

April 11, 2011

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1289

In lieu of the amendments adopted by the Senate as printed on pages 1347 and 1348 of the Senate Journal, Engrossed House Bill No. 1289 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax relief credit; to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to a corporate income tax exemption; to provide an effective date; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 57-38-30 of the North Dakota Century Code is amended and reenacted as follows:

57-38-30. Imposition and rate of tax on corporations.

A tax is hereby imposed upon the taxable income of every domestic and foreign corporation which must be levied, collected, and paid annually as in this chapter provided:

1. a. For the first ~~twenty-five~~seventy-five thousand dollars of taxable income, ~~at the rate of two and one-tenth percent~~no tax.
- b. ~~On all taxable income exceeding twenty-five thousand dollars and not exceeding fifty thousand dollars, at the rate of five and twenty-five hundredths percent.~~
- c. ~~On all taxable income exceeding fifty thousand dollars, at the rate of six and four-tenths percent.~~On all taxable income exceeding seventy-five thousand dollars, at the rate of six and four-tenths percent.
2. A corporation that has paid North Dakota alternative minimum tax in years beginning before January 1, 1991, may carry over any alternative minimum tax credit remaining to the extent of the regular income tax liability of the corporation for a period not to exceed four taxable years.

SECTION 2. A new section to chapter 57-38 of the North Dakota Century Code is created and enacted as follows:

Individual income tax relief credit.

A credit is provided against individual income tax liability as determined under section 57-38-30.3 in the amount of one hundred forty dollars for an individual filing a single, married filing separately, or head of household return and two hundred eighty dollars for individuals filing a married filing jointly or surviving spouse return.

SECTION 3. A new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

Individual income tax relief credit under section 2 of this Act.

SECTION 4. EFFECTIVE DATE - EXPIRATION DATE. Section 1 of this Act is effective for the first two taxable years beginning after December 31, 2010, and is thereafter ineffective. Sections 2 and 3 of this Act are effective for the first taxable year beginning after December 31, 2010, and are thereafter ineffective."

Renumber accordingly