

**Summary of Comments Received During
A Meeting with Representatives
from Virginia Food Banks**

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A meeting was held by phone on June 22, 2016 between representatives of the Virginia Department of Taxation (“the Department”) and representatives from Virginia food banks. This meeting was held for the purpose of considering comments from the Virginia food banks regarding the Food Crop Donation Tax Credit Draft Guidelines, which were published by the Department on June 17, 2016.

Attendees:

- Leslie Van Horn, Executive Director, Federation of Virginia Food Banks
- Michael McKee, Chief Executive Officer, Blue Ridge Area Food Bank
- Mark Haskins, Policy Development Director, Department of Taxation
- Kristin Collins, Lead Tax Policy Analyst, Department of Taxation
- James Savage, Tax Policy Analyst, Department of Taxation

Topics Discussed

The following topics were discussed during this meeting:

- The application deadlines set forth in the draft guidelines. There was concern that most taxpayers would be required to either file an original return during the extension period or file an amended return to claim the credit. This could be complex and burdensome for some taxpayers. One potential solution is to advance the application deadline to February 1, to allow the Department adequate time to provide approvals prior to the May 1 filing deadline for individual taxpayers. This would require the deadline for the written certification to be advanced as well.
- The possibility of changing the Guidelines in the future. It was discussed how the Guidelines could be changed by the Department, either on the Department’s own initiative or in response to legislation enacted by the General Assembly.
- The process for verifying “nonprofit food bank” status. There was discussion regarding what documentation and information the Department will be seeking from organizations to verify their “nonprofit food bank” status. Consideration was

given as to whether the Department should further develop this section of the Guidelines.

- Determining fair market value using the U.S. Department of Agriculture Market News Service. It was discussed how this method was selected as an option because the method provides a workable mechanism for nonprofit food banks to determine fair market value.

The Department will consider these comments as it develops Final Guidelines for the Food Crop Donation Tax Credit.