

March 14, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2336

Page 1, after line 23, insert:

- "(3) The taxpayer shall apply to the director of the department of economic development and finance for certification that the research and development center and its expenditures are qualified for the deduction under this subdivision. The director shall provide the taxpayer with a certificate of approval, a copy of which must be attached to each return on which the deduction is claimed."

Page 2, line 1, replace "3" with "4"

Page 2, after line 2, insert:

- "(5) The taxpayer shall maintain production operations in this state for ten years. If the taxpayer relocates any part of its production facilities outside this state within the ten-year period, the deduction is disallowed. The director shall notify the tax commissioner of the relocation. Within ninety days after the relocation, the taxpayer shall file an amended return, or provide other information as required by the tax commissioner, for the tax year in which the deduction was claimed to report the disallowed deduction and pay the tax due. Notwithstanding the time periods for assessment in section 57-38-38, if the taxpayer fails to file the amended return, the tax commissioner may assess any tax attributable to the deduction."

Renumber accordingly