

ASSEMBLY, No. 2161

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

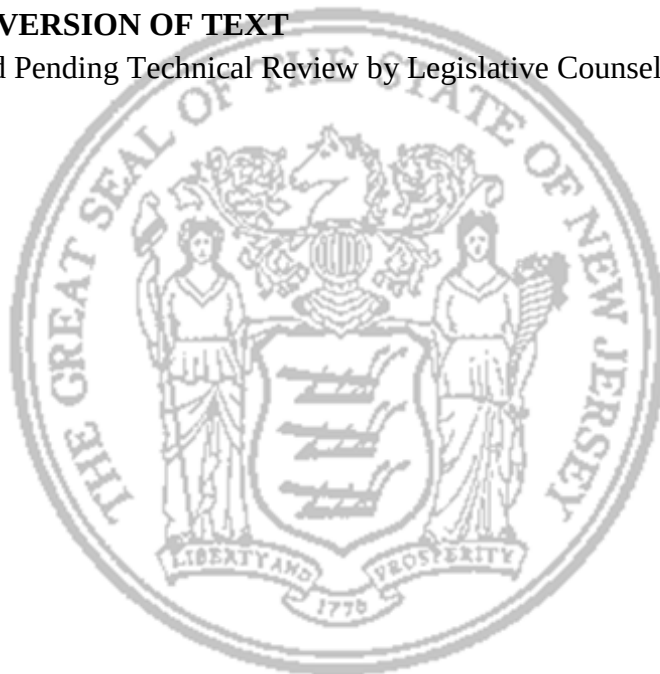
Assemblywoman Chaparro, Assemblyman Verrelli, Assemblywoman Quijano and Assemblyman Danielsen

SYNOPSIS

Allows NJ gross income tax deduction for charitable contributions of food made from business inventory.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/19/2020)

1 **AN ACT** allowing a charitable contribution tax deduction under the
2 New Jersey gross income tax for contributions of food made
3 from business inventory and supplementing chapter 3 of Title
4 54A of the New Jersey Statutes.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. A taxpayer shall be allowed to deduct from gross income the
10 amount of charitable contributions of food made in the taxable year
11 equal to the amount which would have been allowed to the taxpayer
12 for the federal taxable year under the provisions of paragraph (3) of
13 subsection (e) of section 170 of the federal Internal Revenue Code
14 (26 U.S.C. s.170) in effect on December 31, 2013.

15
16 2. This act shall take effect immediately and apply to taxable
17 years beginning on or after the January 1 next following enactment.

18
19
20 STATEMENT

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22 This bill allows gross income tax deductions for charitable
23 contributions of food made in the tax year from business inventory, as
24 allowed under paragraph (3) of subsection (e) of section 170 of the
25 federal Internal Revenue Code of 1986. The deduction mirrors the
26 federal income tax deduction for contributions of food made from
27 business inventory and is allowed regardless of whether the federal
28 itemized deduction is taken by the taxpayer.

29 The deduction is an itemized deduction for charitable contributions
30 of food, where "food" is "apparently wholesome food." Under federal
31 law, "apparently wholesome food" means "food that meets all quality
32 and labeling standards imposed by Federal, State, and local laws and
33 regulations even though the food may not be readily marketable due to
34 appearance, age, freshness, grade, size, surplus, or other conditions."
35 The contribution is required to be made to an organization that is
36 determined by the Internal Revenue Service to be an organization
37 eligible to receive tax-deductible charitable contributions.