



Testimony on Senate Bill 4/House Bill 514, submitted by Brigid Howe, Executive Director, Nonprofit Montgomery

Charitable Organizations - Charitable Donation and Tax-Exempt Status - Revocation
(Keeping Charities Nonpartisan Act of 2026)
Senate Education, Energy, and the Environment Committee

February 16, 2026

Position: Favorable

Nonprofit Montgomery is an alliance of nonprofits serving Montgomery County's million-plus residents. Our members range from small to large and provide many essential services Marylanders need to thrive.

We request that you support the "Keeping Charities Nonpartisan Act of 2026".

The "Johnson Amendment" has protected the charitable and nonprofit sector for more than 70 years, by making the line between nonprofit missions—their charitable work—and political campaigns and partisanship defined and clear..

This allows all nonprofits to be insulated from the political divides we see today and be welcoming institutions that allow all viewpoints to serve common interests and needs. It also protects nonprofits from potential "quid pro quo" relationships with elected officials.

Additionally, this also means that nonprofits are trusted to be stewards of charitable donations and to serve others without imposing litmus tests.

The Johnson Amendment is still settled law, but there are threats to it in all three federal branches of government. HR2501 and S1205 would establish a new vaguely defined standard for electoral intervention by nonprofits. In the US District Court in Texas, exceptions have been proposed for churches, and the President has indicated his willingness to revoke the Johnson Amendment.

This threat means that nonprofits' missions, staff, boards, and clients could be politicized, which is the opposite of what they should be.

SB4 would ensure that if the federal government changes this longstanding policy, Maryland's nonprofits would continue to be bound by nonpartisan standards. This protects both nonprofits, politicians, and the communities we both serve.

We ask that you give Senate Bill 4 a favorable report.