

105TH CONGRESS
1ST SESSION

H. R. 2450

To amend the Internal Revenue Code of 1986 to clarify the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 1997

Mr. HALL of Ohio (for himself and Mr. CAMPBELL) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to clarify the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Good Samaritan Tax
5 Act”.

6 **SEC. 2. CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF**
7 **FOOD INVENTORY.**

8 (a) IN GENERAL.—Subsection (e) of section 170 of
9 the Internal Revenue Code of 1986 (relating to certain

1 contributions of ordinary income and capital gain prop-
2 erty) is amended by adding at the end the following new
3 paragraph:

4 “(7) SPECIAL RULE FOR CONTRIBUTIONS OF
5 FOOD INVENTORY.—

6 “(A) CONTRIBUTIONS BY NON-CORPORATE
7 TAXPAYERS.—In the case of a charitable con-
8 tribution of food, paragraph (3) shall be applied
9 without regard to whether or not the contribu-
10 tion is made by a corporation.

11 “(B) DETERMINATION OF FAIR MARKET
12 VALUE.—For purposes of this section, in the
13 case of a charitable contribution of food which
14 is a qualified contribution (within the meaning
15 of paragraph (3)) and which, solely by reason
16 of internal standards of the taxpayer, lack of
17 market, or similar circumstances, cannot or will
18 not be sold, the fair market value of such con-
19 tribution shall be determined—

20 “(i) without regard to such internal
21 standards, such lack of market, or such
22 circumstances, and

23 “(ii) if applicable, by taking into ac-
24 count the price at which the same or simi-
25 lar food items are sold by the taxpayer at

1 the time of the contribution (or, if not so
2 sold at such time, in the recent past).”

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) shall apply to taxable years beginning after
5 the date of the enactment of this Act.

○