

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2199

Page 1, line 4, replace "and" with a comma and after "57-15-31" insert ", 57-38-30, and subdivision d of subsection 2 of section 57-38-30.3"

Page 1, line 5, after "districts" insert ", income tax treatment of qualified dividend income, and corporate income tax rates"

Page 3, after line 29, insert:

**"SECTION 4. AMENDMENT.** Section 57-38-30 of the North Dakota Century Code is amended and reenacted as follows:

**57-38-30. Imposition and rate of tax on corporations.** A tax is hereby imposed upon the taxable income of every domestic and foreign corporation which must be levied, collected, and paid annually as in this chapter provided:

1. a. For the first ~~three~~ fifty thousand dollars of taxable income, at the rate of two and ~~six tenths~~ five-tenths percent.
- b. On all taxable income ~~above three~~ above thirty exceeding fifty thousand dollars ~~and not in excess of eight thousand dollars~~, at the rate of ~~four and one-tenth~~ six percent.
- c. ~~On all taxable income above eight thousand dollars and not in excess of twenty thousand dollars, at the rate of five and six tenths percent.~~
- d. ~~On all taxable income above twenty thousand dollars and not in excess of thirty thousand dollars, at the rate of six and four tenths percent.~~
- e. ~~On all taxable income above thirty thousand dollars, at the rate of six and one-half percent.~~
2. A corporation that has paid North Dakota alternative minimum tax in years beginning before January 1, 1991, may carry over any alternative minimum tax credit remaining to the extent of the regular income tax liability of the corporation for a period not to exceed four taxable years.

**SECTION 5. AMENDMENT.** Subdivision d of subsection 2 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

- d. Reduced by thirty percent of the excess of the taxpayer's net long-term capital gain and qualified dividend income that is taxed at the same rate as long-term capital gain for federal income tax purposes under Internal Revenue Code provisions in effect on December 31, 2008, for the taxable year over the net short-term capital loss for that year, as computed for purposes of the Internal Revenue Code of 1986, as amended. The adjustment provided by this subdivision is allowed only to the extent the net long-term capital gain or qualified dividend is allocated to this state."

Page 6, line 12, remove "and" and after "3" insert ", 4, and 5"

Renumber accordingly