13.0149.01000

Sixty-third
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1184

Introduced by

   Representatives Louser, Bellew, Brabandt, Hofstad

   Senator Burckhard

1   A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to

2   subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax

3   credit for flood recovery impact for individuals who were flooded out of their homes by the 2011

4   flood disaster; to provide an effective date; and to provide an expiration date.

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

6   **SECTION 1.** A new section to chapter 57-38 of the North Dakota Century Code is created

7   and enacted as follows:

8   **Homeowner flood impact recovery credit.**

9   A qualified homeowner is entitled to a credit against the tax imposed under section

10   57-38-30.3 in the amount of the individual's, or the individuals' if filing a joint return, liability

11   under section 57-38-30.3 for taxable years 2011 and 2012. The unused portion of a credit under

12   this section may be carried forward for up to five taxable years.

13   For purposes of this section, "qualified homeowner" means an individual, or married

14   individuals filing a joint return, whose primary residence in 2011 was in an area in this state in

15   which federal emergency management agency individual assistance was made available to

16   homeowners after a presidentially declared disaster in this state as a result of a flood event

17   occurring in 2011, who were forced to evacuate that primary residence and that primary

18   residence was inundated by floodwater, and who has rehabilitated and reoccupied that structure

19   as a primary residence.

20   **SECTION 2.** A new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota

21   Century Code is created and enacted as follows:

22   Homeowner flood impact recovery credit under section 1 of this Act.

23   **SECTION 3. EFFECTIVE DATE - EXPIRATION DATE.** This Act is effective for the first six

24   taxable years beginning after December 31, 2012, and is thereafter ineffective.