

SB 108 A STAFF MEASURE SUMMARY

Senate Committee On Finance and Revenue

Action Date: 04/14/25

Action: Do pass with amendments. Refer to Tax Expenditures by prior reference. (Printed A-Eng).

Vote: 5-0-0-0

Yeas: 5 - McLane, Meek, Patterson, Starr, Taylor

Fiscal: Has minimal fiscal impact

Revenue: Revenue impact issued

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Meeting Dates: 3/12, 4/14

WHAT THE MEASURE DOES:

Extends the sunset of the crop donation tax credit by six years, from January 1, 2026, to January 1, 2032. Increases value of credit from 15 percent of the value of the crop donated to 25 percent. Increased percentage made applicable to tax years beginning on or after January 1, 2025. Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Overview and history of credit
- Ability of taxpayers to benefit from credit and deduction when making a qualified donation
- Credit and amount of appropriations relating to reducing hunger
- Rationale for the credit expansion in the -1.

EFFECT OF AMENDMENT:

Increased credit percentage from 15 percent to 25 percent.

BACKGROUND:

The crop donation tax credit provides a credit against personal or corporate income taxes available to crop growers that make a qualified donation of the crop to a food bank, gleaning cooperative, or other charitable organization engaged in the distribution of food without charge. Credit amount is equal to fifteen percent of the value of the quantity of the crop donated computed at the wholesale market price. Credit is nonrefundable but unused credit amounts can be carried forward for up to three succeeding tax years.

For purposes of the credit, crop is defined as an agricultural crop producing food for human consumption and includes livestock that can be processed into food for human consumption. Qualified donation means the harvest or post-harvest contribution in Oregon of a crop or a portion of a crop grown primarily to be sold for cash. Donated food must be fit for human consumption and meet all quality and labeling standards imposed by federal, state or local laws. However, donated food is not required to be readily marketable due to appearance, age, freshness, grade, size, surplus or other condition. More detailed information/analysis of the credit is available in the 2025 [Tax Credit Report](#) prepared by the Legislative Revenue Office.