controls the US Senate starting in 2021.

501(c)(3) organizations — whether private foundations or public charities — cannot support or oppose any of the candidates on the ballot, but there is a wide array of nonpartisan voter registration, get-out-the-vote, voter education, and voter protection activities available to keep 501(c)(3)s busy during this extended election season.

At Bolder Advocacy, we take questions from nonprofits every day on what they can say or do, including the Georgia runoff elections. When you boil it all down, the most common question we get from 501(c)(3)s is, “Can We Say That?”

Things 501(c)(3)s CAN Say

- **“Click here to learn how to vote in the runoff”** — a new election means new deadlines for registration, another need to request a vote by mail ballot, and more questions about when and where early in-person voting is by precinct.
- **“Learn where you can volunteer to help”** — 501(c)(3) public charities can recruit volunteers for their own or other groups’ voter education efforts, so long as they are nonpartisan.
- **“Young voters turned out in record numbers in the general election — let’s make it happen again!”** — 501(c)(3)s can encourage historically underrepresented groups to vote, so long as the audience is not targeted because of their expected party or candidate affiliation.
- **“The future of Georgia is on the ballot”** — it’s ok for a 501(c)(3) to encourage Georgians to vote using nonpartisan motivations that do not show support or opposition to any of the candidates or their parties.
- **“Problems voting? Call 866-OUR-VOTE”** — nonpartisan voter protection efforts are core 501(c)(3) activity, but you don’t have to tackle it yourself. You can refer to efforts by other coalitions like 866-OUR-VOTE.

Things 501(c)(3)s CAN'T Say

- **“A vote for [Candidate X] is a vote for [Party Y] control of the Senate!”** — this is the type of thing a lot of organizations will be saying, but they’re not 501(c)(3)s. Stay clear of explicit calls to suggest a preferred vote.
- **“We need fresh blood in [elected office Z]”** — this is over the line for 501(c)(3)s because it’s an implicit wink at voting against incumbent candidates, and for their challengers,
- **“Remember that [Candidate A] is endorsed by [Trump/Biden] when you vote January 5th!”** — highlighting partisan endorsements in a get-out-the-vote communication is risky for a 501(c)(3), and best avoided.

For more on election year rules for 501(c)(3)s, see the Bolder Advocacy publication [The Rules of the Game](#), and our [Election Year Checklist](#) for a more detailed list of do’s and don’ts during election season.

Georgia nonprofits have already played an enormous role in registering new voters, contributing to record shattering general election participation. With a [reported 23,000 people turning 18](#) between the general and January 5th, it’s a safe bet nonprofits will be registering even more voters and educating them about the runoffs.



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