**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑6‑3790 SO AS TO PROVIDE AN INCOME TAX CREDIT TO A TAXPAYER THAT CLAIMS A DEDUCTION ON HIS FEDERAL RETURN FOR A CHARITABLE CONTRIBUTION OF APPARENTLY WHOLESOME FOOD FROM ANY TRADE OR BUSINESS OF THE TAXPAYER, AND TO PROVIDE THAT THE CREDIT EQUALS TEN PERCENT OF THE DEDUCTION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12‑6‑3790. In any taxable year in which a taxpayer claims a deduction on his federal return for a charitable contribution of apparently wholesome food from any trade or business of the taxpayer, then the taxpayer also may claim a refundable income tax credit equal to ten percent of the deduction. In the case of a taxpayer whose business is not conducted entirely within this State, the amount of the deduction must be apportioned, as provided by law, and the credit calculated based on the apportioned deduction. For purposes of this section, ‘apparently wholesome food’ has the same meaning as provided in 26 U.S.C. Section 170.”

SECTION 2. This act takes effect upon approval by the Governor and applies to tax years beginning after 2013.

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