

SENATE BILL NO. 2202

Introduced by

Senators Oehlke, Dotzenrod, Sorvaag

Representatives Delmore, Dockter, Thoreson

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 and excise taxes; and to provide an effective date.

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. For a licensed organization with
11 gross proceeds:
- 12 a. ~~Not exceeding one million five hundred thousand dollars the tax is one percent of~~
13 ~~gross proceeds.~~
- 14 b. ~~Exceeding one million five hundred thousand dollars the tax is fifteen thousand~~
15 ~~dollars plus two and twenty-five hundredths percent of gross proceeds exceeding~~
16 ~~one million five hundred thousand dollars~~ exceeding twenty-five thousand dollars
17 the tax is three-fourths of one percent of the gross proceeds exceeding
18 twenty-five thousand dollars.
- 19 2. The tax must be paid to the attorney general at the time tax returns are filed.
- 20 3. Except as provided in subsection 4, the attorney general shall deposit gaming taxes,
21 monetary fines, and interest and penalties collected in the general fund in the state
22 treasury.
- 23 4. The attorney general shall deposit seven percent of the total taxes, less refunds,
24 collected under this section into a gaming tax allocation fund. Pursuant to legislative

1 appropriation, moneys in the fund must be distributed quarterly to cities and counties
2 in proportion to the taxes collected under this section from licensed organizations
3 conducting games within each city, for sites within city limits, or within each county, for
4 sites outside city limits. If a city or county allocation under this subsection is less than
5 two hundred dollars, that city or county is not entitled to receive a payment for the
6 quarter and the undistributed amount must be included in the total amount to be
7 distributed to other cities and counties for the quarter.

8 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable events occurring after
9 June 30, 2015.