

HOUSE BILL NO. 1436

Introduced by

Representatives S. Kelsh, Thoreson, Vig

Senators Anderson, Hacker, Wardner

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 employers for contributions or support for child care programs for dependents of employees;
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 **Employer credit for employee child care program or child care contribution.**

9 1. An employer is entitled to an income tax credit against taxes due and computed
10 under section 57-38-29, 57-38-30, or 57-38-30.3 in an amount equal to the amount
11 of the employer-provided child care credit allowed to that employer under Internal
12 Revenue Code section 45F [26 U.S.C. 45F], which is attributable to amounts paid
13 or incurred to or for qualified child care facilities in this state.

14 2. An employer is not entitled to the credit under this section unless the employer
15 offers a benefit of comparable worth to its employees who do not use the
16 employer's employee child care program or child care contribution.

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

19 A taxpayer filing a return under this section is entitled to the employer child care
20 program credit under section 1 of this Act.

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