

**FIRST ENGROSSMENT
with Conference Committee Amendments**

ENGROSSED SENATE BILL NO. 2095

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact subsection 1 of section 50-29-02 of the North Dakota
2 Century Code, relating to implementation of the income provisions of the children's health
3 insurance program by the department of human services.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 50-29-02 of the North Dakota
6 Century Code is amended and reenacted as follows:

- 7 1. Prepare, submit, and implement the plan that includes eligibility determinations for
8 self-employed applicants, where adjusted gross income or loss means the
9 adjusted gross income or loss as computed for an individual for federal income tax
10 purposes under the Internal Revenue Code, based on the ~~average of the previous~~
11 ~~three years of adjusted gross income, which means the adjusted gross income as~~
12 ~~computed for an individual for federal income tax purposes under the Internal~~
13 ~~Revenue Code~~ lower of either:
- 14 a. The previous one year of adjusted gross income or loss, less any earned or
15 unearned income on the tax return, plus any current earned or unearned
16 income; or
- 17 b. The average of the previous three years of adjusted gross income or loss,
18 less the average of earned or unearned income for each of the previous three
19 years, plus any current earned or unearned income;