

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1428
(Representatives Thoreson, Dosch, S. Kelsh, Kempenich)
(Senators Holmberg, Triplett)

AN ACT to amend and reenact subdivisions c and f of subsection 1 of section 40-63-03 and subsection 5 of section 40-63-07 of the North Dakota Century Code, relating to extension of the duration of a renaissance zone program, available income tax credits for renaissance zone investments, and designation of additional blocks as part of a renaissance zone; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subdivisions c and f of subsection 1 of section 40-63-03 of the North Dakota Century Code are amended and reenacted as follows:

- c. The proposed renaissance zone is not more than twenty-three square blocks, except in a city with a population of greater than five thousand the renaissance zone may exceed twenty-three square blocks at the rate of one additional block for each additional five thousand population to a maximum size of thirty-eight blocks. Population is based upon the most recent federal decennial census.

If a city finds that renaissance zone projects have satisfactorily completed one or more blocks within the renaissance zone, the city may apply for and the department of commerce division of community services may approve withdrawal of those blocks from the renaissance zone and replacement of those blocks with other blocks that otherwise meet the requirements of this chapter.

- f. The application includes the proposed duration of renaissance zone status, not to exceed fifteen years. Upon application by the city, the department of commerce division of community services may extend the duration of renaissance zone status in increments of up to five years.

SECTION 2. AMENDMENT. Subsection 5 of section 40-63-07 of the North Dakota Century Code is amended and reenacted as follows:

5. The total amount of credits allowed under this section may not exceed, in the aggregate, ~~an initial limit of two million five hundred thousand dollars. Upon exhaustion of this initial limit, an additional two~~ seven million five hundred thousand dollars ~~in credits is available~~ for investments in renaissance fund organizations. A renaissance fund organization that has received investments that qualify for these additional credits under this subsection may not use more than fifty percent of such investments for organization investments outside of a renaissance zone.

SECTION 3. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 2008.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1428.

House Vote: Yeas 93 Nays 0 Absent 1

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,

at _____ o'clock _____ M.

Secretary of State