



## Keeping Charities Nonpartisan Protects Us All

**By Carmen C. Marshall, Interim President & CEO, Maryland Nonprofits**

Nonprofit organizations are among the most trusted institutions in American life. They shelter survivors of domestic violence and feed families when cupboards are bare. They , care for the elderly, run afterschool and job training programs across the state. Nonprofits protect our waterways and fragile ecosystems, preserve historic places and strengthen neighborhoods. Nonprofits show up—quietly and consistently—wherever the need is greatest.

In Maryland alone, more than 41,000 nonprofit organizations operate in every county and community. They are woven into the daily life of our state. Whether you volunteer at one, donate to one, work for one, or rely on one, nonprofits are part of how Maryland functions—and how communities hold together.

That trust did not happen by accident.

For more than 70 years, federal law has drawn a clear and intentional line between charitable work and political campaigning. In 1954, Congress clarified that charities and houses of worship may not participate in or intervene in political campaigns for or against candidates for public office. This provision, often referred to as the Johnson Amendment, has served a simple but essential purpose: it keeps nonprofit organizations focused on their missions, not electoral politics.

This firewall has protected nonprofits from being pressured to endorse candidates. It has shielded boards, staff, volunteers, and faith leaders from political coercion. And it has helped preserve the public's confidence that charitable resources are used to serve communities—not political agendas.

Today, that long-standing protection is at risk.

If federal enforcement of this rule is weakened or eliminated, nonprofits could be pushed into political terrain they were never designed to occupy. Charitable organizations could become attractive targets for political operatives seeking platforms, influence, or

legitimacy. Board seats could be politicized. Charity-hosted events could morph into campaign stops. And the very institutions people turn to in moments of vulnerability could be pulled into partisan conflict.

That would be a loss for everyone—regardless of political affiliation.

Senate Bill 4, sponsored by Senator Cheryl Kagan and Senate president Bill Ferguson, and House Bill 514 sponsored by Delegate Sandy Rosenberg, are a measured, thoughtful response to that risk. SB4 and HB514 ensure that if federal protections are rolled back, Maryland charities and religious organizations will still be governed by the same nonpartisan standards that have guided them for decades.

The bills do not create new restrictions. They simply preserve existing ones.

Specifically, SB4 and HB 514 incorporate the long-standing federal language and its well-established interpretation into Maryland law. They authorize state officials to intervene only if an organization violates those rules—and even then, enforcement is not automatic or punitive by default. The law allows for mediation and the opportunity to cure violations that were unauthorized or inadvertent. Importantly, this would only take effect if federal action renders the Johnson Amendment unenforceable.

In other words, this is a contingency plan, not an expansion of government authority.

At its core, these bills are about protecting the nonprofit sector from becoming collateral damage in political battles. They safeguard the independence of charitable organizations so they can continue doing what they do best: serving the public good.

This should matter to all of us.

Nonprofits operate in spaces where trust is essential. Survivors seeking safety. Families seeking food. Communities seeking healing after disaster or loss. When nonprofits are perceived as politically aligned, that trust erodes—and once lost, it is difficult to restore.

Keeping charities nonpartisan does not silence their voices. Nonprofits remain free to educate the public, advocate for policies aligned with their missions, and engage in civic life. What they cannot—and should not—do is become vehicles for partisan campaigning.

That distinction has served our democracy well.