

Introduced by

Senator O. Larsen

Representative Keiser

1 A BILL ~~for an Act to amend and reenact section 57-38-29.3 of the North Dakota Century Code,~~  
2 ~~relating to an income tax credit for premiums for hybrid long-term care partnership plan~~  
3 ~~insurance coverage; and to provide an effective date.~~ for an Act to provide for a legislative  
4 management study of providing an income tax credit for premiums for hybrid long-term care  
5 partnership plan insurance coverage.

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

7 ~~— **SECTION 1. AMENDMENT.** Section 57-38-29.3 of the North Dakota Century Code is~~  
8 ~~amended and reenacted as follows:~~

9 ~~— **57-38-29.3. Credit for premiums for long-term care partnership plan insurance**~~  
10 ~~**coverage.**~~

11 ~~— A credit against an individual's tax liability under this chapter is provided to each taxpayer in~~  
12 ~~the amount of the premiums paid during the taxable year by the taxpayer for qualified long-term~~  
13 ~~care partnership plan insurance coverage, or for long-term care insurance coverage that is part~~  
14 ~~of a hybrid long-term care insurance policy as provided for under section 844(b) of the Pension~~  
15 ~~Protection Act of 2006 [Pub. L. 109-280; 25 U.S.C. 1035], for the taxpayer or the taxpayer's~~  
16 ~~spouse, or both. The credit under this section for each insured individual may not exceed two~~  
17 ~~hundred fifty dollars in any taxable year. For purposes of this section, "qualified long-term care~~  
18 ~~partnership plan" is one that:~~

19 ~~— 1. — Is a qualified long-term care insurance policy, as defined in section 7702B(b) of the~~  
20 ~~Internal Revenue Code of 1986, with an issue date on or after the date specified in an~~  
21 ~~approved medicaid state plan amendment that provides for the disregard of assets;~~

22 ~~— 2. — Meets the requirements of the long-term care insurance model regulations and the~~  
23 ~~long-term care insurance model act promulgated by the national association of~~

1 insurance commissioners as adopted as of October 2000, or the insurance-  
2 commissioner certifies that the policy meets those requirements; and

3 ~~3. Is purchased by an individual who:~~

4 ~~a. Has not attained age sixty one as of the date of purchase, if the policy provides-~~  
5 ~~compound annual inflation protection;~~

6 ~~b. Has attained age sixty one but has not attained age seventy six as of the date of~~  
7 ~~purchase, if the policy provides some level of inflation protection; or~~

8 ~~c. Has attained age seventy six as of the date of purchase.~~

9 ~~**SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after-~~  
10 ~~December 31, 2016.~~

11 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY.** During the 2017-18 interim, the  
12 legislative management shall consider studying the feasibility and desirability of providing an  
13 income tax credit to individuals for premiums for hybrid long-term care partnership plan  
14 insurance coverage. The legislative management shall report its findings and recommendations,  
15 together with any legislation required to implement the recommendations, to the sixty-sixth  
16 legislative assembly.