

# DEPARTMENT OF TAXATION

## 2025 Fiscal Impact Statement

1. **Patron** David A. Reid

3. **Committee** House Finance

4. **Title** Individual Income Tax: Venison Donation  
Tax Credit

2. **Bill Number** HB 1741

**House of Origin:**

X **Introduced**

       **Substitute**

       **Engrossed**

**Second House:**

       **In Committee**

       **Substitute**

       **Enrolled**

### 5. **Summary/Purpose:**

This bill would establish a nonrefundable individual income tax credit for taxpayers who butcher, process and donate an antlerless deer for human consumption. A taxpayer may claim this credit up to \$50 per deer donated.

The total amount of the credit that may be claimed in any single taxable year is limited to the lesser of:

- \$200, if the taxpayer did not harvest each deer in accordance with a deer management permit, or
- The taxpayer's total liability for that year, if all harvested deer were in compliance with the permit.

The bill would also provide for an exemption from civil liability arising from injury or death resulting from the nature, age, condition, or packaging of the donated food.

This bill would be effective for taxable years beginning on and after January 1, 2025, but before January 1, 2030.

### 6. **Budget amendment necessary:** Yes.

Item(s): 258 and 260, Department of Taxation

### 7. **Fiscal Impact Estimates are:** Preliminary. (See Line 8.)

#### 7a. **Expenditure Impact:**

<i><b>Fiscal Year</b></i>	<i><b>Dollars</b></i>	<i><b>Positions</b></i>	<i><b>Fund</b></i>
2025-26	\$116,770	0	GF
2026-27	\$18,400	0	GF

## **8. Fiscal implications:**

### Administrative Costs

The Department of Taxation ("the Department") would incur estimated expenditures, as shown on Line 7a. The costs above include systems changes to capture and process the relevant information, as well as tax form creation and audit costs. Any costs thereafter would be considered routine.

### Revenue Impact

This bill would have an unknown negative General Fund revenue impact beginning in Fiscal Year 2026 and each year thereafter. According to data from Virginia Hunters Who Care, which is a venison donation organization in Virginia, an average of approximately 5,000 deer are donated annually. If this credit were claimed for all such donations at the maximum amount, the negative revenue impact of this bill would be approximately \$250,000 annually. However, this estimate is based on only one data source, Virginia Hunters Who Care, and therefore, does not account for all potential eligible donations. It also does not account for taxpayer liability and other restrictions imposed by the credit. As a result, the actual revenue impact of this bill is unknown.

## **9. Specific agency or political subdivisions affected:**

Department of Taxation

## **10. Technical amendment necessary: No.**

## **11. Other comments:**

### Virginia Deer Management Assistance Program (DMAP)

The Virginia Deer Management Assistance Program ("DMAP") is a program that allows landowners, land managers, and certain other individuals to manage deer populations on their property in specific ways. The DMAP enables these individuals to receive additional permits for antlerless deer harvests beyond the regular limits during the hunting season. This program is designed to help reduce deer populations in areas where there is a high concentration of deer, which can lead to ecological damage, vehicle collisions, and crop damage. Landowners or managers apply for the permit through the Virginia Department of Wildlife Resources ("DWR").

### Food Donation Tax Credit

During the 2016 Session, the Virginia General Assembly established the Food Crop Donation Tax Credit through House Bill 1093 (2016 Acts of Assembly, Chapter 391) and Senate Bill 580 (2016 Acts of Assembly, Chapter 304), providing an individual and corporate income tax credit for farmers who donate food crops to nonprofit food banks in the Commonwealth. The credit amount is equal 30 percent of the fair market value of the donated crops, with a maximum of \$5,000 per taxpayer per taxable year. In the 2023 Session, House Bill 2445 (2023 Acts of Assembly, Chapter 165) and Senate Bill 1525

(2023 Acts of Assembly, Chapter 166) converted the Food Crop Donation Tax Credit into the Food Donation Tax Credit and made several changes to the credit, such as expanding the credit to include donations of food from sources beyond just food crops.

Taxpayers donating venison do not typically qualify for the food donation tax credit in Virginia because that credit specifically applies to the donation of food that meets certain standards related to food safety and the type of organizations receiving the donation, and venison may not meet these specific standards.

### Proposal

This bill would establish a nonrefundable individual income tax credit for taxpayers who butcher and process an antlerless deer for human consumption. A taxpayer may claim this credit up to \$50 per "eligible expenditure," provided that:

- The hunting and harvesting of the deer complies with the Commonwealth's hunting laws and regulations and
- The taxpayer donates the processed deer meat to a venison donation program administered by a nonprofit organization.

"Eligible expenditure" would be defined as expenditures incurred to butcher and process one antlerless deer for human consumption.

The total amount of the credit that may be claimed in any single taxable year is limited to the lesser of:

- \$200, if the taxpayer did not harvest each deer in accordance with a deer management permit, or
- The taxpayer's total liability for that year, if all harvested deer were in compliance with the permit.

Taxpayers would be permitted to carry forward any unused credit for five years. The bill would also provide for an exemption from civil liability arising from injury or death resulting from the nature, age, condition, or packaging of the donated food.

This bill would require the Department to develop guidelines implementing the tax credit.

This bill would be effective for taxable years beginning on and after January 1, 2025, but before January 1, 2030.

cc : Secretary of Finance

Date: 01/22/2025 SJH  
HB1741F161