

PROPOSED AMENDMENTS TO SENATE BILL NO. 2383

Page 1, line 2, replace "individual and" with "an"

Page 1, line 3, remove "corporate"

Page 1, line 10, remove ", rather than seasonal or"

Page 1, line 11, remove "part-time," and replace "providing employment" with "in which an individual is employed"

Page 1, line 12, remove "to an individual", replace "thirty-two" with "twenty-five" and after "week" insert "and does not include seasonal employment"

Page 1, after line 12, insert:

"b. "Individual with disabilities" means an individual with a disability as defined under the American with Disabilities Act of 1990, and as amended by the ADA Amendments Act of 2008 [Pub.L. 110-325, 122 Stat. 3553], and who is receiving services directly related to the disabilities."

Page 1, line 13, replace "b." with "c." and replace "providing" with "in which an individual is employed"

Page 1, line 14, remove "employment" and remove "to an individual"

Page 1, line 15, after "week" insert "and does not include seasonal employment"

Page 1, line 18, after "57-38-30.3" insert "for the employment of an individual with disabilities"

Page 1, line 21, remove "who is receiving state services directly related to such disabilities"

Page 1, line 22, remove the underscored colon

Page 2, line 1, replace "a.     The" with "the"

Page 2, line 2, replace "within the ninety-day" with "from the number of individuals with disabilities employed by the taxpayer at the end of the preceding taxable year."

Page 2, remove lines 3 through 6

Page 2, line 7, replace "credit allowed under this section for the employment of individuals with" with "taxpayer may claim the credit in the first tax year beginning after the individual hired for the full-time or part-time employee job has completed the employee's first twelve consecutive months of employment with the taxpayer"

Page 2, remove line 8

Page 2, line 9, remove "employment of such individuals by one or more"

Page 2, line 11, remove "The taxpayer is not required to make a"

Page 2, remove lines 12 and 13

Page 2, line 15, remove "incentive" and replace "pursuant to" with "under"

Page 2, line 17, remove "or job service North Dakota"

Page 2, line 18, replace "The taxpayer shall file a plan with the commissioner on a form prescribed by the" with "A partnership, subchapter S corporation, limited partnership, or limited liability company, or any other entity treated as a passthrough entity for federal income tax purposes must be considered to be the taxpayer for purposes of this section. The amount of the credit determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity."

Page 2, remove lines 19 through 25

Renumber accordingly