

Prepaying Ma'aser

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Case: Reuven has a business and usually takes off *ma'aser* at the end of each year. This year, he made a very profitable deal that netted him a large profit.

Question: He wants to designate all this money as *ma'aser*, thereby "prepaying" his *ma'aser* for the profits he hopes to make in the next few years. Is that okay?

Answer: While paying *ma'aser* in advance sounds like a wonderful thing to do, the Nodah B'Yehuda actually takes issue with the practice. He says that the source of *ma'aser kesafim* is *ma'aser tevuah*, and, of course, one cannot take *ma'aser* from his crops until they grow. Therefore, he discourages the idea of taking *ma'aser kesafim* before the money is earned.

B'dieved, he says that the practice of prepaying *ma'aser* can work, as we find that the Mishnah says that one can lend money to a Kohen, Levi or poor person, and pay back the loan to himself from his *terumos* and *ma'asros* that grow later on. So too, one can prepay his *ma'aser kesafim* by, in effect, lending the money to *ma'aser* and then paying it back to himself when he earns it. *L'chatchilah*, however, the Noda B'Yehuda does not encourage this practice.

The Chofetz Chaim does allow for *ma'aser* to be prepaid, provided this was the intention of the donor when he began the practice of giving *ma'aser*.