

Sixty-second  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1289

Introduced by

Representatives Kasper, Headland, Kempenich

Senator Fischer

1 A BILL for an Act to amend and reenact subsection 1 of section 57-38-30.3 of the North Dakota  
2 Century Code, relating to reduction of income tax rates for individuals, estates, and trusts; and  
3 to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 57-38-30.3 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 1. A tax is hereby imposed for each taxable year upon income earned or received in that  
8 taxable year by every resident and nonresident individual, estate, and trust. A taxpayer  
9 computing the tax under this section is only eligible for those adjustments or credits  
10 that are specifically provided for in this section. Provided, that for purposes of this  
11 section, any person required to file a state income tax return under this chapter, but  
12 who has not computed a federal taxable income figure, shall compute a federal  
13 taxable income figure using a pro forma return in order to determine a federal taxable  
14 income figure to be used as a starting point in computing state income tax under this  
15 section. The tax for individuals is equal to North Dakota taxable income multiplied by  
16 the rates in the applicable rate schedule in subdivisions a through d corresponding to  
17 an individual's filing status used for federal income tax purposes. For an estate or  
18 trust, the schedule in subdivision e must be used for purposes of this subsection.

19 a. Single, other than head of household or surviving spouse.

20	If North Dakota taxable income is:	The tax is equal to:
21	Not over <del>\$33,950</del> <u>\$34,500</u>	<del>1.84</del> <u>1.56</u> %
22	Over <del>\$33,950</del> <u>\$34,500</u>	<del>\$624.68</del> <u>538.20</u> plus <del>3.44</del> <u>2.92</u> %
23	but not over <del>\$82,250</del> <u>\$83,600</u>	of amount over <del>\$33,950</del> <u>\$34,500</u>
24	Over <del>\$82,250</del> <u>\$83,600</u>	<del>\$2,286.20</del> <u>1,971.92</u> plus <del>3.81</del> <u>3.24</u> %

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1	but not over <del>\$171,550</del> <u>\$174,400</u>	of amount over <del>\$82,250</del> <u>\$83,600</u>
2	Over <del>\$171,550</del> <u>\$174,400</u>	<del>\$5,688.53</del> <u>4,913.84</u> plus <del>4.423.76</del> %
3	but not over <del>\$372,950</del> <u>\$379,150</u>	of amount over
4		<del>\$171,550</del> <u>\$174,400</u>
5	Over <del>\$372,950</del> <u>\$379,150</u>	<del>\$14,590.41</del> <u>12,612.44</u> plus
6		<del>4.864.13</del> % of amount over
7		<del>\$372,950</del> <u>\$379,150</u>
8	b. Married filing jointly and surviving spouse.	
9	If North Dakota taxable income is:	The tax is equal to:
10	Not over <del>\$56,750</del> <u>\$57,700</u>	<del>1.841.56</del> %
11	Over <del>\$56,750</del> <u>\$57,700</u>	<del>\$1,044.20</del> <u>900.12</u> plus <del>3.442.92</del> %
12	but not over <del>\$137,050</del> <u>\$139,350</u>	of amount over <del>\$56,750</del> <u>\$57,700</u>
13	Over <del>\$137,050</del> <u>\$139,350</u>	<del>\$3,806.52</del> <u>3,284.30</u> plus <del>3.813.24</del> %
14	but not over <del>\$208,850</del> <u>\$212,300</u>	of amount over
15		<del>\$137,050</del> <u>\$139,350</u>
16	Over <del>\$208,850</del> <u>\$212,300</u>	<del>\$6,542.10</del> <u>5,647.88</u> plus <del>4.423.76</del> %
17	but not over <del>\$372,950</del> <u>\$379,150</u>	of amount over
18		<del>\$208,850</del> <u>\$212,300</u>
19	Over <del>\$372,950</del> <u>\$379,150</u>	<del>\$13,795.32</del> <u>11,921.44</u> plus
20		<del>4.864.13</del> % of amount over
21		<del>\$372,950</del> <u>\$379,150</u>
22	c. Married filing separately.	
23	If North Dakota taxable income is:	The tax is equal to:
24	Not over <del>\$28,375</del> <u>\$28,850</u>	<del>1.841.56</del> %
25	Over <del>\$28,375</del> <u>\$28,850</u>	<del>\$522.10</del> <u>450.06</u> plus <del>3.442.92</del> %
26	but not over <del>\$68,525</del> <u>\$69,675</u>	of amount over <del>\$28,375</del> <u>\$28,850</u>
27	Over <del>\$68,525</del> <u>\$69,675</u>	<del>\$1,903.26</del> <u>1,642.15</u> plus <del>3.813.24</del> %
28	but not over <del>\$104,425</del> <u>\$106,150</u>	of amount over <del>\$68,525</del> <u>\$69,675</u>
29	Over <del>\$104,425</del> <u>\$106,150</u>	<del>\$3,271.05</del> <u>2,823.94</u> plus <del>4.423.76</del> %
30	but not over <del>\$186,475</del> <u>\$189,575</u>	of amount over \$104,425
31	Over <del>\$186,475</del> <u>\$189,575</u>	<del>\$6,897.66</del> <u>5,960.72</u> plus <del>4.864.13</del> %

