

Introduced by

Senators Grindberg, Holmberg, Robinson

Representatives Dockter, Kreun, Thoreson

1 A BILL for an Act to create and enact a new subsection to section 57-38-30.5 of the North  
2 Dakota Century Code, relating to the effect of the expiration of the federal research tax credit  
3 on the state income tax credit for research and experimental expenditures; and to provide for  
4 retroactive application.

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

6 **SECTION 1.** A new subsection to section 57-38-30.5 of the North Dakota Century Code is  
7 created and enacted as follows:

8 For any taxable year in which the federal research tax credit provisions of section 41  
9 of the Internal Revenue Code are ineffective, the provisions of section 41 of the  
10 Internal Revenue Code referenced in this section have the same meaning and  
11 application as provided in section 41 of the Internal Revenue Code [26 U.S.C. 41], as  
12 amended through the most recent taxable year in which the provisions were in effect.

13 **SECTION 2. RETROACTIVE APPLICATION.** This Act applies retroactively to taxable years  
14 beginning after December 31, 2011.