



The Arc Mid-Hudson  
471 Albany Avenue  
Kingston, NY 12401  
845-331-4300  
www.ArcMH.org

**POLICY STATEMENT**

Topic: Political Contributions/Lobbying Date Effective: 5/24/2021

Revised  New Section: Corporate Compliance Number: 10.20

Date: 2/27/2023 Approved by: *Jemme*

**POLICY**

The Arc Mid-Hudson (“Arc Mid-Hudson”) is a nonprofit organization operated exclusively for charitable purposes and is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code. As such Arc Mid-Hudson may not engage in any political campaign activities and may not engage in a substantial amount of lobbying. Moreover, Arc Mid-Hudson is subject to state laws regarding lobbying and procurement of government contracts. This Policy sets forth procedures to ensure that Arc Mid-Hudson retains its tax-exempt status and complies with applicable federal and state laws.

**SCOPE**

This Policy applies to all employees, members of the Board of Directors, affected individuals and other representatives of Arc Mid-Hudson.

**PROCEDURE**

A. Political Campaign Activities.

1. **Prohibition Against The Arc Mid-Hudson’s Support of or Opposition to Candidates for Public Office.** Under no circumstances will Arc Mid-Hudson directly or indirectly participate in, or intervene in, any political campaign on behalf of or in opposition to any candidate for elective public office. Further, Arc Mid-Hudson will not make contributions to political campaign funds or make public statements of position in favor of or in opposition to any candidate for public office.

## **2. Personal Involvement in Political Campaign Activities.**

a. The organizational prohibition on political campaign activity is not intended to restrict free expression on political matters by employees, members of the Board of Directors or other representatives of Arc Mid-Hudson speaking for themselves, as individuals. To avoid potential attribution of individual comments to The Arc Mid-Hudson, The Arc Mid-Hudson employees, members of the Board of Directors, affected individuals and other representatives who speak or write on behalf of any candidate for elective office in their individual capacity are required to clearly indicate that their comments are personal and are not intended to represent the views of Arc Mid-Hudson. Arc Mid-Hudson employees, members of the Board of Directors, affected individuals and other representatives may make personal contributions to candidates for public office. The decision as to whether or not to contribute is at the sole discretion of the individual and any decision not to participate shall have no impact on any personnel actions regarding such individual. Under no circumstances will personal campaign contributions be reimbursed by Arc Mid-Hudson or otherwise identified as a business expense by the individual making the contribution.

b. Publications identifying Arc Mid-Hudson employees, members of the Board of Directors, affected individuals or other individuals associated with Arc Mid-Hudson as individuals supporting or opposing any candidate for elective office may indicate the individual's title and affiliation with Arc Mid-Hudson so long as any such publication includes an appropriate disclaimer indicating that the individual's affiliation is provided for identification purposes only and the individual's endorsement, participation or other involvement reflects the individual's views only and not the views of Arc Mid-Hudson.

### **B. Activities Attempting to Influence Legislation.**

**1. Prohibition Against Engaging in a “Substantial” Amount of Lobbying.** Lobbying is attempting to influence legislation. To retain its tax- exempt status The Arc Mid-Hudson may not engage in a “substantial” amount of lobbying, but still may engage in some lobbying to advocate its position on public issues.

To ensure Arc Mid-Hudson does not risk its tax-exempt status and is in compliance with all laws regulating lobbying activity, all Arc Mid-Hudson employees and affected individuals who participate in lobbying activities on Arc Mid-Hudson’s behalf must consult with the Corporate Compliance Officer before any lobbying activities are performed. Moreover, any employee or representative of Arc Mid-Hudson participating in lobbying activities on Arc Mid-Hudson’s behalf must report all time and expenditures devoted by Arc Mid-Hudson to lobbying activities to the Corporate Compliance Officer for tracking purposes.

C. The Director of Strategic Development shall track all time and expenditures devoted by Arc Mid-Hudson to lobbying activities and supply the report to the Corporate Compliance

Officer to ensure that Arc Mid-Hudson does not engage in “substantial” amount of lobbying. The Corporate Compliance Officer shall consult with legal counsel as necessary to assess Arc Mid-Hudson’s lobbying activities and to determine whether lobbying activities may jeopardize Arc Mid-Hudson’s tax exempt status.

1. **Registration/Reporting.** The Corporate Compliance Officer or designee shall be responsible for maintaining a record of The Arc Mid-Hudson’s lobbying activities, and if necessary, will submit the Agency’s registration with appropriate state and federal agencies, as required. Moreover, the Compliance Officer shall be responsible for providing any periodic reports required by such agencies.

D. New York Procurement Law.

1. New York law restricts communications between Arc Mid-Hudson or a person acting on behalf of The Arc Mid-Hudson including a lobbyist, with the officers and employees of certain State of New York governmental agencies when seeking certain procurement contracts.

Any employee, affected individual or representative of Arc Mid-Hudson involved in the procurement of governmental contracts with the State of New York will adhere to all requirements of New York procurement law, as applicable. Any questions regarding compliance with these requirements should be directed to the Corporate Compliance Officer at (845) 331-4300 x41282.