

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

SENATE BILL NO. 2207
(Senators Grindberg, Holmberg, Robinson)
(Representatives Dockter, Kreun, Thoreson)

AN ACT to create and enact a new subsection to section 57-38-30.5 of the North Dakota Century Code, relating to the effect of the expiration of the federal research tax credit on the state income tax credit for research and experimental expenditures; to provide for retroactive application; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 57-38-30.5 of the North Dakota Century Code is created and enacted as follows:

For any taxable year in which the federal research tax credit provisions of section 41 of the Internal Revenue Code are ineffective, the provisions of section 41 of the Internal Revenue Code referenced in this section have the same meaning and application as provided in section 41 of the Internal Revenue Code [26 U.S.C. 41], as amended through the most recent taxable year in which the provisions were in effect.

SECTION 2. RETROACTIVE APPLICATION. This Act applies retroactively to taxable years beginning after December 31, 2011.

SECTION 3. EXPIRATION DATE. This Act is effective through December 31, 2014, and after that date is ineffective.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2207.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 83 Nays 7 Absent 4

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State