

PROPOSED AMENDMENTS TO SENATE BILL NO. 2101

Page 1, line 1, after "reenact" insert "subsection 2 of section 57-34-03 and"

Page 1, line 2, after the first "to" insert "deposit and", replace "telecommunication" with "telecommunications", and after "tax" insert "; to provide a continuing appropriation; to provide for a transfer"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Subsection 2 of section 57-34-03 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. A telecommunications carrier's customer in this state is entitled to a refund equal to two and one-half percent of the amount of telecommunications service charges paid to telecommunications carriers by that customer in excess of eight hundred thousand dollars in a calendar year. A refund claim under this subsection must be filed with the tax commissioner before July first of the year following the calendar year for which the refund is claimed. A claim for refund must be made in the manner prescribed by the tax commissioner. Refunds under this subsection must be paid by the tax commissioner from tax collections under this chapter and are appropriated from the telecommunications carriers tax fund as a standing and continuing appropriation to the tax commissioner for that purpose."

Page 1, line 7, after the first period insert "**Deposit of tax revenues -**", after "**counties**" insert "**- Telecommunications carriers tax fund**", and after the second period insert "Net gross receipts tax revenues of up to eight million four hundred thousand dollars per taxable year under this chapter must be deposited in a special fund in the state treasury, the telecommunications carriers tax fund. Net gross receipts tax revenues under this chapter exceeding eight million four hundred thousand dollars in a taxable year must be deposited in the state general fund. For purposes of this section, "net gross receipts tax revenues" means gross receipts tax revenues minus any refunds paid under section 57-34-03."

Page 1, line 8, overstrike "net gross receipts tax revenues" and insert immediately thereafter "moneys in the telecommunications carriers tax fund"

Page 1, line 13, overstrike "Gross receipts tax revenues of" and insert immediately thereafter "The balance of the telecommunications carriers tax fund, not exceeding"

Page 1, line 14, overstrike "are" and insert immediately thereafter ", is"

Page 1, line 15, overstrike "and any gross receipts tax revenues"

Page 1, line 16, overstrike "exceeding that appropriation in any taxable year must be deposited in the state general fund"

Page 1, line 20, after the first "allocation" insert "from the telecommunications carriers tax fund"

Page 2, after line 2, insert:

**"SECTION 3. TRANSFER.** Within five days after the effective date of this Act, the state treasurer shall transfer net gross receipts tax revenues collected under chapter 57-34 for taxable year 1998 from the state general fund to the telecommunications carriers tax fund, but the transfer under this section may not exceed the limitation on deposits in the telecommunications carriers tax fund under section 57-34-05."

Renumber accordingly