

February 6, 2013

PROPOSED AMENDMENTS TO SENATE BILL NO. 2104

- Page 1, line 1, remove "to create and enact a new section to chapter 57-38 of the North Dakota"
- Page 1, remove line 2
- Page 1, line 3, remove "nonresidents;"
- Page 1, line 3, replace "sections" with "section"
- Page 1, line 3, remove "and 57-38-61"
- Page 1, line 5, remove "and the provisions of the income tax chapter applicable to oil and gas"
- Page 1, line 6, remove "royalty payments"
- Page 1, remove lines 8 through 24
- Page 2, remove lines 1 through 31
- Page 3, remove lines 1 and 2
- Page 3, line 7, remove the overstrike over "an individual"
- Page 3, line 7, after "who" insert "or passthrough entity that"
- Page 3, line 7, remove the overstrike over "is"
- Page 3, line 12, replace "business" with "passthrough"
- Page 4, line 22, remove the overstrike over "~~but not later than the fifteenth day of the third~~"
- Page 4, line 23, remove the overstrike over "~~month after the end of its taxable year,~~"
- Page 5, line 4, overstrike "or"
- Page 5, line 11, after "dollars" insert "; or

- (5) The member is a lower-tier passthrough entity that elects to be exempted from the withholding requirement under this subsection. The election must be made on a form and in a manner prescribed by the tax commissioner. The form must include a statement that the member certifies that the member will file any return and pay any tax required by this chapter on its distributive share of income from the source passthrough entity and that the member is subject to this state's jurisdiction for the collection of that tax and any applicable penalty and interest. The tax commissioner may revoke the exemption under this paragraph if the source passthrough entity or member fails to comply with the requirements of this paragraph. If the exemption is revoked, the source passthrough entity shall begin withholding from the member within sixty days of receiving notification of the revocation from the tax commissioner. The tax commissioner

may prescribe any procedures and guidelines necessary to administer this paragraph"

Page 5, remove lines 15 through 27

Renumber accordingly