

SENATE BILL NO. 2163
with Conference Committee Amendments
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Sixty-third
Legislative Assembly
of North Dakota

Introduced by

Senators Grindberg, Oehlke, Nelson

Representatives Hatlestad, Hawken, Delmore

1 A BILL for an Act to amend and reenact section 53-06.1-12 of the North Dakota Century Code,
2 relating to gaming taxes.

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

4 **SECTION 1. AMENDMENT.** Section 53-06.1-12 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **53-06.1-12. Gaming tax - Deposits and allocations.**

7 1. A gaming tax is imposed on the total gross proceeds received by a licensed
8 organization in a quarter and it must be computed and paid to the attorney general on
9 a quarterly basis on the tax return. This tax must be paid from adjusted gross
10 proceeds and is not part of the allowable expenses. ~~The tax rate for~~For a licensed
11 organization with gross proceeds:

12 a. ~~Not exceeding five hundred thousand dollars is one percent of gross proceeds.~~

13 b. ~~Exceeding five hundred thousand dollars but not exceeding one million five~~
14 ~~hundred thousand~~ dollars the tax is one and one-half percent of gross proceeds.

15 e.b. ~~Exceeding one million five hundred thousand dollars but not exceeding one~~
16 ~~million five hundred~~the tax is fifteen thousand dollars is plus two and twenty-five
17 hundredths percent of gross proceeds exceeding one million five hundred
18 thousand dollars.

19 d. ~~Exceeding one million five hundred thousand dollars is two and one-half percent~~
20 ~~of gross proceeds.~~

21 2. The tax must be paid to the attorney general at the time tax returns are filed.

22 3. Except as provided in subsection 4, the attorney general shall deposit gaming ~~and~~
23 ~~excise~~ taxes, monetary fines, and interest and penalties collected in the general fund
24 in the state treasury.

- 1 4. The attorney general shall deposit ~~six~~seven percent of the total taxes, less refunds,
2 collected under this section into a gaming ~~and~~ ~~excise~~ tax allocation fund. Pursuant to
3 legislative appropriation, moneys in the fund must be distributed quarterly to cities and
4 counties in proportion to the taxes collected under this section from licensed
5 organizations conducting games within each city, for sites within city limits, or within
6 each county, for sites outside city limits. If a city or county allocation under this
7 subsection is less than two hundred dollars, that city or county is not entitled to receive
8 a payment for the quarter and the undistributed amount must be included in the total
9 amount to be distributed to other cities and counties for the quarter.