

HOUSE BILL NO. 1478

Introduced by

Representatives Dosch, R. Kelsch, L. Meier

1 A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to
2 section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for
3 contributions to school districts of nonpublic elementary and secondary schools in this state;
4 and to provide an effective date.

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

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

8 **Elementary and secondary education contribution credit.** A taxpayer is entitled to a
9 tax credit against tax liability as determined under section 57-38-29 or 57-38-30.3 equal to fifty
10 percent of the amount of contributions during the taxable year by the taxpayer to a school
11 district or an accredited nonpublic school in this state providing education to students in any
12 grades from kindergarten through grade twelve. For purposes of this section, "contribution"
13 means a donation to the school or payment of tuition for one or more students attending the
14 school. The credit under this section is limited to one thousand dollars per taxable year for
15 married taxpayers filing a joint return and five hundred dollars for married taxpayers filing
16 separate returns or a taxpayer filing a single return. The credit under this section may not
17 exceed the taxpayer's tax liability for the taxable year.

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

20 A qualified taxpayer filing a return under this section is entitled to the credit
21 provided under section 1 of this Act.

22 **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
23 December 31, 2006.