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1		of amount over
2		<del>\$186,475</del> <u>\$189,575</u>
3	d. Head of household.	
4	If North Dakota taxable income is:	The tax is equal to:
5	Not over <del>\$45,500</del> <u>\$46,250</u>	<del>1.84</del> <u>1.56</u> %
6	Over <del>\$45,500</del> <u>\$46,250</u>	<del>\$837.20</del> <u>721.50</u> plus <del>3.44</del> <u>2.92</u> %
7	but not over <del>\$117,450</del> <u>\$119,400</u>	of amount over <del>\$45,500</del> <u>\$46,250</u>
8	Over <del>\$117,450</del> <u>\$119,400</u>	<del>\$3,312.28</del> <u>2,857.48</u> plus <del>3.81</del> <u>3.24</u> %
9	but not over <del>\$190,200</del> <u>\$193,350</u>	of amount over
10		<del>\$117,450</del> <u>\$119,400</u>
11	Over <del>\$190,200</del> <u>\$193,350</u>	<del>\$6,084.06</del> <u>5,253.46</u> plus <del>4.42</del> <u>3.76</u> %
12	but not over <del>\$372,950</del> <u>\$379,150</u>	of amount over
13		<del>\$190,200</del> <u>\$193,350</u>
14	Over <del>\$372,950</del> <u>\$379,150</u>	<del>\$14,161.61</del> <u>12,239.54</u> plus
15		<del>4.86</del> <u>4.13</u> % of amount over
16		<del>\$372,950</del> <u>\$379,150</u>
17	e. Estates and trusts.	
18	If North Dakota taxable income is:	The tax is equal to:
19	Not over \$2,300	<del>1.84</del> <u>1.56</u> %
20	Over \$2,300	<del>\$42.32</del> <u>35.88</u> plus <del>3.44</del> <u>2.92</u> %
21	but not over <del>\$5,350</del> <u>\$5,450</u>	of amount over \$2,300
22	Over <del>\$5,350</del> <u>\$5,450</u>	<del>\$147.24</del> <u>127.86</u> plus <del>3.81</del> <u>3.24</u> %
23	but not over <del>\$8,200</del> <u>\$8,300</u>	of amount over <del>\$5,350</del> <u>\$5,450</u>
24	Over <del>\$8,200</del> <u>\$8,300</u>	<del>\$255.83</del> <u>220.20</u> plus <del>4.42</del> <u>3.76</u> %
25	but not over <del>\$11,150</del> <u>\$11,350</u>	of amount over <del>\$8,200</del> <u>\$8,300</u>
26	Over <del>\$11,150</del> <u>\$11,350</u>	<del>\$386.22</del> <u>334.88</u> plus <del>4.86</del> <u>4.13</u> %
27		of amount over <del>\$11,150</del> <u>\$11,350</u>
28	f. For an individual who is not a resident of this state for the entire year, or for a	
29	nonresident estate or trust, the tax is equal to the tax otherwise computed under	
30	this subsection multiplied by a fraction in which:	

