

Sixty-fourth  
Legislative Assembly  
of North Dakota

## ENGROSSED 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; to provide a continuing appropriation; and to provide an  
3 effective date.

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

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

7 **53-06.1-12. Gaming tax - Deposits and allocations - Continuing appropriation.**

- 8 1. A gaming tax is imposed on the total gross proceeds received by a licensed  
9 organization in a quarter and it must be computed and paid to the attorney general on  
10 a quarterly basis on the tax return. This tax must be paid from adjusted gross  
11 proceeds and is not part of the allowable expenses. For a licensed organization with  
12 gross proceeds:
- 13 a. ~~Not exceeding one million five hundred thousand dollars the tax is one percent of~~  
14 ~~gross proceeds.~~
- 15 b. ~~Exceeding one million five hundred thousand dollars the tax is fifteen thousand~~  
16 ~~dollars plus two and twenty-five hundredths percent of gross proceeds exceeding~~  
17 ~~one million five hundred thousand dollars exceeding twenty-five thousand dollars~~  
18 ~~the tax is three-fourths of one percent of the gross proceeds.~~
- 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~~ a special fund in the  
22 state treasury designated as the gaming regulation and enforcement fund. All moneys  
23 in the gaming regulation and enforcement fund are appropriated on a continuing basis  
24 to the attorney general for the purpose of gaming regulation and enforcement.

1           4.   The attorney general shall deposit ~~seventeen~~thirteen percent of the total taxes, less  
2           refunds, collected under this section into a gaming 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.

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