

**Sixty-seventh Legislative Assembly of North Dakota
In Special Session Commencing Monday, November 8, 2021**

HOUSE BILL NO. 1509
(Representatives Dockter, Headland, Porter)
(Senator Bell)
(Approved by the Delayed Bills Committee)

AN ACT to amend and reenact section 53-06.1-12 of the North Dakota Century Code, relating to charitable gaming tax; to provide for retroactive application; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

53-06.1-12. Gaming tax - Deposits.

1. ~~A~~Except as provided in subsection 2, a gaming tax is imposed on the total adjusted gross proceeds received by a licensed organization in a quarter and ~~if the tax~~ must be computed and paid to the attorney general on a quarterly basis on the tax return. This tax must be paid from adjusted gross proceeds and is not part of the allowable expenses. For a licensed organization with adjusted gross proceeds:
 - a. Not exceeding fifty thousand dollars the tax is one percent of adjusted gross proceeds.
 - b. Exceeding fifty thousand dollars the tax is five hundred dollars plus twelve percent of adjusted gross proceeds exceeding fifty thousand dollars.
2. For a licensed organization permitted to conduct raffles in this state with adjusted gross proceeds exceeding fifty thousand dollars, a gaming tax of one percent of gross proceeds is imposed on the total gross proceeds received by the licensed organization from raffles in a quarter. The tax must be computed and paid to the attorney general on a quarterly basis on the tax return. The tax must be paid from adjusted gross proceeds and is not part of the allowable expenses.
3. The tax must be paid to the attorney general at the time tax returns are filed.
- ~~3.4.~~ The attorney general shall deposit gaming taxes, monetary fines, and interest and penalties collected in the charitable gaming operating fund.

SECTION 2. RETROACTIVE APPLICATION. This Act applies retroactively to raffles conducted after June 30, 2021.

SECTION 3. EFFECTIVE DATE. This Act becomes effective upon its filing with the secretary of state.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1509.

House Vote: Yeas 88 Nays 3 Absent 3

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State