

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2367

Introduced by

Senators Heitkamp, Grindberg, Krauter

Representatives DeKrey, Gulleson, Warnke

1 A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2
2 and a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code,
3 relating to an income tax deduction for members of the reserve components of the armed
4 forces of the United States when called to federal active service; and to provide an effective
5 date.

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

7 **SECTION 1.** A new subdivision to subsection 1 of section 57-38-01.2 of the North
8 Dakota Century Code is created and enacted as follows:

9 Reduced by the amount received by the taxpayer as payment for services
10 performed when called or ordered to title 10 United States Code federal
11 service as a member of the national guard or reserve member of the armed
12 forces of the United States. An individual claiming the reduction under this
13 subdivision may not also claim the reduction under subdivision k for the time
14 the individual was under federal orders for active duty and may not claim a
15 reduction on income already excluded from federal taxation due to service in
16 a combat or hazardous duty zone. This subdivision does not apply to federal
17 service while attending annual training, basic military training, professional
18 military education, or active guard and reserve tours for which the member
19 has volunteered.

20 **SECTION 2.** A new subdivision to subsection 2 of section 57-38-30.3 of the North
21 Dakota Century Code is created and enacted as follows:

22 Reduced by the amount received by the taxpayer as payment for services
23 performed when called or ordered to title 10 United States Code federal
24 service as a member of the national guard or reserve member of the armed

1 forces of the United States. This subdivision does not apply to federal service
2 while attending annual training, basic military training, professional military
3 education, or active guard and reserve tours for which the member has
4 volunteered.

5 **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
6 December 31, 2002.