

Introduced by

Senators Oehlke, Dotzenrod, Sorvaag

Representatives Delmore, Dockter, Thoreson

1 A BILL for an Act to amend and reenact section 53-06.1-12 of the North Dakota Century Code,
2 relating to gaming and excise taxes; to provide a continuing appropriation; and to provide an
3 effective date.

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

5 **SECTION 1. AMENDMENT.** Section 53-06.1-12 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **53-06.1-12. Gaming tax - Deposits and allocations - Continuing appropriation.**

- 8 1. A gaming tax is imposed on the total gross proceeds received by a licensed
9 organization in a quarter and it must be computed and paid to the attorney general on
10 a quarterly basis on the tax return. This tax must be paid from adjusted gross
11 proceeds and is not part of the allowable expenses. For a licensed organization with
12 gross proceeds:
- 13 a. ~~Not exceeding one million five hundred thousand dollars the tax is one percent of~~
14 ~~gross proceeds.~~
 - 15 b. ~~Exceeding one million five hundred thousand dollars the tax is fifteen thousand~~
16 ~~dollars plus two and twenty five hundredths percent of gross proceeds exceeding~~
17 ~~one million five hundred thousand dollars~~ exceeding twenty-five thousand dollars
18 the tax is three-fourths of one percent of the gross proceeds ~~exceeding~~
19 ~~twenty five thousand dollars.~~
- 20 2. The tax must be paid to the attorney general at the time tax returns are filed.
- 21 3. Except as provided in subsection 4, the attorney general shall deposit gaming taxes,
22 monetary fines, and interest and penalties collected in ~~the general~~ a special fund in the
23 state treasury designated as the gaming regulation and enforcement fund. All moneys

1 in the gaming regulation and enforcement fund are appropriated on a continuing basis
2 to the attorney general for the purpose of gaming regulation and enforcement.

- 3 4. The attorney general shall deposit ~~seven~~thirteen percent of the total taxes, less
4 refunds, collected under this section into a gaming tax allocation fund. Pursuant to
5 legislative appropriation, moneys in the fund must be distributed quarterly to cities and
6 counties in proportion to the taxes collected under this section from licensed
7 organizations conducting games within each city, for sites within city limits, or within
8 each county, for sites outside city limits. If a city or county allocation under this
9 subsection is less than two hundred dollars, that city or county is not entitled to receive
10 a payment for the quarter and the undistributed amount must be included in the total
11 amount to be distributed to other cities and counties for the quarter.

12 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable events occurring after
13 June 30, 2015.